

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – June 11, 2009
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 63*)

Members: Henry P. Szymanski (*voting on items 1 – 51, 53 - 63*)
Scott R. Winkler (*voting on items 33 – 45, 49 - 60*)
Donald Jackson (*excused*)
Georgia M. Cameron (*voting on items 1 – 49, 51 -63*)

Alt. Board Members: Jose L. Dominguez, Jr. (*voting on items 1 - 63*)
Leni M. Siker (*voting on items 1 – 32,46 -48, 50, 52, 61 - 63*)

START TIME: 4:05 p.m.

END TIME: 9:05 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	29390 Special Use	Susan Watkins Lessee Request to add motor vehicle sales to the Board approved motor vehicle repair facility (this is a new operator).	2477 N. Holton St. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Georgia Cameron.	
	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>
2	29597 Special Use	State Selected Health Care Corporation Bishop Aaron Holmes; Lessee Request to occupy the premises as a group home for 8 occupants.	2970 N. 45th St. A/K/A 2972 N. 45th St. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	29603 Special Use	Barbara McElroy Property Owner Request to continue occupying the premises as a day care center for 18 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 11:00 p.m. (this is a new operator).	6411 W. Burleigh St. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	29717 Special Use	Verdella Harvey Property Owner Request to continue occupying the premises as a community living arrangement for 8 occupants.	2624 N. 16th St. A/K/A 2626 N. 16th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Georgia Cameron.	
	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>
5	29032 Special Use/ Dimensional Variance	Milwaukee Community Medical Center AA Petro Mart Mohammad K Ali;Property Owner Request to construct a motor vehicle filling station and convenience store with a car wash.	4100 N. 54th St. A/K/A 5310 W. Capitol Dr. 300 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Georgia Cameron.	
	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>
6	29649 Special Use	Orlando Williams Lessee Request to occupy a portion of the premises as a car wash.	3030 N. Martin L King Jr Dr. A/K/A 3036 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski 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"> 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 car wash activity is conducted inside of the building. 6. That all wastewater is contained on site. 7. That there be no work conducted in the public right of way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on April 10, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	29669 Special Use	Thomas E Smith Sr. Property Owner	1102 W. Atkinson Av. 6th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility and car wash.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That all car wash activity is conducted inside of the building. 7. That all wastewater is contained on site. 8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 9. That a screening plan must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 10. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That there be no work conducted in the public right of way. 12. That the applicant does not have outdoor storage or display of products or merchandise. 13. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 14. That this Special Use is granted for a period of 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>
8	29704 Special Use	Milwaukee Health Services, Inc. Property Owner	2579 N. Martin L King Jr Dr. A/K/A 2579 N. 3rd St. 6th Dist.
		Request to continue occupying the premises as a principal use parking lot.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski 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"> 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 provide trees and shrubs along the North Dr. Martin Luther King Jr. Dr. frontage. 5. That the applicant submit a revised landscaping and screening plan that includes trees and shrubs along the West Clark St. frontage per Ch 295-405 of the Milwaukee Zoning Code or obtain a dimensional variance to waive the landscaping requirements for the West Clark St. frontage. 6. That this approval to waive landscaping is temporary in nature. 7. 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	29652 Special Use	29th Street, Inc. Calvin Rayford and Daryl Banks; Lessee Request to occupy a portion of the premises as a general office facility.	3310 W. Fond Du Lac Av. A/K/A 3330 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski 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"> 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>
10	29684 Special Use	James L Ramsey Lessee Request to occupy a portion of the premises as a second-hand sales facility (used appliance sales).	4328 W. Fond Du Lac Av. A/K/A 4326 W. Fond Du Lac Av. 202 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski 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"> 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 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 five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	29719 Special Use	Saleh Saed Lessee	5735 W. Hampton Av. 7th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff 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>
12	29550 Special Use	Jacqueline White Lessee	4006 N. 42nd St. A/K/A 4130 W. Capitol Dr. 7th Dist.
		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.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski 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"> 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>
13	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:	Granted 5 yrs.	
	Motion:	Henry Szymanski 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"> 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>
14	29000 Special Use/ Dimensional Variance	Higher Love Ministries Outreach Inc. Property Owner Request to continue occupying the premises as a religious assembly hall that does not meet the minimum required parking (new operator).	2700 W. Concordia Av. A/K/A 2702 W. Concordia Av. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski 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"> 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 facade is maintained in an attractive manner. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. 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>
15	29692 Special Use	Guillermo Picado Property Owner	2320 W. Greenfield Av. 8th Dist.
		Request to continue occupying the premises as a motor vehicle repair and sales facility and body shop.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski 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"> 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 motor vehicle repair, body bumping, and car wash functions be limited to vehicles intended for sale. 6. That all work is conducted inside the building. 7. That there be no work conducted in the public right of way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That 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	29725 Special Use	Friedens Community Ministries, Inc. David E. Johnson; Lessee	2114 W. Mitchell St. A/K/A 1646 S. 22nd St. 8th Dist.
		Request to occupy a portion of the premises as a social service facility (emergency food pantry).	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski 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"> 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>
17	29688 Special Use	Junior Gentry Lessee Request to add an elementary school for 25 students K4-K6 grades, operating Monday - Friday 8:30 a.m. - 3:30 p.m. to the Board approved day care center for 62 children infant to 12 years of age, operating Monday - Friday 6:30 a.m. - 6:30 p.m. (day care center was approved for 62 children, the 25 students will be part of that total).	8615 W. Brown Deer . A/K/A 8730 N. 86th St. 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate 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 this Special Use is granted for a period of time commencing with the date hereof, and expiring on January 22, 2018. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	29724 Special Use	Israel Inostrosa Inglesia de Dios Pentecostal M.I.;Property Owner	1662 S. 8th St. A/K/A 1664 S. 8th St. 12th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski 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"> 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. 	
19	29697 Special Use	Badger State Baptist School Lessee	3330 S. 16th St. A/K/A 3373 S. 15th Pl. 13th Dist.
		Request to occupy the premises as a school for 75 students K4 - 12th grades, operating Monday - Friday 7:30 a.m. - 4:00 p.m.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	29606 Special Use	Deinna Cervera Lessee Request to occupy the premises as an assembly hall (for children's birthday parties).	3145 S. Howell Av. A/K/A 3145 A S. Howell Av. 14th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
21	29651 Special Use	Nestor Rodriguez Lessee Request to continue occupying the premises as a car wash and motor vehicle sales facility.	2509 E. Oklahoma Av. A/K/A 2515 E. Oklahoma Av. 14th 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>
22	29721 Special Use	William Frickensmith Lessee	2658 S. Kinnickinnic Av. A/K/A 2656 S. Kinnickinnic Av. 14th Dist.
		Request to occupy the premises as a second-hand sales facility (used books and music).	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski 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"> 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 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 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>
23	29660 Special Use	Martha Cooper Property Owner	2800 W. Center St. A/K/A 2802 W. Center St. 15th Dist.
		Request to continue occupying the premises as a religious assembly hall with a food pantry.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski 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"> 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>
24	29716 Special Use	Rose Northern Lessee Request to expand the day care center into the adjacent unit and to increase the number of children from 50 to 81 per shift and to continue occupying a portion of the premises as a day care center for children infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	1935 W. Silver Spring Dr. 10 A/K/A 1993 W. Silver Spring Dr. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski 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"> 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. or after 8:00 P.M. 5. 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 hrs/ day. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 9. That the petitioner obtains a new certificate of occupancy to assess the building for the increased number of children by having all required inspections and complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. 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>
25	29726 Special Use	Bobbie Williams Lessee Request to continue occupying the premises as a religious assembly hall.	2518 W. Capitol Dr. A/K/A 2508 W. Capitol Dr. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
26	29277 Special Use	Latanya Jones Lessee Request to continue occupying a portion of the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight.	6003 N. Teutonia Av. A/K/A 6037 N. Teutonia Av. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski 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"> 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 time commencing with the date hereof, and expiring on September 12, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	29572 Special Use	Kue Yang Property Owner	6300 N. 76th St. 2nd Dist.
		Request to occupy the premises as a motor vehicle repair facility (this is a new operator).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski 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"> 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 plans must be submitted to the Board of Zoning Appeals within 60 days of Board approval of the special use and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically the existing legal non-conforming pylon sign structure may be utilized, but any other signage must meet the sign standards of s.295-805 of the Milwaukee Zoning Code. 5. That the petitioner must meet with the Zoning Administration Group to create a landscape plan within 60 days of Board approval of the Special Use. A landscaping plan that meets the intent of city code section 295-405 must then be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 6. That landscaping and screening is installed within 120 days of occupancy. If occupancy occurs between September 30th of 2009 and March 1st of 2010 then landscaping and screening must be installed within 120 days of March 1, 2010. 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 the building. 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 the petitioner removes all debris from the rear of the site prior to occupancy. 12. 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>
28	29579 Special Use	Roshelle & Fred Rutledge Property Owner	9700 W. Appleton Av. A/K/A 9706 W. Appleton Av. 2nd Dist.
		Request to increase the number of children from 100 per shift to 150 per shift, and the ages of the children from infant to 12 years of age to infant to 13 years of age, and the days and hours of operation from Monday - Friday 6 a.m. - midnight to Monday - Friday 5 a.m. - 1 a.m., Saturday - Sunday 6 a.m. - 8 p.m. and to continue occupying the premises as a day care center.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski 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"> 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. or after 8:00 P.M. 5. 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 hrs/ day. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That landscaping and screening is maintained in a manner that meets the intent of city code. 9. That the petitioner obtains a new certificate of occupancy to evaluate the building for the increased number of children by having all required inspections, complies with current State commercial building code for institutional and educational occupancies and complies with all zoning conditions and building code requirements prior to increasing capacity. 10. 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>
29	29364 Special Use	Urban Ecology Center Ken Leinbach, Executive Director; Lessee	1400 E. Park Pl. A/K/A 1418 E. Park Pl. 3rd Dist.
		Request to construct a principal use parking lot that exceeds the maximum allowed width of a paved parking area (allowed 60 ft. / proposed 240 ft.).	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski 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"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a revised landscape plan be submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group within 90 days of the approval of this special use and prior to the issuance of any permits. Specifically the revised landscape plan should correspond to the revised site plan that was submitted to the Board on April 30, 2009. 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>
30	29707 Special Use	Horner Sod Farm Joe Sanfelippo;Property Owner	350 N. Plankinton Av. 4th Dist.
		Request to continue occupying a portion of the premises as a car wash.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski 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"> 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 landscaping and screening is maintained in a manner that meets the intent of city code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That there be no work conducted in the public right of way. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	29709 Special Use	Milwaukee Area Technical College District Board Michael M. Sargent, CFO;Property Owner	700 W. Highland Av. A/K/A 1126 N. 8th St. 4th Dist.
		Request to continue occupying a portion of the premises as a day care center for 75 children per shift infant to 12 years of age, operating Monday - Friday 6:30 a.m. - 5:30 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanki 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"> 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 the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of the license be issued. 6. 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. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	29720 Special Use	Progeny Capital Partners LLC Property Owner Request to continue occupying the premises as a parking lot.	746 N. Old World Third St. A/K/A 752 N. Old World Third St. 4th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski 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"> 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 time commencing with the date hereof, and expiring on May 6, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	29510 Special Use	New Life Academy of Learning Terrell H. Cistrunk;Property Owner	3410 W. Silver Spring Dr. 1st Dist.
		Request to occupy a portion of the premises as a day care center for 72 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. (to be operated in conjunction with the existing nonconforming church).	
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski 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"> 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. 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 hrs/ day. 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 institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 8. That this Special Use is granted for a period of 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>
34	29642 Special Use	Precious Adams Lessee	3953 N. 76th St. 5th Dist.
		Request to occupy a portion of the premises (second floor unit) as a religious assembly hall.	
	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>
35	29595 Special Use	Romond Buggs Property Owner	2812 N. 15th St. A/K/A 2814 N. 15th St. 6th Dist.
		Request to occupy the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	
	Action:	Granted 1 yr.	
	Motion:	Scott Winkler 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 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. 5. 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. 6. That there be no signage. 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 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>
36	29641 Special Use	Lindems, Arkadijs Anna Rud;Lessee	117 E. Capitol Dr. A/K/A 117 E. Capitol Dr. A 6th Dist.
		Request to add motor vehicle sales and to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 5 yrs.	
	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 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That landscaping and screening is maintained in a manner that meets the intent of city code. 8. That there be no vehicles displayed for sale in the public right of way. 9. That there be no work conducted in the public right of way. 10. That the petitioner does not have any vehicles displayed on East Capitol Drive. 11. That there is no outdoor display of banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. 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	29661 Dimensional Variance	Colin Brent & Kathleen Elizabeth Halfwassen Property Owner	2231 N. Booth St. 6th Dist.
		Request to raze and rebuild a detached garage that exceeds that maximum height (allowed 24 ft. / proposed 27 ft.) and the maximum sidewall height (allowed 10 ft. / proposed 18 ft.).	
	Action:	Granted	
	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"> 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 to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	29508 Special Use/ Dimensional Variance	St. James Community Mission Church Property Owner Request to occupy the premises as a religious assembly hall without the minimum required parking (required 13 / proposed 0).	1831 W. Atkinson Av. 6th Dist.
	Action:	Granted 5 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. If the rear of the premise is developed as a parking lot a plan must be submitted to the Board for a decorative metal fence to be installed along the N. 19th St frontage of the parking lot. A plan for the aforementioned fence must be submitted to the Board of Zoning Appeals for approval by the Zoning Administration Group within 60 days of Board approval of the Special Use and the fence must be installed within 60 days of occupancy of the parking lot. 6. 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 assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. 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>
39	29461 Special Use	Joseph Fix Property Owner	3695 N. Richards St. 6th Dist.
		Request to occupy the premises as an outdoor salvage operation (temporary storage of operable and inoperable vehicles).	
	Action:	Granted 2 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"> 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 premises is used exclusively for the storage of motor vehicles. 5. That vehicles are stored on site for a maximum of 90 days. 6. That there is no dismantling of items for the salvage or sale of parts. 7. That there is no storage of auto parts or any other materials on site. 8. That the existing landscaping along the N. Richards St. frontage is maintained. 9. That the slatted chain link fence that separates the storage area from the front parking lot is replaced with a 100% opaque wood or metal fence and that the new fence is installed within 90 days of Board approval of the special use. 10. That there be no vehicles stored in the public right of way. 11. That there be no work conducted in the public right of way. 12. The applicant maintains the opaque screening between Richards Street and the vehicle storage area. 13. That the applicant has no outdoor storage of auto parts, tires or other junk and debris. 14. 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. 15. That the applicant have a maximum of 50 vehicles temporarily stored on site at any one given time. 16. 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>
40	29501 Special Use	Rigoberto Sanchez Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	2534 W. Greenfield Av. A/K/A 1336 S. 26th St. 8th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
41	29650 Special Use	Bentley Kienbaum Property Owner Request to add a motor vehicle sales facility to the Board approved outdoor salvage operation.	8550 N. Granville Rd. 9th 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:	--	
42	29658 Dimensional Variance	Mark Halbman Property Owner Request to occupy the premises as a permitted garden supply / landscaping center that does not meet the minimum required landscape buffer (required 15 ft. / proposed 5 ft.).	7000 N. 76th St. 9th Dist.
	Action:	Adjourned	
	Motion:	Jose Dominguez moved to adjourn the appeal. Seconded by Georgia Cameron.	
	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>
43	29695 Extension of Time	Michael C. Vilione Paul Gaspardo; Lessee Request for an extension of time to comply with the conditions of case #28822.	8111 W. Bradley Rd. A/K/A 8115 W. Bradley Rd. 9th Dist.
	Action:	Granted 1 yr.	
	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 has a plan review and obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for hazardous occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That the applicant complies with storage requirements of NFPA 30 for storage of flammable and combustible liquids. 6. That this extension of time is granted for a period of one (1) year. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	29678 Special Use	Larry & Julette Wade Property Owner Request to increase the number of occupants from 5 to 6 and to continue occupying the premises as a group home.	6442 N. 91st St. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler 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 this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
45	29481 Special Use	Scrub Appleton LLC Garrett & Mary McIntosh;Property Owner Request to continue occupying the premises as a car wash facility.	7315 W. Appleton Av. A/K/A 7327 W. Appleton Av. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant 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>
46	29496 Special Use	Sherry Williams Lessee	5402 W. Vliet St. A/K/A 1409 N. 54th St. 10th Dist.
		Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 9:00 p.m. for a Board approved day care center for 51 children infant to 12 years of age, operating Monday - Friday.	
	Action:	Granted	
	Motion:	Georgia Cameron 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 outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of the license be issued. 6. 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. 7. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on January 25, 2015. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	29525 Special Use	Nancy Jablonski Property Owner	5310 W. North Av. A/K/A 2315 N. 53rd St. 10th Dist.
		Request to increase the hours of operation from 6:30 a.m. - 6:00 p.m. to 6:00 a.m. - midnight for a Board approved day care center for 200 children infant to 12 years of age, operating Monday - Friday.	
	Action:	Granted	
	Motion:	Henry Szymanski 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"> 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 submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of the license be issued. 6. 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. 7. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 2, 2013. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	29696 Dimensional Variance	River Corner LLC Daniel B. Druml;Property Owner Request to construct a permitted light manufacturing facility that does not meet the minimum required building height (required 30 ft. / proposed 25.67 ft.) and the required landscape along the 4th Street frontage.	1966 S. 4th St. A/K/A 1940 S. 4th St. 12th Dist.
	Action:	Granted	
	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 a revised landscape plan that meets the intent of city code section 295-405 for Type 'B' landscaping is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically the landscape plan drawn on April 17, 2009 must be revised to include a decorative metal fence. 5. That the petitioner work with the Department of City Development Planning Administration staff on a plan to provide trees and / or other plant material to screen the premises from the Kinnickinnic River. 6. That these Variances are 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>
49	29699 Dimensional Variance	James Neumann OOS Digital;Lessee Request to modify the display area of the existing freestanding sign which exceeds the maximum allowed display area (allowed 300 sq.ft. / proposed 378 sq.ft.) and the maximum allowed height (allowed 40 ft. / proposed 45 ft.).	1930 S. 4th St. A/K/A 1940 S. 4th St. 12th 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:	--	
50	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:	Scott Winkler moved to adjourn the appeal to Administrative Review. 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>
51	29023 Special Use	Nargis Anis Nida Petroleum, LLC; Lessee	4709 S. Howell Av. A/K/A 110 E. Layton Av. 13th Dist.
		Request to continue occupying the premises as motor vehicle filling station and convenience store with a fast-food / carry-out restaurant and to continue to allow the additional signage as granted in case #27802 (this is a new operator).	
	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 this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 5. That 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 landscaping and screening is maintained in a manner that meets the intent of city code. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 9. That the applicant does not have outdoor storage or display of products or merchandise. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That this Special Use is granted for a period of 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>
52	29655 Use Variance	Julie A Zettel Property Owner	2771 S. Taylor Av. 14th Dist.
		Request to occupy a portion of the premises as a personal service facility (massage therapy home office).	
	Action:	Granted 3 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"> 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 receives a license from the City of Milwaukee to operate a massage establishment at this location. 5. That the petitioner retains registration with the State of Wisconsin as a massage therapist. 6. That there be no signage. 7. That the applicant limits activities to the Home Occupation standards in 295-505-3-c. 8. That this Variance 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>
53	29492 Special Use	Guarding Your Angels Inc. Nara Colton;Property Owner	2340 S. 6th St. A/K/A 2338 S. 6th St. 14th Dist.
		Request to continue occupying the premises as a day care center for 72 children infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski 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"> 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 transparent vision glass and are maintained in an attractive manner. 6. That if any permit or license from the State of Wisconsin is revoked by the State of Wisconsin, the special use granted shall immediately become null and void. 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 hrs/ day. 8. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 9. 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>
54	29611 Special Use	Amaree's Awesome Angels Kiwani Moore;Lessee Request to occupy the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	3716 W. Roberts St. A/K/A 3718 W. Roberts St. 15th Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
55	29497 Special Use	Inspiring Young Men Tasha Walker;Lessee Request to occupy the premises as a group home for 6 occupants.	2309 N. 39th St. 15th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
56	29613 Special Use	City Transformation Prospective Buyer Request to occupy the premises as a rooming house for 16 occupants.	4576 N. 31st St. A/K/A 4576 N. 31st St. 2 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant 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	29617 Special Use	Lenell Johnson Lessee Request to add a school for 100 students K5 - 3rd grades operating Monday - Friday 7:45 a.m. - 2:45 p.m. to the Board approved church and social service facility.	5239 N. 35th St. A/K/A 5235 N. 35th St. 1st Dist.
	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:	--	
58	29451 Dimensional Variance	Timothy P Bailey Property Owner Request to allow a recreational vehicle that exceeds the maximum allowed length to park on site (no vehicle in excess of 22 feet in length may be parked on a lot in a residential district).	5462 N. 38th St. A/K/A 5462 A N. 38th St. 1st 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:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	29607 Dimensional Variance	JCF Holdings, LLC c/o James Fazio;Property Owner Request to allow a freestanding changeable message sign that exceeds the maximum allowed display area (allowed 32 sq.ft. / proposed 52 sq.ft.).	2037 N. Farwell Av. A/K/A 1765 E. Windsor Pl. 3rd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal to Administrative Review. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
60	29714 Other	Brady Street Area Association, Inc. Request to appeal an administrative determination approving the design plans dated October 14, 2008.	1679 N. Humboldt Av. A/K/A 1677 N. Humboldt Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanki moved to adjourn the appeal to Administrative Review. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
61	29585 Special Use	ShaLeatha Love 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:	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>
62	29555 Special Use	Kingdom International Childcare & Development Center; Tammy Ward; Lessee Request to occupy a portion of the premises as a day care center for 49 children first shift and 35 children second shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	3435 W. Clybourn St. A/K/A 3435 W. W Clybourn . 4th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
63	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:	Henry Szymanski moved to adjourn the appeal to Administrative Review. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

Other Business:

Board member Szymanski moved to approve the minutes of the May 21, 2009 meeting. Seconded by Board member Dominguez. Unanimously approved.

The Board set the next meeting for July 9, 2009.

Board member Szymanski moved to adjourn the meeting at 9:05 p.m.. Seconded by Board member Dominguez. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board