

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – January 16, 2014
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 – 48*)

Members: Henry P. Szymanski (*voting on items 1 – 58*)
Donald Jackson (*voting on items 1 – 58*)
Martin E. Kohler (*voting on items 1 – 58*)
Jose L. Dominguez (*voting on items 1 – 58*)

Alt. Board Members: Jewel Currie (*present, voting on items 49 – 58*)
Karen M. Dardy (*present for items 1 – 58*)

START TIME: 4:10 p.m.

End Time: 6:03 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	32450 Use Variance	Stanley Terry Lessee Request to occupy the premises as a transitional living facility for 10 occupants.	2876 N. 40th St. A/K/A 2878 N. 40th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	32792 Change of Operator	Toma's Everything Automotive Toma York; Lessee Request to continue occupying the premises as a motor vehicle sales and repair facility.	3302 W. Center St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant.	
	Vote:	--	
	Conditions of Approval:	--	
3	32680 Special Use	Genesis Behavioral Services, Inc. Pauline Ortloff; Lessee Request to occupy the premises as a community living arrangement for 26 occupants.	4803 W. Burleigh St. A/K/A 4803 A W. Burleigh St. 7th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	32182 Special Use	Michael J Patton Lessee Request to occupy the premises as an assembly hall (operated in conjunction with a permitted tavern on site).	3000 S. 13th St. A/K/A 1231 W. Manitoba St. 14th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	32507 Special Use	Walnut Way Conservation Corp Property Owner	2240 N. 17th St. A/K/A 2230 N. 17th St. 15th Dist.
		Request to continue occupying the premises as a community center.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business - B occupancies and complies with all zoning conditions. 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>
6	32834 Special Use	Oasis of Hope International Eddie Moton; Property Owner	2617 W. Fond Du Lac Av. 15th Dist.
		Request to occupy the premises as a religious assembly hall.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler 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 first floor windows along the building's W. Fond du Lac Ave. frontage remain as transparent vision glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business - B occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That this Special Use is granted for a period of 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>
7	32907 Special Use	City of Milwaukee Department of Public Works Paul Fredrich; Property Owner	1610 N. 14th St. A/K/A 1622 N. 14th St. 15th Dist.
		Request to continue occupying the premises as an accessory use heavy motor vehicle parking lot.	
	Action:	Granted 15 yrs.	
	Motion:	Martin Kohler 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 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>
8	32838 Special Use	Megan Martin Property Owner	2400 W. Capitol Dr. A/K/A 2404 W. Capitol Dr. 1st Dist.
		Request to increase the number of children from 135 to 150 per shift for a day care for children infant to 12 years of age, operating 5:00 a.m. to midnight.	
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That the applicant applies for a loading zone on North 24th Street. 8. That the petitioner obtains a new occupancy certificate to account for the increased number of children 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. 9. That the facility does not exceed the capacity established by the State Department of Children and Families. 10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on February 10, 2018. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	32859 Special Use	Leader Towing & Transport Kent Kaiser; Lessee	6310 N. Sherman Bl. 1st Dist.
		Request to occupy the premises as a motor vehicle sales facility.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That within 30 days of Board approval of the Special Use the petitioner must meet with the Zoning Administration Group to create a landscape plan for the parking lot along the N. Sherman Blvd. frontage. The petitioner must then submit a landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts 6. That no work on or storage of vehicles occurs in the public right-of-way. 7. That no sales vehicles are displayed in the public right-of-way. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile - M occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 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 five (5) years, commencing with the date hereof. 	

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10	32894 Special Use	Lit'l Scholars Daycare Erma J. Belin; Lessee Request to continue occupying the premises as a day care center for 99 children per shift infant to 12 years of age, operating Monday - Friday 6:30 a.m. to 5:30 p.m.	3320 W. Wren Av. A/K/A 5966 N. 35th St. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
11	32882 Dimensional Variance	Gorman & Company, Inc. Ben Marshall; Property Owner Request to occupy the premises as a permitted multi-family dwelling without the required landscaping buffer.	5329 N. Teutonia Av. A/K/A 5329 N. Teutonia Av. 304 1st Dist.
	Action:	Granted	
	Motion:	Martin Kohler 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 to run with the land. 	

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12	32900 Special Use	Mitchell Group Inc. Dloyd Mitchell; Lessee	2462 W. Capitol Dr. 1st Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).	
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That within 30 days of Board approval of the Special Use the petitioner must meet with the Zoning Administration Group to create a landscape plan for the parking lot along the W. Capitol Dr. frontage. The petitioner must then submit a landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits. The landscape plan may require the removal of a portion of the paved surface to create a planting strip. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the storefront windows are retained as transparent glass in accordance with the glazing standards of s.295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 7. That all repair work is conducted inside the building. 8. That no work on 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 three (3) years, commencing with the date hereof. 	

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13	32908 Special Use	Frederick D Jones Lessee	3500 W. Elm St. 1st Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).	
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler 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 all repair work is conducted inside the building. 6. That no work on or storage of vehicles occurs in the public right-of-way. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-2 occupancies and complies with all zoning conditions and building code requirements. 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. 	

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14	32909 Use Variance	Holy Redeemer Church of God in Christ Daren Daniels or Lisa Neal; Property Owner	4858 N. Mother Daniels Wa. A/K/A 4858 N. 35th St. 1st Dist.
		Request to continue occupying a portion of the premises as a medical office (this is a new operator).	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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. 	

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15	32914 Special Use	Kurt Kleman Lessee Request to occupy the premises as an artist studio.	1728 N. Franklin Pl. A/K/A 1730 N. Franklin Pl. 2F 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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. 5. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business - B occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
16	32892 Special Use	City of Milwaukee Business Improvement District #2 Ron San Felippo; Lessee Request to occupy the premises as a principal use parking lot.	444 N. 3rd St. A/K/A 499 N. 2nd St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party.	
	Vote:	--	
	Conditions of Approval:	--	

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17	32904 Use Variance	Wiegand Investments 2112 LLC Rick Wiegand; Property Owner Request to continue occupying the premises as a principal use parking lot.	2112 W. Wells St. A/K/A 816 N. 22nd St. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 is maintained in a manner that meets the intent of City code 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>
18	32906 Special Use	Matthias Stutz & Associates S.C. Barbara Stutz; Lessee	1219 N. Cass St. 4th Dist.
		Request to occupy a portion of the premises as a general office.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business - B occupancies and complies with all zoning conditions and building code requirements. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
19	32917 Dimensional Variance	Pinelawn Memorial Park Christine Hentges; Property Owner	10700 W. Capitol Dr. 5th Dist.
		Request to erect a sign that exceeds the allowed area (allowed 60 sq.ft. / proposed 100 sq.ft.).	
	Action:	Granted	
	Motion:	Martin Kohler 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 to run with the land. 	

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20	32930 Dimensional Variance	Earnest and Margaret Sanders Property Owner Request to allow a wheelchair ramp in the front setback.	3220 N. 11th St. A/K/A 3224 N. 11th St. 6th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant applies for an alterations permit and obtains all required inspections for porch and ramp installation. 5. 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>
21	32774 Special Use	Deeper Life Bible Church Godfrey Ikhumhen; Lessee	3500 N. Sherman Bl. 203 A/K/A 3500 N. Sherman Bl. 304 7th Dist.
		Request to occupy a portion of the premises as a religious assembly hall.	
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler 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 petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

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22	32775 Special Use	Spiritual Warfare Ministry, Inc. DeLawrence Wilson; Lessee	3500 N. Sherman Bl. 204 A/K/A 3500 N. Sherman Bl. 304 7th Dist.
		Request to occupy a portion of the premises as a religious assembly hall.	
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler 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 petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

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23	32883 Special Use	Milwaukee Materials, LLC Brad Gooch; Lessee	3282 N. 35th St. 7th Dist.
		Request to continue occupying the premises as a as a facility engaged in the processing and recycling of mined materials.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 if any of the existing buildings or natural vegetation that currently screen the premises are removed then the premises must be landscaped and screened in accordance per the standards of City Code s.295-405 for Type 'F' landscaping. 5. That all dust is controlled on site. 6. That the petitioner comply with regulations regarding loose materials in accordance with the standards of City Code section 79-10-4. 7. That stock pile heights comply with Chapter 295-805-4-h-2 within 30 days of the Board's decision. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for and complies with all zoning conditions and building code requirements. 9. That the petitioner maintain all dust control measures needed to prevent fugitive dust from impacting surrounding neighborhoods. 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>
24	32890 Special Use	Lynell Monnie Property Owner Request to continue occupying the premises as a group home for 5 occupants.	3282 N. 46th St. A/K/A 3282 A N. 46th St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party.	
	Vote:	--	
	Conditions of Approval:	--	
25	32893 Special Use	Daniel Watson Lessee Request to continue occupying the premises as a hand car wash (this is a new operator).	4744 N. Hopkins St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	32905 Special Use	Milwaukee Children's Academy, Inc. Julette Francis-Wade; Property Owner	5810 W. Fond Du Lac Av. 7th Dist.
		Request to continue occupying the premises as a day care center for 63 children per shift infant to 13 years of age, operating Monday - Friday 6:00 a.m. to midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler 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 a contact name and phone number be provided to the Board office within 30 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>
27	32924 Special Use	Harriet Conway Property Owner	4313 W. Fond Du Lac Av. A/K/A 4315 W. Fond Du Lac Av. 7th Dist.
		Request to continue occupying the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 11:00 p.m.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day. 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>
28	32897 Special Use	Premier Motors, LLC Patricia Ortiz; Lessee	3402 W. National Av. A/K/A 3400 W. National Av. 8th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).	
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler 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 no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on September 4, 2013. 6. That no sales vehicles are displayed in the public right-of-way. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-2 occupancies and complies with all zoning conditions and building code requirements. 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 all repair work is conducted inside the building. 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>
29	32898 Special Use	Ikram Chaudhry Lessee	4229 W. Greenfield Av. 8th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 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>
30	32901 Special Use	Choice One Financial LLC Omar J. Abulawi; Property Owner	2000 W. Forest Home Av. A/K/A 2000 W. Becher St. 8th Dist.
		Request to continue occupying the premises as a currency exchange and cash-for-gold business.	
	Action:	Granted	
	Motion:	Martin Kohler 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 storefront windows remain as transparent glass per s.295-605-2-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. 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 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 time commencing with the date hereof, and expiring on October 14, 2020. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	32902 Special Use	Louise Chappell Lessee Request to continue occupying the premises as a 24 hour day care center for 77 children per shift infant to 12 years of age, operating Monday - Sunday.	3616 W. National Av. A/K/A 3616 W. National Av. 101 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That the applicant maintains loading zone on West National Avenue. 9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements 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>
32	32921 Special Use	All Night Child Care, Inc. Susan Watkins; Lessee	8225 N. 107th St. A/K/A 8225 N. 107th St. 2 9th Dist.
		Request to continue occupying the premises as a Board approved day care center (kitchen in adjacent building to be used in conjunction with existing day care).	
	Action:	Granted	
	Motion:	Martin Kohler 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. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business - B 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 time commencing with the date hereof, and expiring on April 29, 2016. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	32911 Dimensional Variance	Wisconsin Lutheran High School Randy Fink; Property Owner Request to construct an addition to the permitted secondary school that does not meet the minimum front setback (required 30 ft. / proposed 13.5 ft.).	330 N. Glenview Av. A/K/A 365 N. Honey Creek Pk. 3 10th Dist.
	Action:	Granted	
	Motion:	Martin Kohler 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 a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, construction of new sidewalk pavement. 5. 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>
34	32835 Special Use	Wayne Croatt Lessee	6815 W. Capitol Dr. 105 A/K/A 6815 W. Capitol Dr. 102 10th Dist.
		Request to occupy a portion of the premises as a health clinic.	
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler 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 petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business - B 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 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	32916 Special Use	Stacy Lopez Devereaux Prospective Buyer	3125 S. 53rd St. 11th Dist.
		Request to continue occupying the premises as a day care center for 55 children per shift infant to 13 years of age, operating Monday - Saturday 6:00 a.m. to 10:30 p.m. (this is a new operator).	
	Action:	Granted 3 yrs.	
	Motion:	Martin Kohler 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. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 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 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>
36	32876 Special Use	Miguel Negrón Property Owner	1573 W. Becher St. A/K/A 1575 W. Becher St. 12th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 5 yrs.	
	Motion:	Martin Kohler 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.295-506 of the Milwaukee Zoning Code. 5. That the first floor windows along the W. Becher St. & S. 16th St. frontage remain as transparent vision glass and are maintained in an attractive manner. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building 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>
37	32884 Special Use	Border Patrol dba Taco Bell Property Owner	1940 S. 14th St. A/K/A 1936 S. 14th St. 12th Dist.
		Request to continue occupying the premises as a fast-food/carry-out restaurant.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 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 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	32896 Special Use	Gonzalez Used Car Sales Ramiro or Efren Gonzalez; Property Owner	1308 W. Windlake Av. A/K/A 1308 A W. Windlake Av. 12th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Martin Kohler 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 petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on December 10, 2013. 6. That the driveway on West Windlake Avenue be closed per the site plan dated December 10, 2013. 7. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, closing the driveway approach on Windlake Avenue. Please contact the Tech Team at 414-286-8208 with questions regarding the permit process. 8. That no sales vehicles are displayed 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>
39	32923 Dimensional Variance	LR South Howell Ave. Sohal Islam; Property Owner Request to erect a sign that exceeds the maximum allowed height and display area on the Board-approved parking lot.	4747 S. Howell Av. A/K/A 4802 S. 2nd St. 13th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	32848 Special Use	Derrick Dumas Lessee	2516 W. Fond Du Lac Av. 15th Dist.
		Request to occupy the premises as an assembly hall.	
	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:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The contact name and phone number must also be available to all interested parties, including but not limited to, the Alderman of the District and the Department of Neighborhood Services. The phone number must be available 24 hours a day. 7. That plans for a planter box or other landscape type be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits, and that landscaping is installed within 120 days of occupancy. 8. That the petitioner submits plans prepared by an architect for the conversion of this building, obtains all required permits and obtains a final occupancy certificate by having all required inspections, complies with current State commercial building code for Business - B occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That no more than 49 persons occupy the assembly hall at one time. 10. That the hours of operation be restricted to no later than 12:00 a.m., as indicated in the Statement of Special Use submitted by the petitioner on December 12, 2013. 11. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	32593 Special Use	Waterstone Bank SSB Kevin Smyth; Property Owner Request to occupy the premises as a rooming house for 17 occupants.	5475 N. Hopkins St. A/K/A 5475 N. Hopkins St. 2 1st 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>
42	32670 Special Use	Mary E Haas Prospective Buyer	4212 N. 76th St. A/K/A 4200 N. 76th St. 2nd 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 signage must meet 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 on or storage of vehicles occurs in the public right-of-way. 8. That no sales vehicles are displayed in the public right-of-way. 9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and local building code requirements prior to occupancy. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 12. That all repair work is conducted inside the building. 13. That the applicant abate all violations in placard order #9618641 prior to occupancy. 14. That these Special Uses are granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	32895 Special Use	Justice Automotive Inc. Brandon Linton; Lessee Request to occupy the premises as a motor vehicle sales facility.	6027 W. Villard Av. A/K/A 6027 W. Villard Av. A 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District.	
	Vote:	--	
	Conditions of Approval:	--	
44	32886 Use Variance	Carl Mueller Property Owner Request to allow parking spaces that do not meet the required landscaping (required buffer 5 ft./proposed 0 ft.) within the side street setback of a Board-approved general office.	1749 N. Prospect Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of staff.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	32377 Appeal of a Determination	James Burke Lessee Request to appeal a determination by the Department of City Development stating that the proposed use is a light manufacturing facility.	444 A N. 30th St. A/K/A 446 N. 30th St. 4th Dist.
	Action:		
	Motion:	Henry Szymanski moved to uphold the determination. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:		
46	32764 Special Use	Sheldon Robinson Lessee Request to occupy the premises as a motor vehicle repair facility.	8436 W. Lisbon Av. A/K/A 8436 W. Lisbon Av. 1 5th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman of the District.	
	Vote:	--	
	Conditions of Approval:	--	
47	32687 Use Variance	Gloria L Gaston Lessee Request to occupy a portion of the premises as a school for 75 students 9th - 12th grades, operating Monday - Friday 7:30 a.m. to 3:15 p.m.	4200 N. Holton St. A/K/A 4300 N. Richards St. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	32755 Special Use	Tamara Collins & Debra Morgan Lessee Request to continue occupying the premises as a 24 hour day care center for 45 children per shift infant to 12 years of age, operating Monday - Sunday.	2500 N. Holton St. A/K/A 2506 N. Holton St. 6th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
49	32841 Special Use	Michael Garland Property Owner Request to occupy the premises as a ground transportation service.	2711 W. Townsend St. A/K/A 2715 W. Townsend St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That all storage of vehicles occurs inside the building. 7. That no vehicles be parked in the public right of way in front of bay doors on the north side of the building. 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>
50	32842 Special Use	Michael Garland Property Owner	2721 W. Townsend St. 7th Dist.
		Request to occupy the premises as a car wash.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That all wastewater is contained on site. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 8. That no vehicles be parked in the public right of way in front of bay door on the north side of the building. 9. That all business activities occur within the building. 10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	32899 Special Use	Hussein P Govani Property Owner	2644 W. Hayes Av. A/K/A 2644 A W. Hayes Av. 8th Dist.
		Request to occupy the premises as a motor vehicle sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 with the landscape plan submitted to the Board of Zoning Appeals on December 10, 2013 is installed within 120 days of occupancy, and is maintained in a manner that meets the intent of City code. 6. That the petitioner combines this parcel with his west-abutting parcel (2366 S. 27th St.) with an approved certified survey map or by obtaining a common with a tax key & deed restriction. 7. That no sales vehicles are displayed in the public right-of-way. 8. That no vehicles are parked on the driveway approaches located on South 27th Street or West Hayes Avenue. 9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business - B 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>
52	32852 Special Use	Santana DelaRosa Lessee	5225 W. Mill Rd. 9th Dist.
		Request to occupy the premises as a day care center for 35 children per shift infant to 12 years of age operating Monday - Friday 6:00 a.m. to midnight.	
	Action:	Granted 3 yrs.	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB1 zoning districts. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within 30 days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That the storefront windows remain as transparent glass per s.295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the petitioner submit a site plan to the Board that includes an outdoor play area that meets the play area size requirements of the State of Wisconsin Department of Children and Families. 10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational - E occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 11. That the facility does not exceed a capacity of 30 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 30 children. 12. That only the 1st floor of the property be used for all day care activities, including administrative offices. 13. That the petitioner submit a lease for the use of the adjacent lot. 14. That the petitioner submit a revised site plan showing the size and location of the proposed outdoor play area. 15. 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	32854 Special Use	Henry Williams Jr. Lessee	5325 W. Center St. A/K/A 5327 W. Center St. 10th Dist.
		Request to occupy the premises as a second-hand sales facility.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 in accordance with the glazing standards of s.295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Mercantile - M occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 7. That the applicant does not have outdoor storage or display of products or merchandise. 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 the petitioner shall comply with MPD documentation and record keeping requirements. 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>
54	32718 Special Use	Mauricio Herrera Lessee Request to add a motor vehicle repair facility and to increase the number of vehicles displayed for sale for the Board approved motor vehicle sales facility.	4440 W. Forest Home Av. A/K/A 4435 W. Oklahoma Av. 11th Dist.
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 is implemented and maintained in accordance with the landscape plan submitted to the Board of Zoning Appeals on July 27, 2006. 6. That no more than 21 vehicles may be parked outdoors on the parking lot. The 9 spaces for vehicles located on the northeast section of the property must be reserved for customer and employee parking, the 12 spaces located on the southwest section of the property may be used to display vehicles for sale. 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 the petitioner abide by the site plan dated January 7, 2014. 10. 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>
55	32409 Use Variance	Enrique Terrones Property Owner	1631 W. Grant St. A/K/A 1629 W. Grant St. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski 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 supply a 24-hour contact phone number to the Board office and any interested party that requests it. 6. That an employee and/or security personnel be on site during all events. 7. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. 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>
56	32730 Special Use	Eduvige Jimenez Property Owner	1822 S. 10th St. A/K/A 1822 A S. 10th St. 12th Dist.
		Request to occupy the premises as a day care center for 24 children per shift infant to 13 years of age, operating Monday - Saturday 6:00 a.m. to midnight.	
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	32872 Special Use	Edward and Mary Ennis Property Owner Request to expand the parking lot and to continue occupying the premises as a motor vehicle sales facility.	5150 S. 27th St. A/K/A 2626 W. Abbott Av. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 H. Szymanski Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the landscape plan submitted to the Board on October 21, 2013 is revised to meet the intent of City code section 295-405. The revised plan should include shrubs in addition to trees and flowers. 7. That landscaping and screening in accordance with an approved landscape plan is implemented within 90 days of occupancy and is maintained in a manner that meets the intent of City code. 8. That no sales vehicles are displayed in the public right-of-way. 9. That a Department of Public Works (DPW) permit is obtained to construct the new driveway approach on West Abbot Avenue. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process. 10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code and complies with all zoning conditions and building code requirements prior to occupancy. 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 applicant take all measures necessary to restrict lighting on the site from affecting surrounding properties. 14. 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>
58	32600 Special Use	Continental A-1 Corp. Property Owner	6418 W. Mill Rd. 9th Dist.
		Request to construct a new building and to occupy the premises as a motor vehicle filling station.	
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant.	
	Vote:	--	
	Conditions of Approval:	--	

Other Business:

Board member Donald Jackson moved to approve the minutes of the December 12, 2013 meeting. Seconded by Board member Henry Szymanski. Unanimously approved.

The Board set the next meeting for February 13, 2014.

Board member Martin Kohler moved to adjourn the meeting at 6:03 p.m. Seconded by Board member Jose Dominguez. Unanimously approved.

BOARD OF ZONING APPEALS

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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