

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – June 17, 2010
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle *(voting on items 1 - 66)*

Members: Henry P. Szymanski *(voting on items 1 - 66)*
Georgia M. Cameron *(excused)*
Donald Jackson *(voting on items 1 - 66)*
Martin E. Kohler *(voting on items 1 – 38, 40 - 66)*

Alt. Board Members: Jose L. Dominguez *(present, voting on items 39 - 66)*
Leni M. Siker *(present, voting on item 39)*

START TIME: 2:07 p.m.

END TIME: 7:08 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	30249 Dimensional Variance	Pastor Elloyd Jones United Christian Church Inc.;Prospective Buyer	2865 N. 27th St. A/K/A 2867 N. 27th St. 15th Dist.

Request to construct a two-family dwelling that does not meet the minimum required front facade width (required 32 ft. ; proposed 30.17 ft.).

Action: Dismissed

Motion: Martin Kohler moved to dismiss 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>
2	30250 Dimensional Variance	Pastor Elloyd Jones United Christian Church, Inc.;Prospective Buyer Request to construct a two-family dwelling that does not meet the minimum required front facade width (required 32 ft. / proposed 30.17 ft.).	2851 N. 27th St. A/K/A 2849 N. 27th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	30251 Dimensional Variance	Pastor Elloyd Jones United Christian Church, Inc.;Prospective Buyer Request to construct a two-family dwelling that does not meet the minimum required front facade width (required 32 ft. / proposed 30.17 ft.).	2857 N. 27th St. A/K/A 2853 N. 27th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	30000 Use Variance	Jacquelyn Boyd and Paige Thomas Property Owner Request to occupy the premises as a transitional living facility for 6 occupants.	3012 W. Juneau Av. A.K.A 3014 W. Juneau Av. 4th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss 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>
5	30319 Special Use	Geneka Walton Lessee Request to occupy a portion of 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.	3922 N. 5th St. A/K/A 3924 N. 5th St. 6th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
6	30274 Use Variance	Lea Johnson Lessee Request to increase the hours of operation from Monday - Friday 6:00 a.m. - 5:00 p.m. to Monday - Sunday 6:00 a.m. - midnight and to continue occupying the premises as a day care center for 8 children infant to 12 years of age.	3402 N. 40th St. A/K/A 3404 N. 40th St. 7th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss 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>
7	30331 Special Use	Gary Davis Lessee Request to occupy a portion of the premises as an indoor wholesale and distribution facility.	6204 N. 35th St. A/K/A 6243 N. Teutonia Av. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler 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 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>
8	30408 Special Use	Good Hope MLV, LLC Michael Vichich;Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	4225 W. Good Hope Rd. A/K/A 7168 N. 43rd St. 1st Dist.
	Action:	Granted 15 yrs.	
	Motion:	Martin Kohler 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 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 landscaping and screening is maintained in a manner that meets the intent of city code, specifically that additional shrubs are planted along the N. 43rd St frontage. 6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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 fifteen (15) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	30444 Special Use	Disabilities Unlimited, Inc. Scott Wilder, CEO:Lessee Request to continue occupying the premises as an adult day care center for 156 clients, operating 8:00 a.m. - 2:00 p.m. Monday - Friday.	3808 W. Elm St. A/K/A 3724 W. Elm St. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 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	30379 Special Use	First Campus Child's Development Institute Victoria Ochi:Property Owner Request to continue occupying the premises as a day care center for 56 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to midnight.	7418 W. Hampton Av. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler 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. 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 the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 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	30418 Special Use	Marquis Noble Lessee Request to increase the number of children from 30 to 50 per shift and to continue occupying the premises as a 24 hour day care center for children infant to 12 years of age, operating Monday - Sunday.	8713 W. Fond Du Lac Av. A/K/A 8713 W. Fond Du . 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler 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 for LB1 zoning districts. 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 the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. 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. 10. That the facility does not exceed the capacity established by the State Department of Children and Families. 11. 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>
12	30389 Dimensional Variance	Knickerbocker on the Lake Condominium Assoc. Inc. Patricia Yunk, President;Property Owner	1214 N. Astor St. A/K/A 1220 N. Astor St. 3rd Dist.
		Request to construct a parking structure that does not meet the minimum required side street setback (required 10 ft. / proposed 0 ft.).	
	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:	--	
13	30415 Special Use	Andrew D Otis Prospective Buyer	905 E. Center St. A/K/A 905 A E. Center St. 3rd Dist.
		Request to occupy the premises as a ground transportation service (pedicab).	
	Action:	Granted 2 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded Henry Szymanski.	
	Vote:	4 Ayes. 0 Nays. 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
14	30452 Special Use	Housing Authority of the City of Milwaukee Property Owner Request to expand the existing accessory use parking lot.	1300 E. Kane Pl. 1001 A/K/A 1300 E. Kane Pl. 303 3rd 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:	--	
15	30322 Dimensional Variance	Center 1003 LLC David Papermaster;Property Owner Request to allow a principal building that exceeds the minimum required rear setback (required 3.5 ft. / proposed 1.15 ft.).	2666 N. Weil St. A/K/A 1003 E. Center St. 3rd Dist.
	Action:	Granted	
	Motion:	Martin Kohler 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 this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	30325 Dimensional Variance	Center 1003, LLC David Papermaster;Property Owner Request to allow a multi-family dwelling that does not meet the minimum required lot area per dwelling unit (required 800 sq.ft. / proposed 713 sq.ft.) and the minimum required rear setback (required 15 ft. / proposed 13.16 ft.).	2676 N. Weil St. A/K/A 1003 E. Center St. 3rd Dist.
	Action:	Granted	
	Motion:	Martin Kohler 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 these Variances are granted to run with the land. 	
17	30423 Special Use	Women's Support Centers of Milwaukee Inc. Patrick McGartland;Lessee Request to continue occupying the premises as a social service facility.	2051 W. Wisconsin Av. A.K/A 2042 W. Michigan St. 4th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler 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 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>
18	30424 Special Use	Marshall & Wells, LLC Gary Taxman:Property Owner Request to continue occupying the premises as a parking lot.	807 N. Marshall St. A/K/A 809 N. Marshall St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Martin Kohler 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 landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
19	30441 Special Use	Bryant & Stratton College Stephen McEvoy:Lessee Request to expand the Board approved college to adjacent units (converting office space into additional classrooms, offices and student lounge).	310 W. Wisconsin Av. A.K.A 501 N. 20th St. 4th Dist.
	Action:	Granted	
	Motion:	Martin Kohler 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 this Special Use is granted for a period of time commencing with the date hereof, and expiring on April 8, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	30440 Special Use	Intelligence, Inc. Kids Are Smart Learning Center;Lessee Request to increase the hours of operation from 6:30 a.m. - 6:00 p.m. to 6:30 a.m. to midnight for a Board approved day care center for 54 children per shift infant to 12 years of age, operating Monday - Friday.	8500 W. Capitol Dr. A/K/A 8500 W. Capitol Dr. 101 5th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the Alderman of the District 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>
21	30443 Special Use / Dimensional Variance	Robert & Mildred Jensen Property Owner Request to construct an addition to the existing motor vehicle sales and repair facility that does not meet the minimum required landscape width (required 5 ft. / proposed 4ft.).	10712 W. Hampton Av. 5th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. 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. 7. That the landscape plan submitted to the Board on September 27, 2009 and resubmitted on May 6, 2010 is revised to include trees to be planted on the premises along the N.107th St frontage. 8. That landscaping in accordance with an approved landscape plan installed within 120 days of occupancy of the new building. If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st. 9. That landscaping is maintained in accordance with an approved landscape plan. 10. That these Special Uses and this Variance are 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>
22	30398 Special Use	Theresa Battles Lessee Request to continue occupying the premises as a day care center for 30 children infant to 11 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m.	2925 N. Holton St. A/K/A 2927 N. Holton St. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler 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 no additional signage may be erected on the site unless it meets the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 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 the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 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>
23	30420 Special Use	Rev. James D. Marshall Property Owner Request to continue occupying the premises as a religious assembly hall that does not meet the minimum required number of parking spaces (required 10 / proposed 0).	2507 N. Martin L. King Jr Dr. A/K/A 2509 N. Martin L. King Jr Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of the applicant 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>
24	30425 Special Use	All Make Radiator Lessee Request to continue occupying a portion of the premises as a motor vehicle repair facility.	3030 N. Martin L King Jr Dr. A/K/A 3036 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted	
	Motion:	Martin Kohler 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. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That all repair work is conducted inside the building. 7. That no work or storage of vehicles occurs 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 March 29, 2020. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	30429 Special Use	Clarindria White Property Owner Request to continue occupying the premises as a group home for 5 occupants.	3442 N. 14th St. 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:	--	
26	30377 Special Use	Melvin E Grisby Jr. Property Owner Request to occupy the premises as a day care center for 13 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 12:30 a.m.	3710 N. 39th St. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 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. 6. That any signage installed without a permit must be removed. 7. That there be no additional signage. 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>
27	30406 Special Use	Deborah Duskey, Asst. Exec. Director St. Vincent de Paul Society;Property Owner	2320 W. Lincoln Av. A/K/A 2326 W. Lincoln Av. 8th Dist.
		Request to continue occupying the premises as a second-hand store.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 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 landscaping and screening is maintained in a manner that meets the intent of city code. 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>
28	30409 Special Use	The Church of Jesus Christ of Latter-Day Saints Kevin Mac Pherson; Lessee	2524 W. Forest Home Av. A/K/A 2525 W. Lincoln Av. 8th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 the unused pylon sign be removed. 5. That the petitioner agrees to work with the Zoning Administration Group staff on a landscape and screening plan for the parking lot located along the W. Forest Home Ave. frontage. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
29	30417 Special Use	Filiberto Ruiz Property Owner	1438 S. 6th St. A-K/A 534 W. Orchard St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle repair (this is a new operator).	
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of staff 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>
30	30427 Special Use / Use Variance	Hope House of Milwaukee, Inc. Kenneth Schmidt, Executive Director;Property Owner	209 W. Orchard St. A/K/A 217 W. Orchard St. 12th Dist.
		Request to continue occupying the premises as an emergency residential shelter and social service facility.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler 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 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 and this Varaince 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>
31	30384 Special Use	Rory Oppenheimer Layton Avenue LLC. Autosource Motors Inc.;Property Owner	1026 E. Layton Av. 13th Dist.
		Request to occupy the premises as a motor vehicle sales facility (to be operated in conjunction with the Board approved facility at 1010 E. Layton).	
	Action:	Granted	
	Motion:	Martin Kohler 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 all previous conditions of the Board regarding 1010 E. Layton Ave. are applied to this property and are complied with. 5. That landscaping (for the 1026 E. Layton Ave parcel) in accordance with the landscape plan submitted to the Board on April 8, 2010 is implemented within 120 days of occupancy and maintained in a manner that meets the intent of city code. 6. That no work or storage of vehicles occurs in the public right of way. 7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on September 21, 2013. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	30446 Use Variance	Siracusa LLC Santo Galati:Property Owner Request to occupy the premises as a two-family residential dwelling.	2011 S. Allis St. A/K/A 2013 S. Allis St. 14th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 obtains a conversion permits and has all required inspections, complies with current State commercial building code for two family dwelling units and complies with all zoning conditions and building code requirements prior to occupancy. 5. 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>
33	30396 Special Use	Daisy Beardon Property Owner Request to continue occupying the premises as a religious assembly hall.	930 W. Center St. A/K/A 932 W. Center St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
34	30437 Special Use	Walnut Way Conservation Corp. Sharon Adams, Program Director:Property Owner Request to occupy the premises as a community center.	2240 N. 17th St. A/K/A 2230 N. 17th St. 15th Dist.
	Action:	Granted	
	Motion:	Martin Kohler 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 applicant submits plans to the Milwaukee Development Center and obtains all necessary permits to convert this single family residential property to business use and the building not be occupied for business use until all permits are approved and an occupancy certificate issued. 5. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on October 18, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	30438 Special Use	Dawn Boland Property Owner Request to occupy the premises as an indoor storage facility.	1525 N. 13th St. A/K/A 1531 N. 13th St. 15th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Martin Kohler 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 this is an interim use not to exceed two (2) years. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for S-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
36	29691 Special Use	Bashar Albana Property Owner Request to construct an addition to the existing building and to occupy the premises as a hand car wash.	6212 W. Capitol Dr. A/K/A 6206 W. Capitol Dr. 2nd Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	3 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>
37	30428 Special Use / Dimensional Variance	Syed Hasan Turab Lessee Request to raze the existing structure and construct a new motor vehicle filling station, convenience store and fast-food / carry-out restaurant without the minimum required glazing on the secondary street facade (Board approved in 2008; case is reopened to comply with conditions of Case No. 28203).	307 E. Center St. A/K/A 301 E. Center St. 6th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote: Conditions of Approval:	3 Ayes, 0 Nays, 1 C. Doyle Abstained. 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 security personnel if necessary. 6. 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. 7. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 8. That the premises is developed in accordance with the plans submitted to the Board on June 21, 2007. 9. That landscaping and screening is installed within 120 days of occupancy. If occupancy occurs between September 30th of the year of occupancy and March 1st of the following year then landscaping and screening must be installed within 120 days of March 1st. 10. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 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 these Special Uses and Variance are granted for a period of time commencing with the date hereof, and expiring on January 22, 2013.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	30345 Special Use	Phoebe Bowie Lessee Request to increase the hours of operation from 6:00 a.m. - midnight to 24 hours and to continue occupying the premises as a day care center for 45 children infant to 12 years of age, operating Monday - Sunday (this is a new operator).	4893 N. Green Bay Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
39	30361 Special Use	Dusan Vasic Vasic Investments:Property Owner Request to continue occupying the premises as a car wash.	5630 N. Teutonia Av. A/K/A 5606 N. Teutonia Av. 1st Dist.
	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 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 the petitioner shall implement and maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on April 12, 2004. Specifically, that the petitioner plant additional shrubs in the planting strip adjacent to the petitioner's freestanding sign. The additional shrubs must be planted by August 1, 2010. 6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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>
40	30372 Special Use	AbdelHafeth Hamed Property Owner	2462 W. Capitol Dr. 1st Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted	
	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 within 30 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group to create a landscape plan for the parking lot along the W. Capitol Dr frontage. The petitioner must then submit a landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. The landscape plan may require the removal of a portion of the paved surface to create a planting strip. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the storefront windows are restored to transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 7. That all repair work is conducted inside the building. 8. That no work or storage of vehicles occurs 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 the applicant take all necessary measures to protect adjacent properties during snow removal. 12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on October 12, 2014. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	30400 Special Use	Micole Jackson Lessee Request to occupy the premises as a day care center for 85 children per shift infant to 12 years of age, operating Monday - Sunday 5:30 a.m. to 12:30 a.m.	3718 W. Lancaster Av. A/K/A 3734 W. Lancaster Av. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded Martin Kohler.	
	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 petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use 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>
42	30307 Special Use	<p>Firstborn Learning Center Lezar Burnside:Prospective Buyer</p> <p>Request to continue occupying the premises as a day care center for 37 children per shift 2 years to 12 years of age, operating Monday - Friday 6 a.m. to midnight (new operator).</p>	<p>4960 N. 18th St. A/K/A 4959 N. Green Bay Av. 1st Dist.</p>
	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 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 petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 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>
43	30371 Dimensional Variance	Milwaukee Health Services, Inc. Lessee Request to enlarge the existing freestanding sign that exceeds the maximum allowed area (allowed 50 sq.ft. / proposed 144 sq.ft.).	4061 N. 54th St. A/K/A 4059 N. 54th St. 2nd Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
44	30124 Special Use	Dr. Chuck Holloway Property Owner Request to occupy the premises as a school for 80 children 6th - 12th grades, operating Monday - Friday 7:30a.m.- 4:30 p.m.	6833 W. Fond Du Lac Av. A/K. A 6833 W. Fond Du Lac Av. 204 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
45	30359 Special Use	Vivian Houston Property Owner Request to occupy the premises as a rooming house for 6 occupants.	3252 N. 1st St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff and will 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	30388 Special Use	Shytanya Highshaw Lessee Request to occupy the premises as a sit-down restaurant. Action: Granted 1 yr. Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the facility operate between the hours of 10:00 a.m. and 10:00 p.m. 5. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 6. That signage plans meet the sign standards of an RT4 Zoning District in the Milwaukee Zoning Code. 7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	3001 N. Richards St. A/K/A 3001 A N. Richards St. 6th Dist.
47	30394 Use Variance	Joe Berrada Riverboat Lofts LLC:Property Owner Request to occupy the premises as an animal boarding facility. 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: --	2070 N. Riverboat Rd. A/K/A 2074 N. Commerce St. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	30284 Special Use	Brodersen Enterprises of WI Inc. Brenda Cook, CFO:Property Owner Request to continue occupying the premises as a fast-food / carry-out restaurant.	207 E. Capitol Dr. A/K/A 201 E. Capitol Dr. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. 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 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 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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	30313 Special Use	Leola Williams Lessee Request to occupy a portion of the premises as a social service facility (AODA and mental health services).	3608 N. Teutonia Av. A/K/A 3612 B N. Teutonia Av. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler	
	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 street facade window of the petitioner's units is restored with transparent glass. 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>
50	30374 Special Use	Ivorena & Debra Taylor Lessee Request to continue occupying the premises as a day care center for 60 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. to midnight (new operator).	2378 N. Martin L King Jr Dr. A/K/A 2376 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That the petitioner provides documentation of the State licence inspection and the facility does not exceed the capacity established by the State Department of Children and Families. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 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 Board approval of the special use. 9. That the storefront windows remain as transparent glass per s295-605-2-i-3-e of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 10. 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>
51	30381 Special Use / Dimensional Variance	Immanuel House of Prayer, Inc. Pastor J.C. Battle:Property Owner Request to occupy the premises as a religious assembly hall that does not meet the minimum required number of parking spaces (required 21 / proposed 4).	3917 W. Capitol Dr. 7th Dist.
	Action:	Granted 2 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 the windows along the W. Capitol Dr. frontage remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 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 this Special Use and this Variance are granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	30052 Special Use	Carletta Fleming Property Owner Request to occupy a portion of the premises as a day care center for 15 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:30 p.m.	3110 N. 27th St. A/K/A 3108 N. 27th St. 7th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
53	30142 Special Use	Earnest Fleming Property Owner Request to occupy a portion of the premises as a transitional living facility for 6 occupants.	3112 N. 27th St. A/K. A 3108 N. 27th St. 7th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	30075 Special Use	Larry J Schubel Property Owner	3826 W. National Av. 8th Dist.
		Request to continue occupying the premises as a rooming house.	
	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. The applicant maintains the yard in clean and sanitary condition and the yard is not used as an out door storage facility. 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>
55	30244 Special Use	Reo Motors Inc. Salim Shelleh; Lessee	2222 W. Forest Home Av. 8th Dist.
		Request to occupy the premises as a motor vehicle outdoor storage facility.	
	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 the applicant has no outdoor storage of auto parts, tires, nuisance vehicles, salvage vehicles or other junk and debris. 5. 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. 6. That any approved landscape plan if fully implemented by August 30, 2010. 7. That no work or storage of vehicles occurs in the public right of way. 8. That the petitioner must meet with the Zoning Administration Group to review landscaping issues 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. 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>
56	30174 Special Use	Sherece Method Lessee	6411 W. Burleigh St. 10th Dist.
		Request to occupy the premises as a day care center for 18 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	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 hours a day. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration group to create a landscape plan for the parking lot along the W. Burleigh St and W. Appleton Ave frontages. The petitioner must then submit a landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. The landscape plan may require the replacement of paved surfaces with a planting strip, and or the erection of an ornamental fence. 9. 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. 10. 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>
57	30275 Special Use / Dimensional Variance	Timothy J Klein Property Owner Request to continue occupying the premises as a car wash that exceeds the maximum allowed side street setback (allowed 25 ft. / proposed 78 ft.).	7002 W. Main St. A/K/A 541 S. 70th St. 10th Dist.
	Action:	Granted 10 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 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 the petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on April 26, 2000. Specifically, shrubs must be added to the planting strip along the W. Main Street frontage. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 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. 9. That the Variance is dismissed without prejudice. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	30303 Special Use	Transformation Temple, Inc. Property Owner Request to continue occupying the premises as a religious assembly hall (this is a new operator).	5418 W. Burleigh St. A/K/A 5412 W. Burleigh St. 10th Dist.
	Action:	Granted	
	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 this Special Use is granted for a period of time commencing with the date hereof, and expiring on December 18, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	30060 Special Use	Darnell Robinson Lessee Request to add a religious assembly hall and to continue occupying the premises as a social service facility.	7127 W. Lisbon Av. A/K/A 7135 W. Lisbon Av. 10th Dist.
	Action:	Granted 2 yrs. / Denied	
	Motion:	Henry Szymanski moved to grant the appeal for a social service facility. Seconded by Donald Jackson. Henry Szymanski moved to deny the appeal for a religious assembly hall. 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 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. 5. That the Special Use, for a social service facility, is granted for a period of two (2) years, commencing with the date hereof. 6. That the Special Use, for a religious assembly hall, is denied. 	
60	30248 Special Use	Charlotte Randolph Lessee Request to increase the hours of operation from 6:00 a.m. - 11:00 p.m. to 6:00 a.m. - 11:30 p.m. and to continue occupying the premises as a day care center for 58 children per shift operating Monday - Sunday.	3125 S. 53rd St. 11th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned from the March 25, 2010 agenda at the request of the Alderman of the District.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	30369 Dimensional Variance	Chris and Nora Colton Property Owner Request to convert a single-family dwelling to a two-family dwelling on a lot that does not meet the minimum required area (required 2400 sq.ft. / proposed 2106 sq.ft.).	2403 S. Chase Av. A/K/A 2403 S. 5th St. 14th Dist.
	Action:	Granted	
	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 the petitioner submits plans, 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 two family occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Variance is granted to run with the land. 	
62	30392 Dimensional Variance	David Drake Property Owner Request to construct a garage with a gambrel-style roof (a garage may have a gambrel-style roof only if the principal building has a gambrel-style roof).	2609 S. Delaware 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>
63	30378 Special Use	Bachan Singh Property Owner Request to occupy the premises as a parking lot.	1100 W. Garfield Av. 15th Dist.
	Action:	Granted 2 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 existing landscaping and screening is maintained in a manner that meets the intent of city code. 5. That the special use is granted for a maximum of 2 years. 6. The parking spaces are properly delineated and the appropriate number or accessible parking spaces are provided. 7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	
64	30390 Special Use	Richard Bivens Property Owner Request to occupy the premises as a transitional living facility for 7 occupants	2440 N. 28th St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	30177 Special Use	LaShundora McKinney Property Owner Request to occupy the premises as a group home for 6 occupants.	216 E. Brown St. A/K/A 216 A E. Brown St. 6th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal to Administrative Review. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
66	29950 Special Use	Cynthia D Johnson Prospective Buyer Request to occupy the premises as a group home for 8 occupants.	4821 W. Burleigh St. A/K/A 4821 W. Burleigh St. 4 7th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal to Administrative Review. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

Other Business:

Board member Jackson moved to approve the minutes of the May 20, 2010 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for July 8, 2010.

Board member Szymanski moved to adjourn the meeting at 7:08 p.m. Seconded by Board member Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

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Secretary of the Board