

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – April 30, 2009
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 53 - 75*)

Members: Henry P. Szymanski (*voting on items 1 – 52, 57 - 75*)
Scott R. Winkler (*voting on items 1 - 63*)
Donald Jackson (*voting on items 1 - 75*)
Georgia M. Cameron (*excused*)

Alt. Board Members: Jose L. Dominguez, Jr. (*voting on items 1 - 75*)
Leni M. Siker (*voting on items 1 – 57, 64 - 75*)

START TIME: 4:05 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	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:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	29544 Use Variance	Beglendar Fields Property Owner Request to occupy the premises as an adult day care center for 6 clients per shift, operating 6:30 a.m. - 11:30 p.m. Monday - Friday and Saturday 8:00 a.m. - 5:00 p.m.	3862 N. Sherman Bl. 7th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	--	
3	29227 Special Use/ Dimensional Variance	Tammy Ward Lessee Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (required 2 / proposed 0).	2201 W. Grant St. A/K/A 2205 S. 22nd St. 3 8th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	29570 Special Use	Linda A. Wilhelms & Daniel P. Wilhelms Property Owner	1201 N. Prospect Av. A/K/A 1207 N. Prospect Av. 3rd Dist.
		Request to continue occupying the premises as a general office facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	29574 Special Use	Shana Miyoko Mill Lessee	933 E. Center St. A/K/A 2673 N. Weil St. 3rd Dist.
		Request to occupy the premises as an assembly hall (AA meeting place).	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for business occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	29600 Special Use	Meta House Inc. Francine Feinberg, ED ;Lessee	924 E. Clarke St. A/K/A 2604 N. Bremen St. 2 3rd Dist.
		Request to occupy the premises as a social service facility (AODA services).	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	29605 Special Use	TATA Petroleum Inc. Property Owner	1030 E. North Av. A/K/A 1020 E. North Av. 3rd Dist.
		Request to continue occupying the premises as a motor vehicle filling station, car wash, and convenience store.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That landscaping and screening is maintained in accordance with the approved landscape plan. 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. 10. That the car wash not operate between the hours of 9:00 PM and 7:00 AM. 11. That the applicant does not have outdoor storage or display of products or merchandise. 12. 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. 13. 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>
8	29630 Special Use	Progeny Capitol Partners LLC Property Owner	215 W. Wells St. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on October 2, 2007. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	29633 Special Use	Downtown Books Keith Pajot ;Lessee Request to continue occupying the premises as a second-hand sales facility (used book store).	327 E. Wisconsin Av. A/K/A 325 E. Wisconsin Av. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-705-7 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	29586 Special Use	WHPC McKinley Gardens LLC Property Owner Request to construct an addition to connect the multi-family residences and to occupy the premises as a community center.	1349 N. 22nd St. 1 A/K/A 1349 N. 22nd St. 204 4th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. <ol style="list-style-type: none"> 1. That the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of design issues including, but not limited to site plans, facade & elevation plans, signage plans and landscape plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Department of City Development Planning Administration staff review and approval. Plans submitted to the Plan Examination Section must be consistent with the final Department of City Development Planning Administration staff approved plan, or no permits will be issued. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	29638 Special Use	AT&T Services, Inc. Rolando Reyes;Property Owner	918 N. 26th St. 4th Dist.
		Request to construct an addition to the existing telecommunications facility to house a stand-by generator.(An enlargement of an area devoted to a non-residential use that is located within a structure constructed prior to October 2007 which was intended to be occupied either in whole or in part by a non-residential use requires Special Use approval).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	29596 Special Use	Intelligence Inc. Kids Are Smart Learning Center; Lessee	8500 W. Capitol Dr. A/K/A 8500 W. Capitol Dr. 202 5th Dist.
		Request to continue occupying the premises as a day care center for 54 children per shift infant to 12 years of age, operating Monday - Friday 6:30 a.m. - 6:00 p.m.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 5. That the outdoor play area is not utilized before 9:00 A.M. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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13	29621 Special Use	AT&T Carol Couillard, OSP Design Engineer;Other	10701 W. Florist Av. A/K/A 10703 W. Florist Av. 5th Dist.
		Request to continue occupying the premises as an outdoor equipment substation / distribution facility that is within 25 feet of a street lot line.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	29637 Special Use	Lisa Ashley Property Owner	9111 W. Lisbon Av. A/K/A 9109 W. Lisbon . 5th Dist.
		Request to continue occupying the premises as a day care center for 50 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 5. That the outdoor play area is not utilized before 9:00 A.M. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That parents be advised that it is illegal to park in the bus stop along the easterly half of the parcel 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	29563 Special Use	April Juett Lessee	907 W. Atkinson Av. 6th Dist.
		Request to continue occupying the premises as a day care center for 25 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight and Saturdays 6 a.m. - 5 p.m.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	29569 Special Use	John G. Vidal Guardian Auto Service Inc.;Property Owner	3811 N. Port Washington Av. A/K/A 564 W. Vienna Av. 6th Dist.
		Request to occupy a portion of the premises as a motor vehicle repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That all repair work is conducted inside the building. 8. That there be no work conducted in the public right of way. 9. That there be no vehicles stored in the public right of way. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	29588 Special Use	Burger King Corp. A Florida Corporation;Property Owner Request to continue occupying the premises as a fast-food / carry-out restaurant.	2862 N. Martin L King Jr Dr. A/K/A 2868 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That there be no increase in the height or area of the existing freestanding sign, and all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That landscaping and screening is implemented and maintained in a manner that is consistent with city code. 8. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 9. 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>
18	29615 Special Use	Wisconsin Community Services Inc. Holly Patzer, Executive Director; Lessee Request to continue occupying the premises as a community based residential facility for 26 occupants.	1914 N. 6th St. A/K/A 524 W. Reservoir Av. 6th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	29618 Special Use	Duane and Shontina Gladney Lessee Request to add a school for 36 students K4-K5 grades, operating Monday - Friday 7:35 a.m. - 2:45 p.m. to the Board approved day care center operating from 6:00 a.m. to 11:00 p.m. Monday - Friday (day care center was approved for 72 children, the 36 students will be part of that total).	2044 N. Martin L King Jr Dr. A/K/A 2040 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That 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. 6. 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 of each room. 7. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on January 22, 2017. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	29620 Special Use	Sondra Jordan Lessee Request to continue occupying the premises as a day care center for 8 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m.	3453 N. 15th St. A/K/A 3453 A N. 15th St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. 5. That there be no signage associated with the day care facility 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	29550 Special Use	Jacqueline White Lessee Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 11:00 p.m. and the ages of children from infant to infant - 12 years of age and to continue occupying the premises as a day care center for 8 children per shift, operating Monday - Friday.	4006 N. 42nd St. A/K/A 4130 W. Capitol Dr. 7th 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:	--	
22	29552 Special Use	Jacqueline White Lessee Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 11:00 p.m., the number of children from 20 to 31 per shift, and the ages from infant - 11 to infant - 12 years of age and to continue occupying a portion of the premises as a day care center operating Monday - Friday.	4008 N. 42nd St. A/K/A 4130 W. Capitol Dr. 7th 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>
23	29547 Use Variance	Melanie Sobelman Property Owner Request to occupy a portion of the premises as a dwelling unit (per MCO section 295-417: for nonconforming residential uses, the building permit for reconstruction shall be obtained within 18 months of the date of the fire that destroyed the previous structure).	1900 W. St Paul Av. A/K/A 1902 W. St Paul Av. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance 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>
24	29566 Special Use	Bouathong Vangsoulatda Property Owner	2316 W. National Av. 8th Dist.
		Request to continue occupying a portion of the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. 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>
25	29571 Special Use	School Sisters of St. Francis - St. Joseph Convent Sister Helen Butzler; Lessee	1545 S. Layton Bl. A/K/A 2812 W. Lapham St. 8th Dist.
		Request to continue occupying a portion of the premises as an adult day care center.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	29604 Special Use	Moras Auto Uno LLC Federico Mora;Property Owner	3120 W. Burnham St. 8th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in accordance with the approved landscape plan. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That up to 5 on-site parking spaces be made available for other tenants of the building. 8. That no changes are made to the building's façade unless elevation and façade plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 9. That the applicant submit a revised plan of operation to the Board office detailing a motor vehicle test drive route that discourages the usage of surrounding residential streets. 10. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 11. That all motor vehicle repair work and tire installation must occur inside the building. 12. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 13. That there be no vehicles displayed for sale in the public right of way. 14. That there be no work conducted on vehicles in the public right of way. 15. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 16. 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. 17. That these Special Uses are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	29622 Special Use	Jesus R Sanchez Property Owner	2236 W. Forest Home Av. A/K/A 2232 W. Forest Home Av. 8th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That all repair work is conducted inside the building. 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. 7. That existing landscaping and screening is maintained in a manner that meets the intent of city code. 8. That there be no work conducted on vehicles in the public right of way. 9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	29564 Special Use	Janice Turcotte Dogs Rule Day Care;Lessee Request to occupy a portion of the premises as an animal boarding facility with an outdoor run (dog day care).	8048 N. 76th St. A/K/A 8084 N. 76th St. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
29	29565 Special Use	Global Signal Acquisitions II, LLC Nick Limberopoulos;Lessee Request to continue to allow a transmission tower (a transmission tower that exceeds a height of 85 feet requires Board approval).	8530 W. Calumet Rd. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	29598 Special Use	Mt. Zion Assembly of the Apostolic Faith, Inc. Property Owner	7132 W. Good Hope Rd. A/K/A 7248 W. Good Hope Rd. 9th Dist.
		Request to add a day care center for 150 children infant to 12 years of age, operating Monday - Friday 6 a.m. - 6 p.m. to a Board approved school .	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. 6. 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. 7. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 26, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	29619 Special Use	Love To Care Child Center Inc. Lessee	9171 N. 76th St. A/K/A 9187 N. 76th St. 9th Dist.
		Request to continue occupying the premises as a day care center for 80 children per shift infant to 13 years of age, operating Monday - Sunday 5:30 a.m. - midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	29559 Special Use	Anica Banyard Lessee Request to increase the number of children from 24 to 28 per shift for a Board approved day care center operating Monday - Friday 6:00 a.m. - 10:00 p.m.	5317 W. Center St. A/K/A 5311 W. Center St. 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M. 7. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on November 14, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	29573 Special Use	Ernesto Silva Lessee	7202 W. Appleton Av. 10th Dist.
		Request to continue occupying the premises as a motor vehicle body shop.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside the building. 6. 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>
34	29589 Special Use	McDonald's Corporation Dawn Bourseau;Property Owner Request to continue occupying the premises as a fast-food/carry-out restaurant.	6409 W. Blue Mound Rd. A/K/A 6417 W. Blue Mound Rd. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That existing landscaping and screening is maintained in a manner that meets the intent of city code. 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. 8. 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>
35	29599 Special Use	Robert Knoop Lessee Request to continue occupying a portion of the premises as a social service facility (mental health and AODA services).	6815 W. Capitol Dr. A/K/A 6815 W. Capitol Dr. 216 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	29614 Special Use	Platinum Motors LLC Rigoberto Arteaga;Property Owner	4902 W. State St. 10th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility and a body shop.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That all repair work is conducted inside of the building. 7. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That all car wash activity is conducted inside of the building. 9. That all wastewater is contained on site. 10. That there be no vehicles displayed for sale in the public right of way. 11. That there be no work conducted in the public right of way. 12. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 13. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 14. That these Special Uses are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	29629 Special Use	AK65 LLC Attn: Adam Teresinski;Property Owner	6526 W. Blue Mound Rd. 10th Dist.
		Request to continue occupying the premises as a community based residential facility for 33 occupants.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	29616 Special Use	Hugo L Alarcon Property Owner	938 W. Lapham Bl. A/K/A 1572 S. 10th St. A 12th Dist.
		Request to occupy a portion of the premises as a general office facility (tax and accounting services).	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	29567 Special Use	Jon Petrie Lessee	1825 S. Kinnickinnic Av. A/K/A 1823 S. Kinnickinnic Av. 12th Dist.
		Request to continue occupying the premises as a car wash.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all car wash activity is conducted inside of the building. 5. That all wastewater is contained on site. 6. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 7. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 8. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	29576 Special Use	Manuel Cornejo Lessee	1551 W. Mitchell St. 12th Dist.
		Request to continue occupying the premises as an assembly hall (AA meeting place).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	29577 Special Use	Fifth Street Investments, LLC Vera Frazier, Member;Property Owner Request to continue occupying a portion of the premises as a rooming house for 8 occupants.	711 S. 5th St. A/K/A 711 S. 5th St. 3 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
42	29575 Use Variance/ Dimensional Variance	Central Ready Mixed L.P. Jack Madderom;Property Owner Request to construct a new building that does not meet the minimum required setback (required 25 ft. / proposed 15 ft.) and a fence that does not meet the minimum required buffer depth (required 15 ft. / proposed 5 ft.) and exceeds the maximum allowed height (allowed 6 ft. / proposed 8 ft.) and to continue occupying the premises as a concrete batch plant.	4350 S. 13th St. 13th 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>
43	29541 Special Use	Rutilio Ramirez Susana Estrada;Property Owner	2420 S. 6th St. 14th Dist.
		Request to occupy a portion of the premises as a general retail establishment.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the S. 22nd St. façade is remodeled in accordance with the plans submitted to the Board on 3/24/09. Specifically that transparent vision glass is used for the storefront windows. 6. That the storefront windows are maintained in a neat and orderly manner. 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. 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. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	29591 Special Use/ Dimensional Variance	Jet Intermodal, Inc. Jon E. Krohn, President; Lessee Request to continue occupying the premises as a truck freight terminal that does not meet the minimum required landscape buffer.	550 W. Oklahoma Av. 14th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner shall maintain landscaping and screening. 5. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	29562 Special Use	Willie B Davis Lessee	2901 W. North Av. A/K/A 2249 N. 29th St. 15th Dist.
		Request to add an elementary school for 30 students K4 - 3rd grades, operating Monday - Friday 7:00 a.m. - 5:00 p.m. to a Board approved 24 hour day care center for 25 children per shift infant to 12 years of age, operating Monday - Sunday.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner submits plans prepared by an architect, obtains all required alterations permits and obtains a final 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. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	29587 Special Use	Jeff Brown Lessee	1819 W. North Av. 15th Dist.
		Request to continue occupying a portion of the premises as a second-hand sales facility (used auto parts).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That all previous conditions of the Board regarding this property are complied with. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	29608 Special Use	John N Sims Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	2419 W. Fond Du Lac Av. A/K/A 2419 A W. Fond Du Lac Av. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all vehicles will enter and exit the site via W. Fond du Lac Ave. 5. That the Plan of Operation submitted by the petitioner on February 18, 2003 is complied with. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That all repair work is conducted inside of the building. 9. That existing fence is maintained in a manner that meets the intent of city code. 10. That the house on the premises is retained per the site plan submitted on January 31, 2003. 11. That no vehicles associated with this use be parked in the alley. 12. That only one work vehicle (truck) associated with this use can use the rear entrance. 13. That the rear overhead door not be used for entry of vehicles. 14. That there be no work conducted in the public right of way. 15. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 16. 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. 17. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	29610 Special Use	Horizons, Inc. Linda Pate-Hall;Property Owner	2511 W. Vine St. A/K/A 1860 N. 26th St. 15th Dist.
		Request to continue occupying the premises as a social service facility and a community based residential facility for 20 occupants.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	29632 Special Use/ Use Variance	Next Door Foundation Carlos A. Mazul, Facility Director;Property Owner Request to continue occupying the premises as a community center, social service facility and health clinic (day care on-site is permitted per MCO 295-503-1-i).	2545 N. 29th St. A/K/A 2902 W. Wright St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use and Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
50	29635 Special Use	KP Petro Inc. Navdip Kaur;Lessee Request to continue occupying the premises as a motor vehicle filling station (this is a new operator).	2514 N. 27th St. A/K/A 2502 N. 27th St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter has been 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>
51	29628 Special Use	David Soika Property Owner	5754 N. Teutonia Av. A/K/A 5756 N. Teutonia Av. 1st Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That all repair work is conducted inside the building. 7. That there be no vehicles displayed for sale in the public right of way. 8. That there be no work conducted in the public right of way. 9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	29551 Special Use	Stacey McKay Property Owner	6342 W. Fond Du Lac Av. A/K/A 6342 W. Fond Du Lac Av. 2nd Dist.
		Request to continue occupying the premises as a day care center for 25 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 1 S. Winkler Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	29454 Special Use	Shala Epps Lessee Request to continue occupying the premises as a day care center for 60 children per shift infant to 12 years of age, operating 6:00 a.m. - 11:00 p.m. Monday - Sunday.	3401 N. 76th St. A/K/A 7608 W. Townsend St. 5th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 8. That a contact person be provided to the Board office. 9. That the petitioner agrees to work with the Zoning Administration Group staff on a plan for an opaque fence for the perimeter of the property. The petitioner must submit a plan for the aforementioned fence to the Board of Zoning Appeals for Zoning Administration Group review and approval. The petitioner must install the fence within 60 days of fence plan approval by the Zoning Administration Group. 10. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of this written decision. 11. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	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:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Leni Siker.	
	Vote:	4 Ayes, 0 Nays, 2 Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	29504 Special Use	Cheryl Meeks Lessee	5512 W. Center St. A/K/A 5514 W. Center St. 1 10th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the applicant apply for a loading zone on West Center Street. 7. That the petitioner submits plans prepared by an architect, obtains all required permits for conversion of this building and obtains a final 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. 8. That the petitioner restricts all children under 2 1/2 years to the west half of the building at 5516 W Center Street. 9. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of this written decision. 10. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services. 11. That the applicant submit a statement from the abutting property owner giving permission to use parking spaces. 12. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	29585 Special Use	Joseph Deutsch Lessee Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - midnight.	832 E. Meinecke Av. A/K/A 830 E. Meinecke Av. 3rd Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
57	29449 Use Variance	Steven Haas Lessee Request to occupy a portion of the premises as a general retail establishment (sales, service and rental of instruments).	1418 W. St Paul Av. A/K/A 1430 W. St Paul Av. 4th Dist.
	Action:	Granted 2 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	29459 Special Use	Lance Lichter John Hinkel Building LLC;Property Owner	316 W. State St. A/K/A 318 W. State St. 4th Dist.
		Request to continue occupying the premises as a parking lot.	
	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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner shall maintain landscaping and screening. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	29512 Special Use	Helen Wilson and Jamila Boyd Lessee	2825 N. Buffum St. 6th Dist.
		Request to occupy the premises as a group home for 8 occupants.	
	Action:	Granted 1 yr.	
	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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant submit a contact name and number, within 10 days, that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	29532 Special Use	Virginia F Pratt Prospective Buyer	220 W. Auer Av. 6th Dist.
		Request to occupy the premises as a group home for 6 occupants.	
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties, including but not limited to, the Alderman of the District, the Board of Zoning Appeals, and the Department of Neighborhood Services. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	
61	29568 Special Use	Vernon Townsend Property Owner	2452 N. Martin L King Jr Dr. A/K/A 2452 N. 3rd St. 6th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	29376 Special Use	Feras Rahman and Emad H. Oudeh Property Owner Request to occupy the premises as a motor vehicle sales facility.	2300 W. Lincoln Av. 8th Dist.
	Action:	Adjourned	
	Motion:		
	Vote:	--	
	Conditions of Approval:	--	
63	29302 Special Use/ Dimensional Variance	Iglesia Crisitana Palabra de Vida Ormar Ortiz;Property Owner Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (required 50 / proposed 30).	3232 W. Lincoln Av. A/K/A 3232 W. Lincoln Av. B 8th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn 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>
64	29584 Dimensional Variance	Nicholas & JoAnne Anton, and Vivian Limberutes LaPerla Restaurant; Lessee	1610 W. St Paul Av. A/K/A 1700 W. St Paul Av. 8th Dist.
		Request to allow an off-premise sign that is within 1000 feet of another located on the same side of the freeway and does not meet the minimum required setback from a freeway right-of-way (required 75 ft. / proposed 33 ft.).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	29583 Dimensional Variance	Nicholas & JoAnne Anton, and Vivian Limberutes c/o LaPerla Restaurant;Lessee	816 W. National Av. 1 A/K/A 816 W. National Av. 11 12th Dist.
		Request to allow an off-premise sign that is within 1000 feet of another located on the same side of the freeway and within 1000 feet of the High Rise Bridge area (along I-94 & I-42, between W. St. Paul and National).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted for a period of five (5) years, commencing with the date hereof. 	
66	29523 Special Use	Auto Plus LLC Tarek Fleifel and Nash Kayed;Lessee	5004 W. Center St. A/K/A 2715 N. 50th St. 10th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (including installation of alarms and stereos).	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Jose Dominguez.	
	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>
67	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:		
	Vote:	--	
	Conditions of Approval:	--	
68	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:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	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>
69	29602 Special Use	The Giving Tree Kimberly Hardrick;Lessee	5151 N. 35th St. 1st Dist.
		Request to occupy the premises as an elementary school for 90 students K4 - 8th grades, operating Monday - Friday 7:30 a.m. - 5:00 p.m.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That no structural changes are made to the building's N.35th St façade without approval of the Zoning Administration Group. 6. That the petitioner submits plans prepared by an architect, obtains all required permits and obtains a final 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. 7. That the petitioner provides the Department of Neighborhood Services a scaled and dimensioned floor plan of the school that identifies the use of each room and the intended capacity of each room. 8. That the applicant contact Mr. Kevin Antczac of the City of Milwaukee Traffic Section at 414 286-3236 and request that the area be signed as a school zone. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	29353 Special Use	Detra Callahan Lessee Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Saturday 5 a.m. - midnight. 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: --	7245 N. Teutonia Av. 1st Dist.
71	29468 Special Use	Bently Kienbaum Property Owner Request to occupy the premises as an outdoor salvage operation (to be utilized in conjunction with the Board approved facility at 3800 W. Mill Rd.). Action: Adjourned Motion: Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: --	3460 W. Mill Rd. A/K/A 6770 R N. 43rd St. 1st Dist.
72	29540 Special Use	Team Discovery Laurence Trimble;Lessee Request to occupy the premises as a group home for 7 occupants (teenage mothers and their children). Action: Adjourned Motion: Vote: -- Conditions of Approval: --	3957 N. 64th St. A/K/A 3959 N. 64th St. 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	29362 Special Use/ Dimensional Variance	Pastor Romingo McQuay Lessee Request to occupy the premises as a religious assembly hall that does not meet the minimum required number of parking spaces (required 11 / proposed 9).	6715 W. Villard Av. A/K/A 6717 W. Villard Av. 2nd Dist.
	Action:	Granted 5 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. Specifically that there not be an 18-foot high freestanding sign. 5. That the capacity of the religious assembly be limited to 50 members. 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. 7. That the capacity of the church does not exceed 50 occupants. 8. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
74	29506 Special Use	Community Advocates, Inc. Joe Volk;Prospective Buyer Request to occupy the premises as a transitional living facility for 24 occupants.	836 N. 20th St. 1 A/K/A 836 N. 20th St. 46 4th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
75	29287 Special Use	Laurence Trimble Lessee Request to occupy the premises as a group home for 6 occupants, 13 - 17 years of age.	8803 W. Cheyenne St. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

Other Business:

Board member Jackson moved to approve the minutes of the March 19, 2009 meeting. Seconded by Board member Dominguez. Unanimously approved.

The Board set the next meeting for May 21, 2009.

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

BOARD OF ZONING APPEALS

Secretary of the Board