

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

**REGULAR MEETING - January 22, 2009**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

---

PRESENT:

**Chairman:** Catherine M. Doyle (*voting on items 1 - 71*)

**Members:** Henry P. Szymanski (*voting on items 1 - 72*)  
Scott R. Winkler (*voting on items 53 - 72*)  
Donald Jackson (*voting on items 1 - 58, 60 - 72*)  
Georgia M. Cameron (*voting on items 1 - 72*)

**Alt. Board Members:** Leni M. Siker (*voting on items 59, 72*)

START TIME: 4:02 p.m.

END TIME: 8:40 p.m.

---

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	29054 Special Use	Nasreen F Azam Lessee  Request to occupy the premises as a day care center for 35 children infant - 13 years of age, operating Monday - Friday 6:00 a.m. - 6:30 p.m.	3122 S. 13th St. A/K/A 3122 B S. 13th St. 14th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	29284 Use Variance	Ella Griffin Lessee  Request to occupy a portion of the premises as a day care center for 75 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m. (located within 300 ft. of a liquor license) .  Action: Dismissed  Motion: Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 0 Abstained.  Conditions of Approval: --	7434 W. Capitol Dr. A/K/A 7444 W. Capitol Dr. 2nd Dist.
3	29246 Special Use	Dwayne Toliver Lessee  Request to continue occupying the premises as a hand car wash without the minimum required landscaping and screening.  Action: Dismissed  Motion: Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 0 Abstained.  Conditions of Approval: --	2571 N. 55th St. A/K/A 5514 W. Lisbon Av. 10th Dist.
4	29300 Use Variance	Jerry C Gainer Property Owner  Request to raze the existing single family residence and erect a mobile home.  Action: Dismissed  Motion: Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 0 Abstained.  Conditions of Approval: --	2944 N. 58th St. 10th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	29003 Special Use	Robin Pitts Lessee  Request to occupy the premises as a day care center for 49 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:30 p.m. and Saturday 6:00 a.m. - 5:00 p.m.	5916 W. North Av. A/K/A 5918 W. North Av. 10th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	--	
6	28876 Dimensional Variance	Thomas C Esser Property Owner  Request to use a portion of the front yard (currently existing driveway) for a parking space (driveway initially led to a garage which has been converted into a bedroom).	6315 W. Ohio Av. 11th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	29416 Special Use	Hamdan Cellular, LLC Lessee  Request to occupy a portion of the premises as a general retail establishment (cell phone sales and service).	2417 S. Howell Av. A/K/A 2417 A S. Howell Av. 14th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.</li> <li>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	29396 Special Use	Selina Cain Lessee  Request to continue occupying the premises as a 24 hour day care center for 79 children per shift infant to 12 years of age, operating Monday - Friday (this is a new operator).	3826 W. Lisbon Av. A/K/A 3828 W. Lisbon Av. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 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>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	29401 Special Use	H & M Auto Service & Transport Inc. James V. Hull;Lessee	2424 N. 30th St. 15th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That provided all repair work is conducted inside of the building.</li> <li>5. That provided any signage must conform to the sign standards of s. 295-805 of the Milwaukee Zoning Code.</li> <li>6. That an opaque fence is maintained along the north property line to separate the site from the north abutting residence</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	29436 Special Use	Nicole Dean Lessee  Request to continue occupying the premises as a day care center for 50 children infant to 12 years of age, operating Monday - Friday 6:30 a.m. - midnight.	3518 W. Silver Spring Dr. A/K/A 3518 A W. Silver Spring Dr. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 clear glass and are maintained in an attractive manner.</li> <li>6. That the applicant obtains a loading zone in front of the premises.</li> <li>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	29112 Dimensional Variance	Milwaukee Cycle Dave Soika;Property Owner  Request to continue to allow an on-premise sign that is over the maximum allowed height (allowed 14 ft. / proposed 20 ft. 7 in.) and exceeds the maximum allowed display area (allowed 32 sq. ft. / proposed 111.22 sq. ft.) .	5754 N. Teutonia Av. A/K/A 5756 N. Teutonia Av. 1st Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	29415 Special Use/ Dimensional Variance	Poinciana Sprewell Lessee  Request to occupy the premises as a religious assembly hall and an adult day care center for 45 clients, operating Monday - Friday 6:00 a.m. - 5:30 p.m that does not meet the minimum required number of parking spaces (required 18 / proposed 10).	5151 N. 35th St. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That no structural changes are made to the building's N. 35th St façade without approval of the Zoning Administration Group.</li> <li>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>7. That this Special Use and Variance are 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>
13	29313 Special Use/ Use Variance	LaBrew Troopers, Inc. Cmdr. Shan L. Owens;Lessee  Request to increase the number of students from 200 to 330 and to continue occupying the premises as a school for students K4 - 8th grade and as a day care center for 50 children 2 to 12 years of age, operating Monday - Friday 6:30 a.m. - 6:30 p.m.	4055 N. 34th St. A/K/A 3420 W. Capitol Dr. 1st Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	29424 Special Use	Micole Jackson Lessee  Request to increase the days of operation from Monday - Friday to Monday - Sunday and to continue occupying the premises as a day care center for 55 children per shift infant to 12 years of age, operating 6 a.m - 12 a.m.	4363 N. 27th St. A/K/A 4365 N. 27th St. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That this Special Use is granted for a period of 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>
15	29403 Use Variance	Arthur Arnstein Property Owner	8520 W. Kaul Av. A/K/A 8515 W. Lynx Av. 2nd Dist.
		Request to continue occupying the premises as a material reclamation facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That there is no parking of motor vehicles on the unpaved surface along the W. Kaul Ave frontage.</li> <li>6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris in areas of the premises that are not screened with landscaping and opaque fencing.</li> <li>7. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	29389 Special Use	Velocitel, Inc. Dave Trost ;Lessee  Request to continue to allow a flagpole transmission tower.	1615 E. Locust . A/K/A 1615 E. Locust St. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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>
17	29402 Special Use/ Use Variance	William Weslow Lessee  Request to continue occupying the premises as a motor vehicle sales and repair facility (scooter sales and repair).	1652 N. Water St. 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all repair work is conducted inside the building,</li> <li>5. That storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That the petitioner has no outdoor storage of parts, tires, nuisance or other junk and debris.</li> <li>7. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</li> <li>8. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	29206 Special Use	GS Family Limited Partnership #01 Lessee  Request to occupy the premises as a motor vehicle repair facility (this is an intensification of a non-conforming use) .	1729 N. Water St. A/K/A 1721 N. Water St. 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That a landscape and screening plan for the parking lot that meets the intent of city code section 295-405 for Type 'B' landscaping is submitted to the Board of Zoning Appeals for approval by the Zoning Administration Group prior to the issuance of any permits.</li> <li>5. That landscaping and screening is installed in accordance with an approved landscape plan within 160 days of occupancy. If occupancy occurs between September 30th of this year and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st</li> <li>6. That signage must meet the signage standards of s.295-705-7 of the Milwaukee Zoning code.</li> <li>7. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>8. That all repair work is conducted inside of the building.</li> <li>9. That there be no work conducted in the public right of way.</li> <li>10. That there be no vehicles stored in the public right of way.</li> <li>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.</li> <li>12. 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>
19	29388 Special Use	CPS of Wisconsin, Inc. Mike Kenney; Lessee	751 N. Plankinton Av. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	29429 Special Use	Second Property, LLC Property Owner  Request to convert the first floor of the premises into residential units (operator previously approved for residential units on the second through sixth floors).	413 N. 2nd St. 100 A/K/A 401 N. 2nd St. 4th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on October 9, 2036.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	29331 Special Use	Harold R Butler, Jr. Lessee	1422 N. 27th St. 4th Dist.
		Request to continue occupying the premises as a car wash.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That any 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.295-606-5 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 all waste water associated with the car wash operation are contained on-site.</li> <li>8. That no vehicles are parked in the alley.</li> <li>9. That all car wash activity is conducted inside the building</li> <li>10. That there be no work conducted in the public right of way.</li> <li>11. That there be no vehicles stored in the public right of way.</li> <li>12. The applicant complies with Department of Neighborhood Services order dated September 9, 2008 to obtain a sign permit.</li> </ol>	
		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>
22	29338 Special Use	West Hawkins Lessee	3752 N. Teutonia Av. A/K/A 3748 N. Teutonia Av. 6th Dist.
		Request to occupy a portion of the premises as a religious assembly hall.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the brown panel window openings be restored with transparent glass.</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 assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>7. That the petitioner provides two restroom for the 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>
23	29374 Special Use/ Use Variance	Lori Bauman Wisconsin Arts Lab;Prospective Buyer  Request to occupy the premises as a cultural institution and specialty school (offering art studios, exhibition space, classrooms and a library).	1422 N. 4th St. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</li> <li>5. That this Special Use and this Variance is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	29393 Special Use	Rev. John A Barton, Sr. Property Owner  Request to continue occupying the premises as a religious assembly hall and a social service facility.	2947 N. Martin L King Jr Dr. A/K/A 2941 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must 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 five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	29408 Use Variance	Ajit Singh Property Owner	1545 W. Hopkins St. 6th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</li> <li>5. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</li> <li>6. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>7. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>8. That no additional signage may be erected on the site unless it meets the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>9. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	29426 Special Use	Anthony Sephus Lessee  Request to occupy the premises as a hand car wash and a second-hand sales facility (new and used tire sales).	925 W. Capitol Dr. A/K/A 3919 N. Martin L King Jr Dr. 6th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
27	29441 Special Use	Doggy Day Care, Inc; Central Bark Doggy Day Care Jackie Jordan;Lessee  Request to occupy the premises as an animal boarding facility.	4111 N. Port Washington Av. A/K/A 4125 N. Port Washington Av. 6th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	29311 Special Use	Debra Renee Prophet Property Owner  Request to occupy the premise as a religious assembly hall and a day care center for 25 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m.	4856 W. Fond Du Lac Av. A/K/A 4858 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Syzmanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the storefront window is retained as clear transparent vision glass</li> <li>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>6. That the applicant obtains a loading zone in front of the premises.</li> <li>7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly and institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>8. That the petitioner removes the vehicle doors and infills the opening with approved material.</li> <li>9. That the petitioner obtains a furnace permit and provides access for inspection prior to occupancy.</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>
29	29385 Special Use	Gary Cash Lessee  Request to occupy a portion of the premises as an assembly hall (to be operated in conjunction with the adjacent restaurant).	4610 W. Fond Du Lac Av. A/K/A 4600 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</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>
30	29159 Special Use	Advanced Properties and Investments, LLC Lessee	2715 W. Townsend St. A/K/A 2711 W. Townsend St. 7th Dist.
		Request to occupy a portion of the premises as a car wash.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That all wastewater is contained on site.</li> <li>7. That there be no work conducted in the public right of way.</li> <li>8. That there be no vehicles stored in the public right of way.</li> <li>9. The applicant performs all activity inside the building.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That this Special Use is granted for a period of 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>
31	29382 Special Use	New Creatures in Christ Fellowship Church-Outreach Lessee  Request to occupy a portion of the premises as a religious assembly hall and a social service facility.  Action: Granted 5 yrs.  Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 0 Abstained.  Conditions of Approval:	4610 W. Fond Du Lac Av. 7th Dist.
		<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 five (5) years, commencing with the date hereof.</li> </ol>	
32	29428 Special Use/ Dimensional Variance	Max Motors & Body Shop, Inc. Osamah Shelleh;Lessee  Request to continue occupying the premises as an outdoor storage facility (motor vehicle storage) without the required landscaping.	2550 S. 30th St. 8th Dist.
		Action: Adjourned  Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.  Vote: --  Conditions of Approval: --	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	29380 Special Use	Anica Banyard Lessee  Request to increase the number of children from 20 to 24 per shift for a Board approved day care center operating Monday - Friday 6:00 a.m. - 10:00 p.m. (this is a new operator) .	5315 W. Center St. A/K/A 5311 W. Center St. 10th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 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 must not be 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 time commencing with the date hereof, and expiring on November 14, 2010.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	29407 Special Use	Brenda Lockett Property Owner	5140 W. Lisbon Av. 10th Dist.
		Request to continue occupying the premises as a day care center for 40 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M.</li> <li>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	29433 Special Use	Zelda T Jackson Lessee  Request to continue occupying the premises as a 24 hour family day care center for 8 children infant to 12 years of age, operating Monday - Sunday.  Action: Granted 5 yrs.  Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 0 Abstained.  Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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>	2969 N. 59th St. A/K/A 2969 A N. 59th St. 10th Dist.
36	29442 Special Use	Victoria L Mitchell Lessee  Request to occupy a portion of the premises as a second-hand store.  Action: Adjourned from a prior hearing  Motion: This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.  Vote: --  Conditions of Approval: --	7153 W. Burleigh St. A/K/A 7151 W. Burleigh St. 10th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	29437 Special Use	<p>Tapat Properties, LLC Midwest Community Services, Inc.;Property Owner</p> <p>Request to continue occupying the premises as a transitional living facility for 8 occupants.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 0 Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	<p>7221 W. Oklahoma Av. A/K/A 7221 W. Oklahoma Av. 1 11th Dist.</p>
38	29464 Special Use	<p>Jose M Lopez Lessee</p> <p>Request to continue occupying the premises as a motor vehicle sales and repair facility.</p> <p>Action: Adjourned</p> <p>Motion: This matter has been adjourned at the request of staff and will be rescheduled for the next available agenda.</p> <p>Vote: --</p> <p>Conditions of Approval: --</p>	<p>2485 S. 13th St. 12th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	29427 Special Use	La casa de Isabelle, LLC Jolene A. Lopez; Lessee  Request to continue occupying the premises as a 24 hr day care center for 50 children infant to 12yrs of age, operating Monday - Friday (new operator).	1436 W. Mitchell St. A/K/A 1436 W. Mitchell St. 2 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 the Milwaukee Zoning Code.</li> <li>5. That the storefront windows are restored to 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 five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	29457 Special Use	Airport Pizza Roc, Inc. Trey Hester; Lessee  Request to continue occupying the premises as a fast-food/carry-out restaurant.	4849 S. Howell Av. A/K/A 4851 S. Howell Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	
41	29392 Special Use	Yousef Ali Lessee  Request to occupy the premises as a fast-food / carry-out restaurant.	4125 S. Howell Av. 13th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	29417 Special Use	Rosen Nissan, Inc. Property Owner  Request to continue occupying the premises as a motor vehicle sales facility (this is a new operator).	5510 S. 27th St. A/K/A 5516 S. 27th St. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
43	28823 Special Use	The Chateau LLC c/o Katz Properties, Inc.;Property Owner  Request to continue occupying the premises as a rooming house for 54 tenants.	2535 N. Farwell Av. A/K/A 2223 E. Webster Pl. C 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 the petitioner submit a twenty-four (24) hour contact phone number to the Board and make this number available to the Alderman and area residents</li> <li>6. That occupancy does not exceed fifty-four (54) persons</li> <li>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	29291 Special Use	Claude W Hill Property Owner  Request to occupy the premises as a rooming house for 8 occupants.	1717 W. Hopkins St. A/K/A 1717 A W. Hopkins St. 6th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	--	
45	29117 Appeal of an Order	Integrated Enterprises, Inc. Greg Solfest, Registered Agent;Property Owner  Request to appeal an order from the Department of Neighborhood Services determining that the appellant is not compliant with Code Section 295-803-2-n, stating that a heavy motor vehicle repair facility located within 150 feet of a residential district shall be totally enclosed within a building and shall not operate between the hours of 7 p.m. and 7 a.m. (This is a revocation order).	5467 S. 9th St. A/K/A 904 W. Grange Av. 13th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	29410 Dimensional Variance	Johnny Rachal Property Owner  Request to construct an addition to the existing single family dwelling that does not meet the required rear setback (required 10 ft. / proposed 1.5 ft.) and the required eave setback (required 2 ft. / proposed 0.35 ft.).	1426 E. Oklahoma Av. 14th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
47	29063 Special Use	Tina Williams Sanford Lessee  Request to occupy a portion of the premises (1st floor) as a 24 hour day care center for 90 children per shift infant - 12 years of age, Monday - Sunday.	2454 W. Lisbon Av. A/K/A 2460 W. Lisbon Av. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	--	
48	29010 Special Use	Alphaomega, LLC Property Owner  Request to occupy the premises as a social service facility (providing family services and community outreach).	3412 W. Center St. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	29176 Special Use	Jerome Mason Lessee	1711 W. Center St. 15th Dist.
		Request to occupy a portion of the premises as a motor vehicle sales facility (this facility will be operated independent from the existing motor vehicle repair facility) .	
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	29359 Special Use	Life Skills Academy Lessee	2320 W. Capitol Dr. 1st Dist.
		Request to occupy a portion of the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - 11:00 p.m.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That 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 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 the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>11. That all previous conditions of the Board regarding this property are complied with.</li> <li>12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on April 20, 2010.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	29216 Special Use	LaSonia Smith Property Owner	6625 W. Hope Av. 2nd Dist.
		Request to occupy the premises as a day care center for 24 children (8 per shift) infant to 12 years of age, operating 24 hours Monday - Sunday .	
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	3 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That no signage is permitted.</li> <li>6. That children are not dropped off or picked up between the hours of 11:00p.m. and 11:00a.m.</li> <li>7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
52	29235 Special Use	Christopher Ozodi Prospective Buyer	6430 W. Fond Du Lac Av. 2nd Dist.
		Request to occupy the premises as a religious assembly hall.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	29322 Special Use/ Dimensional Variance	John Kako Global Vision Center, Inc.;Property Owner  Request to construct a permitted religious assembly hall that does not meet the required rear street setback (required 63.1 ft. / proposed 3.82 ft.) with parking located between the front facade and street frontage does not meet the required landscaping standards.	7235 W. Villard Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
54	29342 Special Use Denied	Human Development Center, Inc. Dr. Chuck Holloway;Property Owner  Request to occupy the premises as a group home for 8 occupants, 12 - 17 years of age.	5480 N. 92nd St. A/K/A 5480 N. 92nd St. 4 2nd Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	29358 Use Variance	Arester Young Property Owner	7917 W. Winfield Av. 2nd Dist.
		Request to occupy the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday 8:00 a.m. - 11:00 p.m.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
56	29409 Use Variance	Margery Mullett Property Owner	2841 N. Frederick Av. A/K/A 2843 N. Frederick Av. 3rd Dist.
		Request to occupy the premises as a 3 unit multi-family dwelling (multi-family dwellings that have not been legally established and occupied by 2002 are not permitted in this district).	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	29203 Use Variance	Zeta Zeta Chapter of Tau Kappa Epsilon Fraternity, Inc.;Property Owner  Request to continue occupying the premises as a fraternity.  Action: Granted 3 yrs.  Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That all previous conditions of the Board regarding this property are complied with.  5. That the number of parked cars on site are limited to four (4).  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 this Variance is granted for a period of three (3) years, commencing with the date hereof.	3321 N. Oakland Av. 3rd Dist.
58	29119 Special Use	Bill Brachman Property Owner  Request to occupy the premises as a principal use parking lot.  Action: Adjourned  Motion: Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.  Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  Conditions of Approval: --	1503 W. Kilbourn Av. A/K/A 1519 W. Kilbourn Av. 4th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	29397 Dimensional Variance	Jerome M Cohen Lessee  Request to allow message changes to occur more than once every 60 seconds for an on-site automatic changeable message sign (the display area of an automatic changeable message sign shall not be changed more frequently than once every 60 seconds).	340 W. Kilbourn Av. A/K/A 330 W. Kilbourn Av. 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 0 Nays, 1 C. Doyle; G. Camer 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 sign is in no way altered or changed unless obtaining a permit approval from the City of Milwaukee.</li> <li>5. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	29432 Special Use	Jaskaran Singh Jeji Property Owner	8712 W. Lisbon Av. 5th Dist.
		Request to add a motor vehicle sales and repair facility to the existing nonconforming motor vehicle filling station.	
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle 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 repair work is conducted inside of the building.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. That the existing landscaping along the N. 87th St frontage is maintained.</li> <li>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code, and that there be no portable or sandwich board signage.</li> <li>8. That there be no vehicles displayed for sale in the public right of way.</li> <li>9. That there be no vehicles parked in the driveways of the site.</li> <li>10. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>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.</li> <li>12. 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>
61	29241 Special Use	Carrie Williams Lessee  Request to occupy the premises as a day care center for 95 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 11:30 p.m.	7607 W. Townsend St. A/K/A 3365 N. 76th St. 5th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	29384 Special Use	Bettie Stewart Miricle Temple of Deliverence Church;Lessee	1937 N. Martin L King Jr Dr. A/K/A 1939 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the security grates are removed from the storefront windows</li> <li>6. That the storefront windows remain as clear transparent vision glass and are maintained in an attractive manner.</li> <li>7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>8. 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>
63	29244 Special Use	H & K Partners, LLC Douglas J. Mueller; Lessee	3411 W. Burleigh St. A/K/A 3440 W. Fond Du Lac Av. 7th Dist.
		Request to continue occupying the premises as a fast-food / carry-out restaurant.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>7. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</li> <li>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	29265 Dimensional Variance	Saleh Salem Lessee  Request to allow three wall signs and one projecting sign that exceed the maximum allowed area (allowed wall sign 50 sq.ft.; allowed projecting sign 25 sq.ft.).	2641 W. Lincoln Av. A/K/A 2314 S. 27th St. 8th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
65	29375 Special Use	Carmen Aiello Property Owner  Request to occupy the premises as an assembly hall (banquet and conference facility) .	2537 W. National Av. A/K/A 2539 W. National Av. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle 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 first floor windows along the W. National Ave façade are retained as clear glass and are maintained in an attractive manner</li> <li>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>7. That this Special Use is granted for a period of 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>
66	29304 Special Use	Kurt Bechthold Construction Resources Management;Property Owner	7460 N. 60th St. A/K/A 7500 N. 60th St. 9th Dist.
		Request to continue occupying the premises as a facility engaged in the processing and recycling of mined materials (stockpiling and crushing of concrete and asphalt).	
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	Condition of Denial:  1. That the applicant has one year from the date of the signed decision to process the remaining materials on site and remove all recycling and mined materials from the site.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	29081 Special Use	Zubar Arshad Lessee	5990 W. Good Hope Rd. 9th Dist.
		Request to continue occupying the premises as a motor vehicle filling station and convenience store (this is a new operator).	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>6. 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>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>8. That 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>9. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>11. That the applicant comply with the DNS order to properly record the property.</li> <li>12. 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>
68	29398 Special Use	LaTronda Jones Lessee  Request to occupy a portion of the premises as a day care center for 40 children per shift infant to 13 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	3928 W. St Paul Av. A/K/A 404 A N. 40th St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
69	29421 Special Use	Verlondia Johnson and Tiffany Dean Lessee  Request to occupy a portion of the premises as a day care center for 80 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 11 p.m.	6733 W. Capitol Dr. A/K/A 6729 W. Capitol Dr. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	29286 Special Use	Ruth A. Hau Rah-Rah Investments, II, LLC;Property Owner  Request to occupy a portion of the premises as an adult day care center for 60 individuals, operating Monday - Friday 7 a.m. - 6 p.m .	6251 W. Forest Home Av. 11th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
71	29418 Special Use	Steven Skaleki Property Owner  Request to allow a transmission tower (flag pole with weather monitoring equipment).	9026 W. Burdick Av. 11th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	29094 Special Use	Gena L Clark Property Owner	7200 W. Sheridan Av. 2nd Dist.
		Request to occupy the premises as a group home for 4 occupants, 12 - 17 years of age.	
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn this to Administrative Review. Seconded by Henry Szymanski	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	--	

**Other Business:**

Board member Szymanski moved to approve the minutes of the December 11, 2008 meeting. Seconded by Board member Georgia Cameron. Unanimously approved.

The Board set the next meeting for February 12, 2009.

Board member Szymanski moved to adjourn the meeting at 8:40 p.m.. Seconded by Board member Siker. Unanimously approved.

**BOARD OF ZONING APPEALS**

---

Secretary of the Board