

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – November 4, 2010
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

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

Members: Henry P. Szymanski (*excused*)
Georgia M. Cameron (*voting on items 1-71*)
Donald Jackson (*voting on items 1-71*)
Martin E. Kohler (*voting on items 1-57, 59-71*)

Alt. Board Members: Jose L. Dominguez (*voting on items 1-71*)
Leni M. Siker (*voted on item 58*)

START TIME: 4:04 p.m.

END TIME: 8:55 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	30412 Special Use	Tamara Collins Lessee Request to increase the number of children per shift from 14 to 24 and to expand the existing Board approved day care center operating Monday - Sunday 7 a.m. - midnight to the second floor of the premises.	4235 A W. Fond Du Lac Av. A/K/A 4235 W. Fond Du Lac Av. 7th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson 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	30517 Special Use	ATTIC Correctional Services, Inc. Lessee Request to occupy the premises as a transitional living facility for 4 occupants.	2640 N. 10th St. A/K/A 2642 N. 10th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	30562 Special Use	Murtaza Sajan Lessee Request to continue occupying the premises as a motor vehicle filling station (this is a new operator).	2242 N. 12th St. A/K/A 2230 N. 12th St. 15th 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 hearing.	
	Vote:	--	
	Conditions of Approval:	--	
4	30521 Use Variance	Gail Lombrano Property Owner Request to occupy the premises as a rooming house.	5240 N. 69th St. 2nd Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson 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	30526 Special Use	Toua Thao Lessee Request to occupy the premises as a motor vehicle repair facility.	7124 W. Fond Du Lac Av. 2nd Dist.
	Action:	Dismissed	
	Motion:	Donald Jackson moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
6	30720 Extension of Time	Community Baptist Church of Greater Milwaukee Property Owner Request for an extension of time to comply with the conditions of case #28909.	6850 W. Good Hope Rd. A/K/A 6800 W. Good Hope Rd. 9th Dist.
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant 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>
7	30681 Special Use	Corrine Miller Property Owner	2432 W. Hopkins St. A/K/A 2434 W. Hopkins St. 6th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted	
	Motion:	Donald Jackson 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 there be no outdoor sales, receipt, or distribution of food, clothing, household goods or other items on the premises. 6. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on February 19, 2014. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	30703 Special Use	Mount Zion Missionary Baptist Church Property Owner	2222 N. 2nd St. 6th Dist.
		Request to continue occupying the premises as a social service facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 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	30709 Special Use	Jose Torres Lessee Request to continue occupying the premises as a religious assembly hall.	3870 N. Port Washington Av. A/K/A 3872 N. Port Washington Av. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson 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 security barriers be removed to be in compliance with s252-76 of the Milwaukee Code of Ordinances. 5. That the first floor windows along the Port Washington Av. facade remain as transparent vision glass and are maintained in an attractive manner. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 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>
10	30595 Use Variance	Shiloh Missionary Church Deacon Johnnie McGlaston;Property Owner	4820 W. Melvina St. A/K/A 4824 W. Melvina St. 7th Dist.
		Request to continue occupying the premises as a parking lot.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 June 27, 2000. 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>
11	30695 Special Use	Latrece Shelton Lessee Request to continue occupying the premises as a group home for 8 occupants.	3049 N. 28th St. A/K/A 3049 A N. 28th St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson 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 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	30736 Special Use	<p>Francelle Roberson Lessee</p> <p>Request to continue occupying the premises as a 24 hour day care center for 22 children per shift infant to 12 years of age, operating Monday - Friday.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	<p>5301 W. Villard Av. A/K/A 5171 N. 53rd St. 7th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	30740 Special Use	Council for the Spanish Speaking Inc Request to continue occupying the premises as a social service facility (resource library and offices).	1659 S. 36th St. A/K/A 1645 S. 36th St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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>
14	30708 Special Use/ Dimensional Variance	Benito Lopez Property Owner Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (required 13 / proposed 0).	2023 S. Muskego Av. A/K/A 2027 S. Muskego Av. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 first floor windows along the S. Muskego Ave facade are restored to clear glass and are maintained in an attractive manner. 6. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	30724 Special Use/ Dimensional Variance	AutoZone Property Owner Request to continue occupying the premises as a permitted general retail establishment that does not meet the minimum glazing requirements along the primary and secondary street frontage, that exceeds the minimum side street setback and has an accessory use parking lot located between the front facade and street lot line.	1802 W. Forest Home Av. A/K/A 1810 W. Forest Home Av. 8th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 this Special Use and this Variance are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	30684 Special Use	Robert Pyles Franchisee Request to continue occupying the premises as a fast-food / carry-out restaurant.	5739 W. Silver Spring Dr. A/K/A 5803 W. Silver Spring Dr. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 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 this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee Code of Ordinances. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	30711 Special Use	Kevin Judy Satori Inc.; Lessee Request to continue occupying a portion of the premises as a school for 75 children 6th - 8th grades, operating Monday - Friday 8:00 a.m. - 4:00 p.m.	9155 N. 76th St. A/K/A 9187 N. 76th St. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson 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 conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	30723 Use Variance	Wisconsin Auto Title Loans, Inc Lessee Request to continue occupying the premises as a title loan agency.	6863 N. 76th St. A/K/A 6865 N. 76th St. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 is maintained in a manner that meets the intent of city code. 6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
19	30732 Dimensional Variance	Milwaukee County DTPW Rollin M. Bertran, P.E.;Property Owner Request to occupy the premises as a permitted indoor storage facility that does not meet the required residential buffer.	6270 N. Hopkins St. A/K/A 6224 N. Hopkins St. 9th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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>
20	30739 Special Use	Southeast Sales Corp. John or Emma Erdmann;Property Owner	6930 N. 76th St. 9th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility (motorcycles and ATVs).	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 for LB1 zoning districts. 6. That no work or storage of vehicles occurs in the public right of way. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	30718 Special Use	Muzamil Zaman Lessee Request to continue occupying the premises as a motor vehicle filling station.	7002 W. Center St. A/K/A 7000 W. Center St. 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson 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 the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That all repair work is conducted inside of the building. 10. That landscaping and screening is maintained in a manner that meets the intent of city code. 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>
22	30719 Special Use	James Parkinson Lessee Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).	4440 W. Forest Home Av. A/K/A 4421 W. Oklahoma Av. 11th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	
23	30757 Dimensional Variance	Honey Creek School Gitanjali Chawala;Property Owner Request to continue to allow a freestanding sign that exceeds the maximum allowed height (allowed 6 ft. / proposed 10 ft. 10 in.) and the maximum allowed area (allowed 18 sq.ft. / proposed 44.5 sq.ft.).	6701 W. Eden Pl. A/K/A 6506 W. Warnimont Av. 11th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	30725 Dimensional Variance/ Dimensional Variance Fence	St. Peter's Lutheran Church Mark R. Paschal, Secretary;Property Owner Request to continue occupying the premises as an accessory use parking lot with a fence that exceeds that maximum allowed height (allowed 4 ft. / proposed 6 ft.) and does not meet the landscaping standards for an opaque fence.	731 W. Scott St. A/K/A 1214 S. 8th St. 12th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 September 20, 2005. 5. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	30734 Use Variance	Ace Cash Express, Inc. Lessee Request to continue occupying the premises as a currency exchange, payday loan, and title loan agency.	1302 W. Lincoln Av. A/K/A 1304 W. Lincoln Av. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 this Variance is granted for a period of ten (10) years, commencing with the date hereof. 	
26	30742 Special Use	Eduardo Garcia Property Owner Request to continue occupying the premises as a religious assembly hall.	1316 S. Cesar E Chavez Dr. A/K/A 1316 S. 16 . 12th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 time commencing with the date hereof, and expiring on September 23, 2014. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	30460 Dimensional Variance	Michael S Wojcik, Jr. Property Owner Request to allow a fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 5 ft.).	1436 W. Bolivar Av. 13th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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>
28	30589 Special Use	IRAM Inc. Ibrar Malik;Lessee	1300 W. Layton Av. 13th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by 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 landscaping and screening is maintained in a manner that meets the intent of city code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That 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>
29	30726 Special Use	Hertz Corporation Mark Dohring, Area Manager;Property Owner	501 W. Edgerton Av. A/K/A 425 W. Edgerton Av. 13th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (permitted administrative offices and motor vehicle storage also on site).	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 landscaping and screening 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 ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	30741 Special Use	Merlin 200,000 Mile Shops Mark M. Hameister; Lessee Request to continue occupying the premises as a motor vehicle repair facility.	5236 S. 27th St. A/K/A 5240 S. 27th St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 is maintained in a manner that meets the intent of city code. 6. That on 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>
31	30746 Special Use	Mary McIntosh Survivor's Trust d/b/a Scrub-a-Dub Car Wash;Property Owner	6231 S. Howell Av. A/K/A 6221 S. Howell Av. 13th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility and car wash.	
	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:	--	
32	30747 Special Use	Mary McIntosh Survivor's Trust d/b/a Scrub-A-Dub Car Wash;Property Owner	6215 S. Howell Av. A/K/A 6215 A S. Howell Av. 13th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility and car wash (used in conjunction with the facility at 6221 S. Howell).	
	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>
33	30758 Special Use	Marcel Green-Minter Lessee	4725 W. Center St. A/K/A 4727 W. Center St. 15th Dist.
		Request to continue occupying the premises as a second-hand sales facility.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson 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 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>
34	30735 Special Use	Daphne Eiland Property Owner	3311 W. Villard Av. 1st Dist.
		Request to continue occupying the premises as a day care center for 90 children infant to 12 years of age, operating Sunday - Saturday, 6:00 a.m. - midnight.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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. 7. That the facility does not exceed the capacity established by the State Department of Children and Families. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	30727 Special Use/ Dimensional Variance	Housing Authority of the City of Milwaukee Property Owner Request to continue occupying a portion of the premises as a social service facility (for residents only) and an accessory parking lot that does not meet the minimum required number of parking spaces (parking lot does not meet the limited use standard of encompassing 10 acres of redevelopment project area).	455 E. Ogden Av. 3rd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson 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 these Special Uses and this Variance are granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	30722 Special Use	The Northwestern Mutual Life Insurance Company Attn: Law Department; Lessee	822 N. Van Buren St. A/K/A 826 N. Van Buren St. 4th Dist.
		Request to continue occupying the premises as a principal use parking lot.	
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson 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 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>
37	30714 Use Variance	Marquette University Office of the University Architect, Thomas Teipel;Property Owner	500 N. 19th St. 4th Dist.
		Request to occupy the premises as a day care center for 150 children per shift infant to 12 years of age, operating Monday - Friday 7:00 a.m. - 6:00 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 a landscape plan for the parking lot meeting the intent of city code section 295-405 for Type 'A' landscaping is submitted to the Board of Zoning Appeals for approval by the Zoning Administrative Group within 60 days of Board approval of the Use Variance. Specifically, the plan must supplement the existing trees along the N. 19th St. frontage with code-compliant shrubs. 9. That landscape improvements per an approved landscape plan are installed by June 15, 2011 and are maintained in a manner that meets the intent of city code. 10. That the facility does not exceed the capacity established by the State Department of Children and Families. 11. 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>
38	30733 Special Use	Milwaukee and Kilbourn Parking Corp. Lessee	325 E. Kilbourn Av. 4th Dist.
		Request to continue occupying the premises as a principal use parking lot.	
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson 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 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>
39	30704 Special Use	Hansen Brothers Auto Sales JT Hansen Enterprises; Lessee	7704 W. Appleton Av. 5th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 landscaping and screening is maintained in a manner that meets the intent of city code. 6. That all repair work is conducted inside the building. 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 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 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	30716 Special Use	Paul G Leow Lessee	9130 W. Center St. 5th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by 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 landscaping and screening is maintained in a manner that meets the intent of city code. 6. That all repair work is conducted inside the building. 7. That no work or storage of vehicles occurs in the public right of way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of 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>
41	30545 Use Variance	Genesis Behavioral Services, Inc. Pauline Ortloff, Director of Operations; Lessee	3414 N. 23rd St. A/K/A 3414 A N. 23rd St. 6th Dist.
		Request to occupy the premises as a transitional living facility for 4 occupants.	
	Action:	Granted 2 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	3 Ayes, 1 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 a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 6. That the applicant submit a list of all facilities contracted with the Department of Corrections that includes the location and the Aldermanic District. 7. That this Variance is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	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:	Granted 5 yrs.	
	Motion:	Donald Jackson 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 work or storage of vehicles occurs in the public right of way. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for business occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 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 the applicant prohibit parking on Riverboat Road where the parking curb exists. 9. That a landscape plan be developed and executed for the portion of the building that fronts Riverboat Road. 10. That the exterior of the building be upgraded so that it is consistent with the surrounding developments. 11. That signage meet the standards outlined in the Beerline B Master Plan and Neighborhood Code. 12. That test drives be prohibited on Riverboat Road and the park adjacent to the River Crest Condominiums. 13. That these Variances are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	30672 Special Use	Glenda Hampton Lessee Request to occupy the premises as a transitional living facility for 24 occupants.	2311 W. Capitol Dr. A/K/A 2311 W. Capitol Dr. 7 6th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn this item to Administrative Review. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
44	30513 Use Variance	ATTIC Correctional Services, Inc. Lessee Request to occupy the premises as a transitional living facility for 4 occupants.	2808 N. 48th St. A/K/A 2810 N. 48th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the agenda at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	30677 Dimensional Variance	DBJ LLC Property Owner Request to construct an addition to the existing general retail establishment that does not meet the minimum required building height (required 18 ft. / proposed 14 ft) and the minimum required glazing along the primary and secondary street frontages.	5009 W. Hampton Av. 7th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner agrees to work with the Zoning Administration Group 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. 5. That these Variances are granted to run with the land. 	
46	30706 Special Use	Jamia Lowe Lessee Request to occupy the premises as a 24 hour day care center for 40 children first and second shift and 20 children third shift, infant to 12 years of age, operating Monday - Sunday.	3632 W. Burleigh St. A/K/A 3106 N. 37th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn 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>
47	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:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent 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>
48	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:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening in accordance to the plan submitted to the Board on August 25, 2010 is installed by June 30, 2011 and is maintained in a manner that meets the intent of city code. 5. That the applicant submits plans to the Milwaukee Development Center and obtains required permits before the expansion and reconfiguration of the parking lot. 6. That this Special Use is granted to run with the land. 	
49	30556 Special Use	Steve Patrick Property Owner Request to occupy the premises as an outdoor salvage operation and to allow filling or grading of land that exceeds the elevation of the existing finished grade.	11529 W. County Line Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	This item has been adjourned from the 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>
50	30614 Special Use	Hope Works Learning Center, LLC Lisa Netterville; Lessee Request to occupy the premises as a day care center for 125 children per shift 2 1/2 to 12 years of age, operating Monday - Sunday 5:00 a.m. - midnight.	8634 W. Brown Deer Rd. A/K/A 8634 W. Brown Deer Rd. 320 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 7. That 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 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>
51	30710 Use Variance	Hydrite Chemical Co. Terry Fons;Prospective Buyer	8600 N. 87th St. A/K/A 8622 N. 87th St. 9th Dist.
		Request to occupy the premises as a hazardous material storage facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner work with Development Center & DNS staff to ensure that the premises meets all required health, and safety standards for hazardous material storage and processing. 5. 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 hazardous storage facility occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. 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>
52	30566 Special Use	Jose and Juana Ocon Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	1058 W. Windlake Av. A/K/A 1042 W. Windlake Av. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson 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 all repair work is conducted inside the building. 6. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group staff to create a landscape and screening plan for the parking area. The petitioner must submit a landscape and screening plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. 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 three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	30581 Other	James Neumann Lessee Request to appeal a determination by the Department of City Development that the existing off-premise sign is located within 1000 ft. of another off-premise sign (the minimum distance between any 2 off-premises signs located on the same side of the freeway or the Lake Parkway shall be 1000 ft).	1930 S. 4th St. A/K/A 1940 S. 4th St. 12th Dist.
	Action:		
	Motion:	Donald Jackson moved to uphold the determination. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	*THIS APPEAL OF A DETERMINATION HAS BEEN UPHELD	
54	30588 Special Use	Grant W Lawson Property Owner Request to continue occupying the premises as a religious assembly hall.	1501 W. Lincoln Av. A/K/A 2313 S. 15th St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of 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	30676 Dimensional Variance	Republic Airways Scott Durgin; Lessee Request to erect two wall signs that exceed the maximum allowed sign area.	555 W. Air Cargo Wa. A/K/A 5300 S. Howell Av. 11 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 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>
56	30659 Special Use	Rick Rozanske and Roy Rozanske Property Owner Request to expand the existing Board approved outdoor salvage operation.	5848 S. 13th St. A/K/A 5844 S. 13th St. 13th Dist.
	Action:	Granted	
	Motion:	Donald Jackson 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 in accordance with the landscape plan submitted to the Board of Zoning Appeals on October 4, 2010 is installed by June 15 2011, and is maintained in a manner that meets the intent of city code. 5. That there is no vehicle parking on unpaved surfaces. 6. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on July 14, 2015. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	30527 Special Use	Nargis Anis Property Owner	4709 S. Howell Av. 13th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee Code of Ordinances. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That 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 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 landscaping and screening is maintained in a manner that meets the intent of city code. 9. That landscaping and screening improvements in accordance with the landscape plan submitted to the Board on October 22, 2010 are implemented by May 15, 2011. 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 the applicant submit photos of the premises within 6 months of approval. Specifically, that photos of the premises showing the condition of the landscaping and the pump islands be submitted to the Board office no later than May 15, 2011. 13. 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>
58	29980 Use Variance	Steve Ignasiak Lessee Request to occupy the premises as an outdoor heavy motor vehicle storage facility.	2640 S. 5th St. A/K/A 2636 S. 5th St. 14th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	30500 Special Use	Robert Jacobs Lessee	1130 E. Oklahoma Av. 14th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That all repair work is conducted inside the building. 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 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	30698 Special Use	Ramon Basurto Lessee	2484 S. Howell Av. 14th Dist.
		Request to add motor vehicle sales to the existing non-conforming motor vehicle repair facility.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. Specifically that shrubs are maintained in such a manner so as to have a minimum height of 2-feet and a maximum height of 3.5 feet. 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>
61	30469 Special Use	Porfirio Gomez Property Owner	2104 N. 31st St. A/K/A 2116 N. 31st St. 15th Dist.
		Request to occupy the premises as a mixed-waste processing facility .	
	Action:	Granted 1 yr.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for manufacturing occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Special Use is granted for a period of 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>
62	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:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner 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 a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hrs/day. 6. That 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>
63	30585 Special Use	SGR Electric Property Owner Request to occupy the premises as a motor vehicle sales facility.	2449 W. Fond Du Lac Av. A/K/A 2449 W. Fond Du Lac Av. A 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the landscape plan submitted to the Board on September 27, 2010 is revised to include additional trees & shrubs to meet the standards of the of city code section 295-405 for Type 'D' landscaping. The revised plan must be submitted to the board for approval by the Zoning Administration Group within 60 days of Board approval of the Special Use and prior to the issuance of any permits. 6. That landscaping and screening are installed within 90 days of occupancy weather permitting. 7. That the storefront windows along the building's W. Fond du lac Ave façade are restored with transparent vision glass per the standards of s295-605-2-i-c of the Milwaukee Zoning Code. 8. Open no earlier than 9A.M. and close no later than 8P.M. 9. That no storage of vehicles occurs in the public right of way. 10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for business occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 11. That the petitioner submits plans and obtains permits for installing a parking lot. 12. That the applicant maintain three customer parking spots at any one given time. 13. 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>
64	30699 Special Use	Charisse Brown Lessee Request to occupy a portion of the premises as a religious assembly hall.	7321 N. Teutonia Av. A/K/A 7313 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned from the agenda at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
65	30707 Special Use	Arthur Kennedy Lessee Request to occupy a portion of the premises as a religious assembly hall.	7315 N. Teutonia Av. A/K/A 7313 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned from the agenda at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	
66	30675 Special Use	Gary L Peters Lessee Request to add a motor vehicle repair facility to the existing non-conforming motor vehicle sales facility .	5230 W. Villard Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned from the agenda at the request of the Alderman of the District and will be rescheduled for the next available agenda.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	30624 Special Use	Jonathan and Donna Moberg Property Owner Request to continue occupying the premises as a contractor's yard.	3477 N. Weil St. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 pile height of any materials stored on the premises not exceed the height of the fence and landscaping along the north property line. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
68	30458 Special Use	Tomikia Babb Lessee Request to occupy the premises as a car wash.	8436 W. Lisbon Av. A/K/A 8436 W. Lisbon Av. 5th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny 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>
69	30621 Special Use/ Dimensional Variance	Kensington Management, LLC Franchisee for Taco Bell;Property Owner Request to raze the existing restaurant and construct a new fast-food / carry-out restaurant with a drive through facility that exceeds the maximum allowed side street setback (allowed 5 ft. / proposed 155.5 ft.) and the number of on-site parking spaces (allowed 9 / proposed 28).	5441 N. Lovers Lane Rd. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson 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 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 there be no increase in freestanding signage, and all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 8. That landscaping and screening in accordance with the landscape plan submitted to the Board on July 26, 2010 within 90 days of occupancy. If occupancy occurs between September 1st and March 31st then landscaping and screening must be installed within 90 days of April 1st. 9. That landscaping and screening is maintained in a manner that meets the intent of city code. 10. That the petitioner agrees to work with the Zoning Administration Group on a revised site plan / landscape plan that provides either a re-alignment of the proposed pedestrian path, or a second pedestrian path located north of the driveway opening on N. Lovers Lane Rd. 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. 11. That the identifiable pedestrian walkway leading from the public sidewalk along N. Lovers lane to the front of the building is paved with a non-asphalt material. 12. That this Special Use and 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>
70	30657 Special Use	Orpheus Huston Lessee	8332 W. Lisbon Av. 5th Dist.
		Request to occupy the premises as a motor vehicle repair facility and car wash.	
	Action:	Adjourned	
	Motion:	This matter was adjourned from the agenda at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	
71	30447 Special Use	Olusoji Oyesanya Property Owner	8105 W. Lisbon Av. 5th Dist.
		Request to occupy the premises as a medical office.	
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Jose Dominguez.	
	Vote:	--	
	Conditions of Approval:	--	

Other Business:

Board member Donald Jackson moved to approve the minutes of the October 7, 2010 meeting. Seconded by Board member Martin Kohler. Unanimously approved.

Board member Donald Jackson moved to approve the 2010 – 2011 hearing calendar. Seconded by Board member Georgia Cameron. Unanimously approved.

The Board set the next meeting for December 16, 2010.

Board member Donald Jackson moved to adjourn the meeting at 8:55 p.m.. Seconded by Board member Jose Dominguez. Unanimously approved.

BOARD OF ZONING APPEALS

Acting Secretary of the Board