

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

**REGULAR MEETING – April 17, 2008**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

---

PRESENT:

**Chairman:** Craig H. Zetley (*voting on items 1 – 47, 49 - 58*)

**Members:** Henry P. Szymanski (*voting on items 1 - 58*)  
Scott R. Winkler (*voting on items 1 - 58*)  
Catherine M. Doyle (*voting on items 1 - 58*)  
Donald Jackson (*voting on items 1 - 58*)

**Alt. Board Members:** Georgia M. Cameron (*excused*)  
Leni M. Siker (*excused*)

START TIME: 4:15 p.m.

End Time: 7:10 p.m.

---

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	28578 Special Use	Osamah Al Shelleh Lessee  Request to construct a new office and car washing facility on site (to be used in conjunction with the existing non-conforming motor vehicle sales facility).	3210 W. Lincoln Av. 8th Dist.
		Action: Dismissed	
		Motion: Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
		Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	28585 Special Use	Salvador Sanchez Property Owner  Request to occupy the premises as an auto sales facility.	2606 W. Greenfield Av. 8th Dist.
		Action: Adjourned.	
		Motion: This matter was adjourned at the request of the applicant and will be rescheduled on an upcoming BOZA hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	28564 Use Variance	Kenmikiiya M Terry Lessee  Request to occupy the premises as a day care center (that is within 300 ft. of a liquor establishment) for 100 children (per shift), ages 4 wks. to 12 yrs., operating 24-hours a day, 7 days a week.	2014 W. North Av. A/K/A 2030 W. North Av. 15th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	28565 Dimensional Variance	JSB Investment Group, LLC Prospective Buyer  Request to replace the existing billboard with a billboard 65 ft. in height, 14' x 48' in size on the premises (proposed billboard is digital).	1003 W. North Av. A/K/A 2212 N. 11th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	28321 Special Use	Shartavia Adams Lessee  Request to increase the number of children from 68 to 90 and continue occupying the premises as a 24 hr. day care center for children infant to 12 yrs. of age, operating Monday through Friday.	6627 W. Capitol Dr. 2nd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	28852 Special Use	Al-Karimi Corporation Property Owner  Request to continue occupying the premises as a motor vehicle filling station, convenience store and car wash.	7609 W. Capitol Dr. A/K/A 7601 W. Capitol Dr. 5th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That landscaping and screening is maintained in a manner that is meets the intent of city code.</li> <li>7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>8. That 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>9. 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>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>
7	28880 Special Use	Cynthia Black Lessee	8320 W. Lisbon Av. 5th Dist.
		Request to increase the day care center hours of operation from 7:00 a.m. - 6:00 p.m. Monday through Friday to 6:00 a.m. - 12:00 midnight Monday through Sunday for 30 children per shift infant to 12 yrs. of age.	
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 17, 2012.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	28883 Special Use	PH Hospitality Group, LLC Wisconsin Hospitality Group, LLC;Property Owner	7604 W. Burleigh St. 5th Dist.
		Request to continue occupying the premises as a fast-food / carry-out restaurant.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the 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 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>6. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
9	28857 Use Variance	Larry Gamble Lessee	101 W. Capitol Dr. A/K/A 103 W. Capitol Dr. 6th Dist.
		Request to continue occupying the premises as a general retail establishment(scuba store).	
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	28862 Special Use	Neher Electric Supply, Inc. Richard Steggeman;Property Owner  Request to continue occupying the premises as an indoor storage facility.	3718 N. Teutonia Av. A/K/A 3727 N. 19th Pl. 6th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	
11	28872 Special Use	Deondria P Owens Property Owner  Request to increase the hours of operation for the existing day care from 5:00 a.m. - 10:00 p.m. Monday - Friday, to 5:00 a.m. - 12:00 midnight Monday - Sunday for 30 children per shift, infant to 12 yrs. of age.	3567 N. Martin L King Jr Dr. A/K/A 3567 A N. Martin L King Jr Dr. 6th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	
12	28874 Special Use	Danae Davis Lessee  Request to continue occupying the premises as a social service facility (central office for youth service agency).	2100 N. Palmer St. A/K/A 2102 A N. Palmer St. 6th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	
13	28875 Special Use	Nyishia Brown Lessee  Request to continue occupying 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 3276 N. Richards St. 6th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	28787 Special Use	Rev. Richard Bush Property Owner	3416 N. Teutonia Av. 6th Dist.
		Request to continue occupying the premises as a general retail establishment (grocery store).	
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the Alderman of the district and will be rescheduled for the next available agenda.	
15	28855 Special Use	Anna Tormes Lessee	3213 N. 35th St. 7th Dist.
		Request to continue occupying the premises as a 24 hr. day care facility for 8 children ages infant - 12yrs., operating Monday - Friday (24 hrs.), and Saturday - Sunday 6:00 a.m. - 6:00 p.m..	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.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>
16	28867 Special Use	CK Properties, Inc. Property Owner	7720 W. Good Hope Rd. 9th Dist.
		Request to construct a general office building (permitted) and occupy a portion of the premises as a health clinic .	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That a revised site plan be submitted to the board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised site plan must include a clearly identifiable walkway leading from W. Good Hope Rd. to the building entrance. This walkway must be paved with non-asphalt materials.</li> <li>6. That a revised landscape and screening plan meeting the intent of city code section 295-405 is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>7. 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 90 days of March 1st.</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>
17	28814 Special Use	Demetrius L. Cooper Kingdom Builders Global Outreach Ministry; Lessee	1724 W. Mitchell St. A/K/A 1728 W. Mitchell St. 12th Dist.
		Request to occupy the premises as a religious assembly hall (site was previously approved by the Board as a religious assembly hall).	
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
18	28845 Special Use	Guy Rehorst Lessee	616 W. Virginia St. A/K/A 600 W. Virginia St. 100 12th Dist.
		Request to occupy a portion of the premises as a heavy manufacturing facility (distillery).	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	28789 Special Use	Kolee Yang Property Owner  Request to occupy a portion of the premises as a day care center for 25 children per shift infant to 12 years of age, Monday - Friday 5:00 a.m. - 11:00 p.m..	1801 W. Becher St. A/K/A 1801 W. Becher St. UPR F 13th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the applicant obtains a loading zone on South 18th Street.</li> <li>7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional 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>
20	28853 Special Use	YMCA of Metro Milwaukee Lessee  Request to continue occupying the premises as a community center (YMCA).	3720 S. 27th St. A/K/A 3726 S. 27th St. 13th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of fifteen (15) 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	28861 Special Use	Suzy Rodriguez Lessee  Request to occupy the premises as a fast-food/carry-out restaurant with a drive-through facility (previously approved as carry-out restaurant).	4939 S. Howell Av. A/K/A 4949 S. Howell Av. 13th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the 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 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>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 site illumination must meet the lighting standards of s.295-409 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>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	28882 Special Use	PH Green Bay, LLC Wisconsin Hospitality Group, LLC;Property Owner	3131 S. Kinnickinnic Av. A/K/A 3133 S. Kinnickinnic Av. 14th Dist.
		Request to continue occupying the premises as a fast-food / carry-out restaurant.	
	Action:	Adjourned.	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
23	28889 Special Use	Marcel Green-Minter Lessee	4727 W. Center St. A/K/A 4725 W. Center St. 15th Dist.
		Request to continue occupying a portion of the premises as a second-hand sales facility (furniture sales).	
	Action:	Adjourned.	
	Motion:	This matter has been 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>
24	28840 Use Variance	Katherine M Handy Lessee	4641 N. 28th St. 1st Dist.
		Request to increase the hours of operation from Monday - Sunday 6:00 a.m. - 10:00 p.m. to Monday - Sunday 6:00 a.m. - midnight, and continue occupying the premises as a day care center for 8 children infant to 12 yrs. of age.	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there be no signage associated with the day care facility.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That this Variance is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
25	28871 Special Use	Shirley R Howard Property Owner	4911 W. Good Hope Rd. A/K/A 4919 W. Good Hope Rd. 1st Dist.
		Request to continue occupying the premises as a day care center for 98 children infant to 13 years of age, operating Monday - Friday 5:30 a.m. - 9:00 p.m .	
	Action:	Adjourned.	
	Motion:	This matter has been 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>
26	28838 Special Use	Kevin & Kenyatta Johnson Property Owner	6107 W. Leon Tr. A/K/A 6107 W. Leon Tr. 3 2nd Dist.
		Request to increase the hours of operation for the Board approved day care center from 6:30 a.m. - 5:30 p.m. to 6:30 a.m. - 11:00 p.m. Monday through Friday for 50 children infant to 12 yrs. of age.	
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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.295-505-5 of the Milwaukee Zoning Code.</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>
27	28849 Special Use	Robin Bennett Lessee  Request to continue occupying the premises as a day care center for 90 children per shift infant to 12 years of age, operating 24 hours Monday - Sunday .  Action: Granted 3 yrs.  Motion: Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	8749 W. Fond Du Lac Av. A/K/A 8761 W. Fond Du Lac Av. 2nd Dist.
28	28846 Use Variance	J & G Foods, Inc. Gerry Scharnek;Lessee  Request to continue occupying the premises as an outdoor storage facility.	1620 N. Water St. A/K/A 1622 N. Water St. 3rd Dist.
		Action: Adjourned.	
		Motion: This matter was adjourned at the request of staff and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	28860 Special Use	Marilyn Simms Lessee  Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 8:00 p.m. and to continue occupying the premises as a day care center for 80 children per shift, infant to 12 yrs of age, Monday - Sunday .  Action: Adjourned.  Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	2939 W. Kilbourn Av. A/K/A 2933 W. Kilbourn Av. 4th Dist.
30	28868 Special Use	Venner Alston Property Owner  Request to continue occupying the premises as a religious assembly hall.  Action: Granted 10 yrs.  Motion: Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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>	2605 W. Vliet St. 4th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	28869 Special Use	Venner Alston Property Owner  Request to increase the hours of the existing Board approved day care center from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 12:00 midnight, Monday - Friday, for 50 children infant - 12 yrs of age.	2605 W. Vliet St. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 ten (10) years, commencing with the date hereof.</li> </ol>	
32	28290 Use Variance	Rueben M. Katz Aztak Co.;Property Owner  Request to continue occupying the premises as a metal processing and recycling facility with outdoor storage.	8300 W. Florist Av. 2nd Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	28863 Resubmission Request	Natasha Bishop Lessee  Request a resubmission hearing to occupy the premises as a day care center for 6 children per shift, ages infant to 12 years, operating Monday through Friday from 6:00 a.m. to 10:00 p.m.	1801 W. Galena St. A/K/A 1551 A N. 18th St. 4th Dist.
	Action:	Granted.	
	Motion:	Scott Winkler moved to grant this rehearing request. 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>
34	28557 Special Use	Thomas D Manske Lessee	7808 W. Congress St. 5th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 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 freestanding signage is limited to the two existing pylon sign panels, and that all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>7. That pennants, banners, light pole signage, and the other freestanding signage the West. Appleton Ave and West Congress Street frontages be removed.</li> <li>8. That materials stored in the storage container not exceed the height of the container.</li> <li>9. That all repair work is conducted inside of the building.</li> <li>10. That there be no storage or display of vehicles for sale in the public right of way.</li> <li>11. That there be no vehicles parked in any driveway of the premises.</li> <li>12. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>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.</li> <li>14. 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	28803 Special Use/ Dimensional Variance	St. Anne's Home for the Elderly; Milwaukee, Inc. Property Owner  Request to continue occupying the premises as a Community Living Arrangement (CLA) and construct an addition for 48 new elderly residents that is over the maximum allowed lot coverage (excess of 645 sq. ft.) *Previous Variances and Special Use approved for the existing home for the elderly/ assisted living facility .	3800 N. 92nd St. A/K/A 3800 N. 92nd St. 1006 5th Dist.
	Action:	Special Use Granted 10 yrs. / Variance Granted to run with the land.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the landscape and screening plan submitted to the Board of Zoning Appeals on February 14, 2008 is revised to meeting the intent of city code section 295-405. the revised landscape plan must provide additional trees along the street frontage of the north parking lot.</li> <li>5. 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>	
36	28854 Use Variance	Patricia Fondren Lessee  Request to occupy the premises as a family day care home for 8 children per shift infant to 12 years of age, operating 24 hours Monday - Saturday.	3515 N. 76th St. 5th 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>
37	28707 Special Use	Alphabet Street Learning Center Property Owner	4473 N. 76th St. 5th Dist.
		Request to continue occupying the premises as a day care center for 71 children, ages infant to 12 years operating 5:30 a.m. to midnight, Monday - Sunday.	
	Action:	Granted 1 yr.	
	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"> <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 storefront windows remain as transparent glass and are maintained in an attractive manner.</li> <li>6. That the petitioner takes all measures necessary to control litter, loitering, parking problems and loud noise on the premises, including, but not limited to, hiring private personnel.</li> <li>7. That the applicant provide all interested parties (neighbors, Board, Alderman) with a 24 hour contact phone number (to Board within 7 days).</li> <li>8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	28836 Special Use/ Dimensional Variance	Mark C Lake Prospective Buyer  Request to raze the existing building and construct a retail establishment with a drive-through facility that is within 150 ft. of a residential district, and that does not meet the required distance of interior wall parallel to glazing location (required 6 ft. / proposed 3 ft.), and that exceeds the maximum height of a free-standing sign (maximum 14 ft. / proposed 20 ft. 4 in.) .	2826 N. Martin L King Jr Dr. A/K/A 2812 N. Martin L King . 6th Dist.
	Action:	Adjourned.	
	Motion:	This item was adjourned at the request of the Alderman of the district and will be rescheduled for the next available hearing.	
39	28801 Special Use	Murtaza Sajan Lessee  Request to occupy the premises as a day care center for 60 children per shift, infant - 12 yrs. of age, operating Monday - Sunday 6:00 a.m. - 12:00 a.m..	3380 N. 35th St. A/K/A 3329 W. Townsend St. 7th Dist.
	Action:	Adjourned.	
	Motion:	This item was adjourned at the request of the Alderman of the district 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>
40	28739 Special Use	J & L Child Care Company, Inc. Prospective Buyer	3343 N. 35th St. 7th Dist.
		Request to occupy the premises as a day care center operating 24 hours a day, 7 days a week, for 50 children per shift, infant to 12 years of age (Board approved a day care center for this site in 2001 for 10 years) .	
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</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 applicant obtains a loading zone on North 35th Street.</li> <li>7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>8. That the petitioner removes exterior security gates from doors prior to occupancy.</li> <li>9. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 10, 2011.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	27424 Use Variance	Patti Jump Property Owner	2100 04 S. 32nd St. 8th Dist.
		Request to expand the existing multi-family (4 unit) residential dwelling into a 5 unit multi-family residential dwelling.	
	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>
42	28684 Special Use	Edwin Aviles Lessee  Request to occupy the premises as a day care center for 8 children (2 shifts), ages infant to 12 years, operating Monday through Friday from 6:00 a.m. to 1:00 a.m..	1948 S. 30th St. A/K/A 1946 S. 30th St. 8th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the other dwelling unit in this duplex continue to be occupied as a residential dwelling unit.</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 there be no signage associated with the day care facility.</li> <li>7. 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.</li> <li>8. That the hours of operation shall be 6:00 a.m. to 6:00 p.m.</li> <li>9. That the late hour operating request was withdrawn by the applicant.</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>
43	28753 Use Variance	Young Minds Preparatory School Lessee  Request to occupy a portion of the premises as a school (pre-school - 8th grade) for 225 children operating from 6:00 a.m to 6:00 p.m., Monday - Friday.	8324 N. Steven Rd. A/K/A 8316 N. Steven Rd. 9th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
44	28784 Other	Kurt Bechthold Property Owner  Request to modify and or delete condition #6 from case #27975 stating that "all trucks (and loads) entering and exiting the site be covered in some manner" .	7460 N. 60th St. A/K/A 7500 N. 60th St. 9th Dist.
	Action:	Adjourned.	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
45	28822 Use Variance	Michael C. Vilione, Sr. EOG Environmental, Inc.;Lessee  Request to occupy the premises as a storage facility for hazardous materials.	8111 W. Bradley Rd. A/K/A 8115 W. Bradley Rd. 9th Dist.
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of 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>
46	28833 Special Use/ Dimensional Variance	Burger King Corporation A Florida Corporation;Property Owner  Request to raze and rebuild a fast-food / carry-out restaurant with a drive through that is within 150 ft. of a residential use, that does not meet the minimum required front setback (required 40.08 ft. / proposed 21.40 ft), and the minimum required glazing (required 435.3 sq. ft. / proposed 142 sq. ft.).	6544 N. 76th St. 9th Dist.
	Action:	Special Use Granted 10 yrs, Setback Variance Granted to run with the land, Glazing Variance dismissed	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</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 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 the premises is developed in accordance with the facade and site plans submitted to the Board on April 15, 2008.</li> <li>9. That the landscape plan submitted to the Board on April 15, 2008 is revised to meet the intent of city code section 295-405 are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits, and that landscaping and screening is installed within 90 days of occupancy. If occupancy occurs between September 30th and March 1st then landscaping and screening must be installed within 90 days of April 1st.</li> <li>10. That landscaping and screening is maintained in accordance with the approved landscape plan.</li> <li>11. That the Variance request for the glazing shortage was withdrawn by the applicant.</li> <li>12. That this Special Use is granted for a period of ten (10) years and this Variance (setback) 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>
47	28661 Special Use	Shawneen Newell Other  Request to occupy the premises as a day care center for 40 children, ages 6 weeks to 12 years, operating Monday through Friday from 6:00 a.m. to midnight.	2778 N. 59th St. A/K/A 2778 A N. 59th St. 10th Dist.
	Action:	Dismissed	
	Motion:	Catherine Doyle moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
48	28714 Special Use	James Baker Lessee  Request to occupy a portion of the premises as an ambulance service facility operating 24 hrs. per day (ambulance service is an addition to a permitted contractor's shop).	5044 S. 27th St. A/K/A 5050 S. 27th St. 13th Dist.
	Action:	Granted, 6 months	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	3 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 six (6) months 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 "good neighbor agreement" submitted by the applicant at the April 17th hearing, dated March 11, 2008, shall be considered part of the approved plan of operation.</li> <li>5. That this Special Use is granted for a period of six (6) months, 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	28483 Special Use	Abul Haq Property Owner	2341 S. Chase Av. 14th Dist.
		Request to continue occupying the premises as a motor vehicle filling station and convenience store.	
	Action:	Adjourned.	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
50	28796 Use Variance	Robert and Leonor Montemayor Property Owner	2873 S. 13th St. 14th Dist.
		Request to occupy the premises as a currency exchange facility within 150 ft. of a two family residential district.	
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
51	28818 Special Use	William H Smith Property Owner	2812 W. Fond Du Lac Av. 15th Dist.
		Request to occupy the premises as a contractor's yard and shop.	
	Action:	Adjourned.	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	28825 Special Use	Tiffany Dean Lessee	2659 N. 24th St. 15th Dist.
		Request to occupy the premises as a day care center for 8 children per shift infant to 12 years of age, Monday - Saturday 6:00 a.m. - 6:00 p.m. and Sunday 9:00 a.m. - 5:00 p.m..	
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That there is no signage on the premises.</li> <li>5. That the play area not be utilized before 9:00 a.m.</li> <li>6. 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>
53	28693 Use Variance	David Skwarek Michael Murray;Property Owner  Request to occupy the premises as an indoor storage facility (personal items).	3918 W. Kisslich Pl. A/K/A 3916 W. Kisslich Pl. 15th Dist.
	Action:	Adjourned.	
	Motion:	This appeal was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
54	28834 Use Variance	Hampton Real Estate, LLC Property Owner  Request to occupy the premises as a day care center for 20 children per shift, operating Monday through Friday, from 7:00 a.m. - 6:00 p.m. (within 300 ft. of a facility that possesses a liquor license).	1957 W. Hampton Av. A/K/A 1951 W. Hampton Av. 1st Dist.
	Action:	Adjourned.	
	Motion:	This appeal was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	28839 Use Variance	Ricardo A Brooks Lessee  Request to occupy a portion of the premises as a secondary school for 400 students in grades 9-12 operating Monday - Friday from 6:00 a.m. - 6:00 p.m. and Saturday and Sunday from 8:00 a.m. - 5:00 p.m..	5150 N. 32nd St. A/K/A 3117 W. Villard Av. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes, 2 Nays, Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate 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>5. That the applicant provides the Department of Neighborhood Services a scaled, dimensioned floor plan of the school that identifies the use of each room and the intended capacity.</li> <li>6. That the applicant amended the total number of children on site to 200.</li> <li>7. 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.</li> <li>8. That the applicant provide the Board, the Department of Neighborhood Services, and any other interested party with a 24 hour contact phone number.</li> <li>9. 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>
56	28844 Special Use	LifeStyle Ministries Rodney or Taron Monroe;Lessee	2320 W. Capitol Dr. 1st Dist.
		Request to occupy the premises as an elementary or secondary school for 120 students ages 4 - 12 yrs operating Monday - Friday 7:00 a.m. - 6:00 p.m..	
	Action:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <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 glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances.</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 educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>7. That the applicant provides the Department of Neighborhood Services a scaled, dimensioned floor plan of the school that identifies the use of each room and the intended capacity.</li> <li>8. That the applicant provide the Board with a phone number for a 24-hour contact person.</li> <li>9. 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.</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>
57	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:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	28856 Special Use/ Dimensional Variance	The Scion Group, LLC Mark Lewandowski;Property Owner  Request to construct 100 new (permitted) apartment units that do not meet the minimum required lot area per dwelling/roomer (required 116,400 sq. ft. / 97,445 sq. ft), to expand a nonconforming parking lot located between the street facade of the principal building and the street lot line, that is without the minimum number of parking spaces required (required 234 / proposed 188) and over the maximum allowed area of metal panels (permitted 15% / proposed 21%).	2040 W. Wisconsin Av. A/K/A 2040 W. Wisconsin Av. 310 4th Dist.
	Action:	Variances Granted through April 4, 2020 / Special Use regarding expansion of parking lot & Variance addressing metal panels granted to run with the land	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That supplemental information regarding the parking shuttle service that will operate on site be submitted to (within 30 days) and approved by the Zoning Administrative Group.</li> <li>5. That this Special Use regarding the expansion of the parking area and the Variance regarding the excessive metal panels on the facade of the building are granted to run with the land.</li> <li>6. That the Variances regarding the parking shortage and lot area required per dwelling unit are approved through April 4, 2020, commencing with the date hereof.</li> </ol>	

**Other Business:**

Board member Henry Szymanski moved to approve the minutes of the March 27, 2008 meeting. Seconded by Board member Scott Winkler. Unanimously approved.

The Board set the next meeting for May 22, 2008.

Board member Scott Winkler moved to adjourn the meeting at 7:10 p.m.. Seconded by Board member Henry Szymanski. Unanimously approved.

**BOARD OF ZONING APPEALS**

---

Secretary of the Board