

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – October 7, 2010
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1-78*)

Members: Henry P. Szymanski (*voting on items 1-78*)
Georgia M. Cameron (*voting on items 1-78*)
Donald Jackson (*voting on items 1-78*)
Martin E. Kohler (*voting on items 1-50, 52-78*)

Alt. Board Members: Jose L. Dominguez (*voting on items 1-64, 66-72, 74, 76-78*)
Leni M. Siker (*present, not voting*)

START TIME: 4:08 p.m.

END TIME: 8:00 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	30509 Special Use	Judy Moncree Lessee Request to continue occupying the premises as a day care center for 24 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight (new operator).	4406 W. Burleigh St. A/K/A 4408 W. Burleigh St. 1 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	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	30272 Special Use	Lillie Marie Brown Lessee Request to occupy the premises as a day care center for 80 children per shift infant to 12 years of age, operating Monday - Sunday 5:30 a.m. - midnight.	4861 N. Teutonia Av. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	30332 Special Use	Word of Grace Fellowship, Inc. Property Owner Request to occupy the premises as a religious assembly hall.	4949 W. Villard Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the administrative consent agenda at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
4	30380 Special Use	Latrina Gatewood 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.	4633 N. 24th Pl. A/K/A 4635 N. 24th Pl. 1st Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	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	30552 Special Use	Billy Anderson Property Owner	8028 W. Grantosa Dr. 2nd Dist.
		Request to occupy the premises as a day care center for 8 children per shift infant to 12 years of age, operating 24 hours Monday - Friday and 6:00 a.m. - midnight Saturday - Sunday.	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	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	30611 Special Use/ Dimensional Variance	Omar Ahmad Ahmad Properties, LLC;Property Owner Request to construct fast-food / carry-out restaurant with a drive-through that exceeds the maximum allowed side setback (allowed 25 ft. / proposed 44 ft. 5 in.).	11410 W. Silver Spring Dr. A/K/A 11414 W. Silver Spring Dr. 5th 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 for LB1 zoning districts. 5. That windows meet the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances 6. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on September 10, 2010 is installed within 90 days of occupancy. 7. That this Special Use 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>
7	30612 Special Use	Edward Burlakov Superior Service LLC;Lessee	8302 W. Lisbon Av. 5th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted	
	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 shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on May 1, 2000. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning 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 October 17, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	30613 Special Use	Gene Batuner Property Owner	8482 W. Hampton Av. 5th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Granted 10 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 landscaping and screening is maintained in a manner that meets the intent of city code. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That 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 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>
9	30590 Special Use	Boykin Blackmon Lessee	3854 N. Teutonia Av. A/K/A 3859 N. 20th St. 6th Dist.
	Action:	Granted 5 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 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 existing 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 all repair work is conducted inside the building. 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. The storage container is removed from the site within 30 days of Board of Zoning Appeals approval. 11. 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>
10	30658 Special Use	Time Warner Cable Attn: Shaz Sherer;Property Owner	514 W. Walnut St. A/K/A 518 W. Walnut St. 6th Dist.
		Request to occupy the premises as a substation / indoor distribution equipment facility.	
	Action:	Granted 5 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 obtain approval from the Redevelopment Authority of the City of Milwaukee to access the north and east-abutting property for any work pertaining to re-grading the premises or installing a retaining wall. 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>
11	30663 Special Use	Oscar A Moncao Lessee	3700 N. Fratney St. 6th Dist.
		Request to occupy a portion of the premises as a motor vehicle sales facility.	
	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.295-805 of the Milwaukee Zoning Code. 5. That no work or storage of vehicles occurs in the public right of way. 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 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	30666 Special Use	CMSM, LLC Regina Kret; Lessee	301 E. Reservoir Av. 1 6th Dist.
		Request to expand the adult day care center into an adjacent unit and to increase the number of clients from 24 to 40 and to continue occupying the premises as an adult day care center operating Monday - Friday 9:00 a.m. - 3:00 p.m.	
	Action:	Granted 5 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 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	30567 Special Use	Rabinder S Khahra Property Owner	5904 W. Hampton Av. 7th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 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 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 9. That 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>
14	30620 Special Use	Manuel and Marta Cordovez Property Owner	1762 S. Muskego Av. 8th Dist.
		Request to increase the ages of children from infant to 6 years of age to infant to 12 years of age and to continue occupying the premises as a day care center for 22 children per shift, operating Monday - Friday 6:30 a.m. - midnight.	
	Action:	Granted	
	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 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 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>
15	30635 Use Variance	Karl Tatum Lessee Request to continue occupying the premises as a currency exchange / payday loan facility .	2000 W. Becher St. A/K/A 2000 W. Forest Home Av. 8th Dist.
	Action:	Granted 10 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 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. 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. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
16	30660 Special Use	David Hase Seeds of Health;Property Owner Request to occupy the premises as an accessory use parking lot (expansion and reconfiguration of accessory parking lot).	3025 W. Oklahoma Av. A/K/A 3101 S. 30th St. 8th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the consent agenda at the request of an interested party and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	30662 Special Use	Siva Truck Lease, LLC Lessee	2301 W. St Paul Av. 8th Dist.
		Request to continue occupying the premises as a heavy motor vehicle repair facility.	
	Action:	Granted 10 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 no additional signage may be erected on the site unless it meets the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. 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. 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 ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	30625 Special Use	Yolanda Cain Lessee	5821 W. Silver Spring Dr. A/K/A 5803 W. Silver Spring Dr. 9th Dist.
		Request to occupy a portion of the premises as a 24 hour day care center for 63 children per shift 5:00 a.m. - 9:00 p.m. and 20 children per shift 9:00 p.m. - 5:00 a.m., for children infant to 15 years of age, operating Monday - Sunday (the applicant is moving the center from one unit in the building to a new unit).	
	Action:	Granted 5 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 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 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 I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 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>
19	30671 Special Use	Risen Savior Lutheran Church Rev. Kenneth J. Fisher;Prospective Buyer	9505 W. Brown Deer Rd. A/K/A 9525 W. Brown Deer Rd. 9th Dist.
		Request to occupy the premises as a social service facility, health clinic and secondhand sales facility.	
	Action:	Granted 5 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.295-505-5 of the Milwaukee Zoning Code. 5. That the secondhand sales facility does not have outdoor storage or display of products or merchandise. 6. 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. 7. 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>
20	30674 Special Use	John Erdmann, Southeast Sales Corp. Lessee	7016 N. 76th St. A/K/A 7020 N. 76th St. 9th Dist.
		Request to continue occupying the premises as a motorcycle sales and repair facility.	
	Action:	Granted 5 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 no additional signage may be erected on the site unless it meets the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside of the building. 6. That landscaping is maintained in a manner that meets the intent of city code. 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 five (5) years, commencing with the date hereof. 	

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21	30678 Special Use	Summit Credit Union Brian Novinska, Facility Manager; Lessee Request to continue occupying the premises as a bank with a drive-through facility located within 150 feet of a residential district.	6914 W. Brown Deer Rd. A/K/A 6900 W. Brown Deer Rd. 103 9th Dist.
	Action:	Granted 10 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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
22	30679 Special Use	Tanya Coleman Lessee	7945 N. 76th St. A/K/A 7929 N. 76th St. 9th Dist.
		Request to continue occupying the premises as a 24 hour day care center for 35 children first and second shift and 20 children third shift, operating Monday - Sunday.	
	Action:	Granted 5 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 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>
23	30664 Special Use	Gladys LLC Kristie Griffin and James Griffin;Property Owner	8920 W. Brown Deer Rd. A/K/A 8922 W. Brown Deer Rd. 9th Dist.
		Request to occupy the premises as a motor vehicle repair and outdoor storage facility.	
	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 landscaping and screening in accordance to the plan submitted to the Board on September 17, 2010 is installed by June 1, 2011 and is 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 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>
24	30626 Special Use	Young Stars Universal Academy Lessee Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday 9:00 a.m. - 6:00 p.m.	7251 W. Appleton Av. A/K/A 7251 W. Appleton Av. 4 10th Dist.
	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>
25	30467 Special Use	Parminderjeet S Dhillon Property Owner	2072 S. 6th St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 all repair work is conducted inside of the building. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That landscaping is maintained in a manner that meets the intent of the Milwaukee Zoning code. 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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	30653 Special Use	Gyro Palace Nick Karampelas; Lessee	602 S. 2nd St. A/K/A 605 S. 1st St. 12th Dist.
		Request to occupy a portion of the premises as a fast-food/carry-out restaurant.	
	Action:	Granted	
	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 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 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. 6. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 26, 2019. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	30654 Special Use	WP Express, LLC Paul Sanfelippo; Lessee	605 S. 1st St. A/K/A 643 S. 1st St. 12th Dist.
		Request to continue occupying a portion of the premises as a motor vehicle repair facility.	
	Action:	Granted	
	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 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 site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That landscaping and screening is maintained in a manner that meets the intent of city code. 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 26, 2019. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	30656 Special Use	Jose Mathew Property Owner	902 W. National Av. A/K/A 914 W. National Av. 12th Dist.
		Request to continue occupying the premises as a motor vehicle filling station (this is a new operator).	
	Action:	Granted 5 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 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 landscaping and screening is maintained in a manner that meets the intent of city code. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 9. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That this Special Use is granted for a period of 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	30649 Special Use	Gina's Trucking Inc. Scott Becker;Lessee	241 W. Edgerton Av. 13th Dist.
		Request to continue occupying the premises as a truck freight terminal.	
	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:	--	
30	30488 Dimensional Variance	Iglesia Pentecostal Graciliana Martinez;Property Owner	2500 S. 9th Pl. A/K/A 927 W. Arthur Av. 14th Dist.
		Request to continue occupying the premises as a permitted religious assembly hall without the minimum number of required parking spaces (required 15 / proposed 5).	
	Action:	Granted 10 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 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>
31	30639 Dimensional Variance	Shane and Michelle Manyen Property Owner Request to construct a swimming pool located in the front yard.	3422 S. Brust Av. A/K/A 3416 S. Brust Av. 14th Dist.
	Action:	Granted	
	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 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>
32	30661 Special Use	Wendy E. Lopez, Christina Cetina & Lenny R. Sosa Lessee	2808 S. 13th St. A/K/A 2810 S. 13th St. 14th Dist.
		Request to occupy the premises as a secondhand sales facility.	
	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 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. 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>
33	30496 Special Use	Guardian Angel Child Development Pastor John C. Weatherall; Lessee	1218 W. Walnut St. A/K/A 1214 W. Walnut St. 15th Dist.
		Request to continue occupy the premises as a day care center for 48 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	
	Action:	Granted 10 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 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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	30651 Special Use	Beverly M Walker Lessee	3630 W. Lisbon Av. 15th Dist.
		Request to continue occupying the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 12:00 a.m. (this is a new operator).	
	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 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 shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on April 29, 2003. 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>
35	30582 Special Use	Seven Stars Auto Salvage, LLC Michael Gilerovich;Property Owner	3626 W. Mill Rd. 1st Dist.
		Request to continue occupying the premises as a motor vehicle sales, repair and salvage facility.	
	Action:	Granted 10 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 shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on March 26, 1993. 5. That no work or storage of vehicles occurs in the public right of way. 6. That these Special Uses 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>
36	30648 Special Use	Hope Street Ministries, Inc. David Tennyck;Property Owner	2522 W. Capitol Dr. A/K/A 2522 W. Capitol Dr. 8 1st Dist.
		Request to continue occupying the premises as a transitional living facility for 44 occupants.	
	Action:	Granted 5 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 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 the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for R-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 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	30669 Special Use	Roosevelt McMorris Jr. Lessee Request to continue occupying the premises as a car wash and detailing facility.	4110 N. Green Bay Av. A/K/A 4100 N. Green Bay Av. 1st Dist.
	Action:	Granted 10 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 all car wash activity is conducted inside of the building. 6. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 7. That landscaping and screening is maintained in a manner that meets the intent of city code. 8. That the applicant does not have outdoor storage or display of products or merchandise. 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 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>
38	30655 Special Use	Kulbir Singh Lessee Request to occupy the premises as a second-hand sales facility.	6538 W. Fond Du Lac Av. A/K/A 6542 W. Fond Du Lac Av. 2nd 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>
39	30667 Special Use	Deborah A Boyd Property Owner	6831 W. Villard Av. 2nd Dist.
		Request to continue occupying the premises as a day care center for 62 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	
	Action:	Granted 10 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 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 hrs/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 facility does not exceed 40 children on-site at any one time, which is the current capacity established by the State Department of Children and Families. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	30617 Dimensional Variance	Thomas M Miller Property Owner Request to continue occupying the premises as a personal service facility (hair salon) without the required parking spaces.	1633 N. Farwell Av. 3rd Dist.
	Action:	Granted 10 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 this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
41	30680 Special Use	University Investments 2000 LLC Kathy Bayer, General Manager;Property Owner Request to continue occupying the premises as a sorority.	853 N. 17th St. A/K/A 853 N. 17th St. 6 4th Dist.
	Action:	Granted 10 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 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>
42	30641 Dimensional Variance	Richard D Notarpole Property Owner Request to allow a masonry fence that exceeds the maximum allowed height along the front and side yard (allowed 4 ft. / proposed 5.5 ft.).	1220 N. 30th St. A/K/A 1222 N. 30th St. 4th Dist.
	Action:	Granted	
	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 this Variance is granted to run with the land. 	
43	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:	Granted 10 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 landscaping and screening is implemented and maintained in accordance with s.295-405 of the Milwaukee Code of Ordinances. 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>
44	30458 Special Use	Tomikia Babb Lessee Request to occupy the premises as a car wash.	8436 W. Lisbon . A/K/A 8436 W. Lisbon Av. 5th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of the applicant and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
45	30518 Special Use	Al's Auto Repair Lessee Request to occupy the premises as a motor vehicle repair facility.	3250 N. 77th St. A/K/A 7633 W. Lisbon Av. 1 5th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
46	30545 Use Variance	Genesis Behavioral Services, Inc. Pauline Ortloff, Director of Operations; Lessee Request to occupy the premises as a transitional living facility for 4 occupants.	3414 N. 23rd St. A/K/A 3414 A N. 23rd St. 6th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned 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>
47	30540 Special Use	Darrel Eisenhardt Property Owner Request to continue occupying the premises as a bank with a drive-through facility.	230 W. Reservoir Av. A/K/A 1900 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 15 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 landscaping and screening is maintained in a manner that meets the intent of city code. 5. That the applicant install a sign informing patrons of the facility to respect the neighboring property owners and the overall integrity of the residential area. 6. 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>
48	30555 Dimensional Variance	Derrick Martin Property Owner Request to erect a sign that exceeds the maximum allowed area (allowed 80.7 sq.ft. / proposed 139.7 sq.ft.).	709 E. Capitol Dr. A/K/A 701 E. Capitol Dr. 6th 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 this Variance is granted for a period of time commencing with the date hereof, and expiring on April 22, 2015. 	
49	30638 Dimensional Variance	TJX Companies Lessee Request to erect a sign that exceeds the maximum allowed area (allowed 80 sq.ft. / proposed 139.7 sq.ft.).	709 E. Capitol Dr. A/K/A 701 E. Capitol Dr. 6th 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 this Variance is granted for a period of time commencing with the date hereof, and expiring on April 22, 2015. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	30604 Use Variance	William Weshow DBA Moto-Scoot; Lessee Request to occupy a portion of the premises as a motor vehicle sales and repair facility (scooter sales and repair).	2070 N. Riverboat Rd. A/K/A 2074 N. Commerce St. 6th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned at the request of staff and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
51	30646 Special Use	House of Vision Inc. Property Owner Request to occupy the premises as a transitional living facility for 24 occupants.	2605 W. Capitol Dr. A/K/A 2605 W. Capitol Dr. 305 7th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 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>
52	30668 Special Use	Insite RE, Inc. Agent for T-Mobile Central LLC Karol Fahey and Michael Howley; Lessee	3180 W. Townsend Av. A/K/A 2737 W. Hopkins St. 7th Dist.
		Request to erect a transmission tower that exceeds a height of 85 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 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>
53	30563 Use Variance	Graciela and Inocente Hernandez Other Request to continue occupying the premises as a general retail establishment (grocery store).	3911 W. Greenfield Av. A/K/A 3913 W. Greenfield Av. 8th Dist.
	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 the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That 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. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 8. That this Variance 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>
54	30579 Special Use	Amira Academy LLC Aisha Yasin;Property Owner	2439 W. Mitchell St. A/K/A 2437 W. Mitchell St. 8th Dist.
		Request to continue occupying the premises as a day care center for 51 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 7:00 p.m.	
	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 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 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. 7. That the applicant increase the capacity for on-site trash storage, including hiring a commercial waste service if necessary. 8. That the petitioner obtains a loading zone in front of the premises on W. Mitchell St. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	30643 Special Use	Souphasith Phonthavisouk Lessee Request to occupy the premises as a social service facility.	3413 W. National Av. A/K/A 3411 B W. National Av. 8th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
56	30531 Dimensional Variance	Liesener Soils Inc. Kurt Liesener; Lessee Request to continue occupying the premises as a contractor's yard with stockpiles that exceed the maximum allowed height.	8410 W. Calumet Rd. 9th 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 stockpiles not exceed a height of 20 feet. 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>
57	30439 Special Use	Place of Praise Family Life Center Citadel of Praise C.O.G.I.C. Dean & Nicole Young;Lessee Request to occupy a portion of the premises as a social service facility.	7101 W. Capitol Dr. 10th 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 public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
58	30632 Special Use	Larry A Pachefsky Property Owner Request to construct an addition to the existing building and to occupy the premises as a motor vehicle sales, repair and outdoor storage facility (this is an addition to a non-conforming motor vehicle repair facility).	5204 W. Center St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District and will be rescheduled for the next available 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>
59	30644 Special Use	Saad Fleifel Property Owner	5704 W. Center St. A/K/A 5700 W. Center St. 10th Dist.
		Request to occupy the premises as a motor vehicle sales and repair facility.	
	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 landscaping and screening in accordance to the plan submitted to the Board on August 31, 2010 is installed by June 1, 2011 and is maintained in a manner that meets the intent of city code. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning 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 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>
60	30652 Special Use	Michael D Suttner Property Owner	2375 S. 43rd St. 11th Dist.
		Request to occupy the premises as a motor vehicle sales facility.	
	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.295-805 of the Milwaukee Zoning Code. 5. That landscaping and screening in accordance to the plan submitted to the Board on August 26,2010 is installed by June 1, 2011 and is 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 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>
61	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:	Martin Kohler moved to adjourn 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>
62	30476 Use Variance	Hector Soto Property Owner	2041 S. 6th St. A/K/A 2041 A S. 6th St. 12th Dist.
		Request to occupy the premises as a contractor's shop.	
	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.295-505-5 of the Milwaukee Zoning Code. Specifically, that wall signage may not exceed 18 sq. ft. 5. That the first floor window along the S. 6th St frontage is retained as clear glass and is maintained in an attractive manner. 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 the final certificate of occupancy is not issued until all code violations identified in DNS order (dated 7/27/2010) are corrected. 	
		4. 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>
63	30568 Use Variance	Whole Village Institute Laura Allen;Lessee Request to occupy a portion of the premises as a school for 150 students K4 - 8th grades, operating Monday - Friday 7:30 a.m. - 5:30 p.m. and Saturday 7:30 a.m. - noon.	1236 W. Pierce St. A/K/A 627 S. 12th St. 12th Dist.
	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 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>
64	30607 Special Use	Oliver F Gardipee Lessee	1010 S. 1st St. 12th Dist.
		Request to occupy the premises as a motor vehicle sales facility (to be operated in conjunction with the motor vehicle repair, sales and salvage facility at 111 E. Mineral St.).	
	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.295-805 of the Milwaukee Zoning Code. 5. That landscaping and screening in accordance to the plan submitted to the Board on August 10, 2010 is installed by September 1, 2011 and is 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 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>
65	30636 Special Use/ Dimensional Variance	Mickey Hussein Govani Vine Properties LLC;Property Owner Request to occupy a portion of the premises as a motor vehicle repair facility and to construct a general retail establishment with an accessory use parking lot located between the street facade of the building and street lot line that exceeds the maximum allowed number of parking spaces (allowed 24 / proposed 36) and does not meet the minimum required number of bicycle parking spaces (required 4 / proposed 0).	1574 W. National Av. A/K/A 1576 A W. National Av. 12th 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. 3. That the petitioner agrees to work with the Department of City Development Planning Administration staff on final resolution of design issues including, but not limited to site plans, facade & elevation plans, and glazing plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. 4. That the landscape and screening plan submitted to the Board of Zoning Appeals on August 17, 2010 is revised to include information on tree and plant species and size. 5. That landscaping and screening in accordance with an approved landscape plan installed within 120 days of occupancy, and is maintained in a manner that meets the intent of city code. 6. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 7. That all repair work is conducted inside the building. 8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 9. That no physically damaged vehicles may be parked or stored outside except in the parking area located behind the opaque fence in the northeast corner of the premises. 10. That no work or storage of vehicles occurs in the public right of way. 11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 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 the Variances and the Special Use for parking are granted to run with the land. 14. That the Special Use requests for a general retail establishment and a motor vehicle repair facility 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>
66	30557 Special Use	Tyyon L Hagans Lessee	2473 S. Howell Av. A/K/A 2473 A S. Howell Av. 14th Dist.
		Request to occupy the premises as a motor vehicle sales facility (motor scooters and accessories).	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<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 glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	30645 Special Use	Geraldine R Phillips Property Owner	939 E. Lincoln Av. A/K/A 2301 S. Logan Av. 14th Dist.
		Request to occupy the premises as a tavern with an outdoor deck (this is an expansion of a legal non-conforming use).	
	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 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 the applicant submits plans for the deck to the Milwaukee Development Center, obtains a building permit and the deck is not used until final approval. 6. 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>
68	30503 Special Use/ Dimensional Variance	Community Advocates, Inc. Joseph L. Volk;Prospective Buyer Request to construct a social service facility and transitional living facility for 21 occupants that exceeds the maximum allowed front setback (allowed 0 ft. / proposed 5 ft.), the maximum allowed side street setback (allowed 5 ft. / proposed 16-30 ft.) and does not meet the minimum lot area per dwelling unit (required 25,200 sq.ft. / proposed 12,303 sq.ft).	3402 W. Lisbon Av. A/K/A 3410 W. Lisbon Av. 15th Dist.
	Action:	Granted 10 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 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 the petitioner agrees to work with the DCD - Planning Administration staff on final resolution of design issues including, but not limited to site plans, facade & elevation plans, signage plans and landscape plans. The petitioner must submit revised drawings that reflect these changes to the Board of Zoning Appeals for Zoning Administration Group review and approval. Plans submitted to the Plan Examination Section must be consistent with the final Zoning Administration Group approved plan, or no permits will be issued. 6. That these Special Uses and these Variances 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>
69	30544 Special Use	Genesis Behavioral Services, Inc. Pauline Ortloff, Director of Operations; Lessee	1310 W. Clarke St. A/K/A 1310 A W. Clarke St. 15th Dist.
		Request to occupy the premises as a transitional living facility for 4 occupants.	
	Action:	Adjourned	
	Motion:	This item has been adjourned 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>
70	30524 Special Use/ Use Variance/ Dimensional Variance	Kent L Kaiser Property Owner Request to add a ground transportation facility and an outdoor salvage operation and to continue occupying the premises as a motor vehicle sales, repair and outdoor storage facility with a razor wire fence.	6944 N. Teutonia Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler. Donald Jackson moved to deny the request for a razor wire fence. 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.295-805 of the Milwaukee Zoning Code. 5. That landscaping for the light motor vehicle display sales along the N. Teutonia Ave frontage is maintained in a manner that meets the intent of city code. 6. That the steel fence in accordance with the plan submitted to the Board on September 27, 2010 be installed along the south property line within 90 days of Board approval of the use. 7. That no work or storage of vehicles occurs in the public right of way. 8. That the applicant complies with the order from the Department of Neighborhood Services (order # 7921851 dated 2/4/10) within 60 days of board approval and the certificate of occupancy is not released until all zoning conditions are met. 8. That these Special Uses and these Variances are granted for a period of five(5) years, commencing with the date hereof. 9. That the Variance request for a razor wire fence is denied. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	30618 Special Use	Cedric R Horton Lessee Request to occupy the premises as a tavern.	5138 N. 37th St. A/K/A 5140 N. 37th St. 1st Dist.
	Action:	Granted 1 yr.	
	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 a complete set of 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 assembly occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 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 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>
72	30511 Special Use	James D Brown Lessee	8519 W. Kaul Av. A/K/A 8521 W. Kaul Av. 2nd Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Marin 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.295-805 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside the building. 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 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>
73	30578 Special Use	National Real Estate Investors LLC Hussein Govani;Property Owner	5740 W. Fond Du Lac Av. 2nd Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 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 all repair work is conducted inside the building. 6. 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. 7. That landscaping in accordance with the landscape plan submitted to the Board on September 1, 2010 is implemented by September 1, 2011 and maintained in a manner that meets the intent of city code. 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 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>
74	30633 Special Use	Riverwest Yogashala, Inc. Riverwest Yogashala Housing Cooperative; Lessee	700 E. Meinecke Av. A/K/A 700 B E. Meinecke Av. 3rd Dist.
		Request to occupy the premises as a rooming house for 7 occupants and a personal service facility (yoga studio).	
	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.295-505-5 of the Milwaukee Zoning Code. Specifically, that wall signage not exceed 18 square feet. 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 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>
75	30640 Special Use	Goodwill Retail Services, Inc. Joan B. Farrell, Goodwill Industries of SEW. Inc.; Lessee	2830 N. Oakland Av. A/K/A 2816 N. Oakland Av. 3rd Dist.
		Request to occupy the premises as a second-hand sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Syzmanski 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 existing storefront windows remain as clear transparent glass per the standards of 295-605-2-i-c of the Milwaukee Zoning Code and that the windows are maintained in a neat and orderly manner. 5. That the existing landscape and screening is upgraded to meet the intent of city code section 295-405 for Type 'B' landscaping. Specifically, a landscape and screening plan must be submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group which replaces the 3 foot high wooden fences along the N. Oakland Ave frontage with a decorative metal fence. The wooden fence adjacent to the south-abutting residence should be retained. 6. That landscape improvements in accordance with an approved plan must be installed by June 1, 2011. 7. That the petitioner monitor the premises on a daily basis and take any other necessary measures to insure that no donated items are left on the exterior of the premises. 8. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
76	30594 Dimensional Variance	Lee Berg Property Owner Request to erect a wall sign that exceeds the maximum allowed area (allowed 80 sq.ft. / proposed 846 sq.ft.).	1100 W. Wells St. A/K/A 1100 W. Wells St. 1611 4th 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 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>
77	30615 Special Use/ Dimensional Variance	Dreamland Petroleum Inc. Jay Walia;Prospective Buyer Request to raze and rebuild a motor vehicle filling station and car wash that exceeds the maximum allowed side street setback (allowed 5 ft. / proposed 81 ft.) and does not meet the minimum required building height (required 18 ft. / proposed 13 ft.).	405 N. 27th St. 4th 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 landscaping and screening in accordance to the plan submitted to the Board on September 20, 2010 is installed within 90 days of occupancy and is maintained in a manner that meets the intent of city code. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 9. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 10. That the applicant does not have outdoor storage or display of products or merchandise. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That these Special Uses and these Variances 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>
78	30616 Special Use	Dreamland Petroleum Inc. Jay Walia;Property Owner	2720 W. St Paul Av. A/K/A 419 N. 27th St. 4th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Syzmanski 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 façade plan for the east wall of the motor vehicle repair facility submitted to the Board on September 20, 2010 is revised to include architectural detailing such as paint and trim to match the abutting car wash and retail buildings. The revised façade plan must be submitted to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. 6. That all repair work is conducted inside the building. 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 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>
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Other Business:

Board member Henry Szymanski moved to approve the minutes of the September 2, 2010 meeting. Seconded by Board member Donald Jackson. Unanimously approved.

The Board set the next meeting for November 4, 2010.

Board member Henry Szymanski moved to adjourn the meeting at 8:00 p.m.. Seconded by Board member Georgia Cameron. Unanimously approved.

BOARD OF ZONING APPEALS

Acting Secretary of the Board

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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