

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – February 13, 2014
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 – 57*)

Members: Henry P. Szymanski (*voting on items 1 – 57*)
Donald Jackson (*voting on items 1 – 57*)
Martin E. Kohler (*excused*)
Jose L. Dominguez (*voting on items 1 – 57*)

Alt. Board Members: Jewel Currie (*voting on items 1 – 55, 57*)
Karen D. Dardy (*present, voting on item 56*)

START TIME: 2:03 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	32560 Special Use	Quincy Anderson Property Owner Request to occupy the premises as a motor vehicle sales and repair facility.	3841 W. Villard Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	32847 Special Use	Muhammad Abdus-Salaam Lessee Request to occupy the premises as a motor vehicle repair facility that does not meet the minimum required landscaping.	4453 N. Green Bay Av. A/K/A 1406 W. Cornell St. 1st 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:	--	
3	32903 Special Use	Pachefsky Property, LLC Larry Pachefsky; Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	6005 N. 76th St. 2nd 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:	--	
4	32705 Appeal of an Order	Autopilot Management, LLC Lessee Request to appeal an order from the Department of Neighborhood Services stating that the premises is being occupied as a commercial hotel.	2628 E. Newberry Bl. 3rd 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>
5	32939 Special Use	Aurora Health Care Aurora Tiny Town Day Care; Property Owner Request to occupy the premises as a 24 hour day care center for 155 children per shift infant to 12 years of age, operating Monday - Sunday.	2920 W. Dakota St. A/K/A 2900 Adj W. Oklahoma Av. 11th 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:	--	
6	32744 Special Use	Auto Parts and Salvage of Milwaukee, LLC Travis Urban; Lessee Request to occupy a portion of the premises as a motor vehicle sales, repair and indoor salvage facility.	515 S. 1st St. A/K/A 515 S. 1st St. 2 12th 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>
7	32913 Special Use	Seven Star Auto Parts LLC dba Wrench N' Go; Property Owner	3520 W. Mill Rd. A/K/A 3500 W. Mill Rd. 1st Dist.
		Request to add motor vehicle sales to the Board-approved auto salvage facility.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in accordance with the landscape plan submitted to the Board on January 5, 2010. 5. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 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 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>
8	32934 Special Use	Tomorrow's Future Academy LLC Nicole Coleman; Lessee	4730 N. Teutonia Av. 1st Dist.
		Request to continue occupying the premises as a day care center for 31 children per shift, operating Monday - Friday 6:00 a.m. - 10:00 p.m..	
	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 the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
9	32942 Special Use	Hadeer Matloub Property Owner	4979 N. Teutonia Av. 1st Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	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>
10	32925 Special Use	Border Patrol dba Taco Bell; Property Owner	5751 W. Fond Du Lac Av. 2nd Dist.
		Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive-through facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on February 11, 1997. 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>
11	32956 Special Use	Kaul's Leasing Co. Inc. Dennis Kaul; Lessee	5931 N. 91st St. A/K/A 5881 N. 91st St. 2nd Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 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 for LB1 zoning districts. 6. That landscaping and screening is maintained in a manner that meets the intent of City code. 7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 8. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by s.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 9. That the 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. 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 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>
12	32963 Use Variance	Redi Reg Wisconsin LLC Ruben B. Cotton; Lessee	4820 N. 76th St. 2nd Dist.
		Request to continue occupying the premises as a general office.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the exterior façade of the building shall be maintained in a residential manner. 5. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. Specifically, that there is a maximum of one freestanding sign and that the sign not exceed an area of 18 square feet. 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>
13	32943 Dimensional Variance	Lynn Quirk Property Owner Request to continue occupying the premises as a multi-family residential dwelling without the minimum required lot area per dwelling unit (required 5400 sq.ft. / proposed 4820 sq.ft.).	2710 N. Farwell Av. A/K/A 2712 A N. Farwell Av. 3rd Dist.
	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 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 plan of operation dated April 17, 2006 be adhered to in its entirety. 7. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	32952 Special Use	Younis Abdel-Hamid Property Owner Request to continue occupying the premises as a fast-food / carry-out restaurant.	714 E. Brady St. A/K/A 712 E. Brady St. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That 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>
15	32958 Special Use	Alfonso G Kennell Lessee	1693 N. Humboldt Av. A/K/A 1695 N. Humboldt Av. 3rd Dist.
		Request to occupy the premises as a second-hand sales facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the concrete steps and basement entrance structure to occupy the public right-of-way. 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 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. 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>
16	32946 Special Use	Claudette Harris Lessee Request to continue occupying the premises as a day care center for 39 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to midnight.	3410 W. Mc Kinley Bl. A/K/A 3434 W. Mc Kinley Bl. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned by staff.	
	Vote:	--	
	Conditions of Approval:	--	
17	32947 Special Use	Sarah Dollhausen Lessee Request to occupy a portion of the premises as a personal instruction school.	161 W. Wisconsin Av. 1000 A/K/A 161 W. Wisconsin Av. 700 4th Dist.
	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 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. 5. That the capacity be limited to 49 persons. 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>
18	32714 Special Use/ Dimensional Variance	Sean Jensen Prospective Buyer Request to continue occupying the premises as a motor vehicle sales and repair facility that does not meet the minimum required landscape width (required 5ft. / proposed 4ft.) (this is a new operator).	10712 W. Hampton Av. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That within 30 days of Board approval of the Special Use and prior to the issuance of any permits the petitioner must submit a landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval. 7. That landscaping and screening in accordance with an approved landscape plan is implemented within 180 days of Board approval of the Special Use and is maintained in a manner that meets the intent of City code. 8. That no work on or storage of vehicles occurs in the public right-of-way. 9. That no sales vehicles are displayed in the public right-of-way. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That all repair work is conducted inside the building. 13. 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>
19	32932 Special Use	Philadelphia Church of God in Christ, Inc. Property Owner Request to continue occupying the premises as a religious assembly hall and social service facility.	2947 N. Martin L King Jr Dr. A/K/A 2941 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof. 	
20	32964 Special Use	Brewery Workers Credit Union Property Owner Request to continue occupying the premises as a financial institution.	1345 N. Martin L King Jr Dr. A/K/A 1343 N. Martin L King Jr Dr. 6th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this 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>
21	32920 Special Use	Brilliant Minds Child Development Inc. Fred Hill; Lessee	4351 N. 35th St. A/K/A 4349 N. 35th St. 7th Dist.
		Request to continue occupying the premises as a day care center for 38 children per shift infant to 13 years of age, operating Monday - Friday 6:00 a.m. to 11:30 p.m. and Saturday 6:30 a.m. to 8:00 p.m.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to Board of Zoning Appeals within 60 days of Board approval of the Special Use. 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 Institutional I-4 occupancies and complies with all zoning conditions and building code requirements. 9. That the facility does not exceed a capacity of 38 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 38 children. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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22	32936 Special Use	Sheila's Shining Stars Sheila Nguyen; Lessee	3380 N. 35th St. A/K/A 3329 W. Townsend St. 7th Dist.
		Request to increase the number of children from 60 to 76 per shift infant to 12 years of age and to increase the hours of operation 6:00 a.m. to midnight to 5:30 a.m. to midnight, and to continue occupying the premises as a day care center operating Monday - Sunday.	
	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 the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 6. 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. 7. That the facility does not exceed a capacity of 76 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 76 children. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	32953 Use Variance	Genesis Behavioral Services, Inc. Pauline Ortloff; Lessee	3255 N. 34th St. A/K/A 3257 N. 34th St. 7th Dist.
		Request to continue occupying the premises as a transitional living facility for 4 occupants.	
	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 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 this Variance 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>
24	32959 Use Variance	Karl Tatum Lessee	5500 W. Fond Du Lac Av. 7th Dist.
		Request to continue occupying the premises as a currency exchange facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 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 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. 7. 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>
25	32955 Special Use/ Dimensional Variance	Max Motors & Body Shop Osamah Alshelleh; Property Owner Request to continue occupying the premises as a motor vehicle outdoor storage facility without the required landscaping.	2550 S. 30th St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That existing landscaping and screening is maintained in a manner that meets the intent of City code. 5. That the petitioner has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 6. That no sales vehicles are displayed in the public right-of-way. 7. That this Special Use and this Variance granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	32912 Dimensional Variance	Sarah Potratz Property Owner Request to construct a deck that does not meet the minimum required front setback (Required 21.4 ft. / Proposed 18.5 ft.).	8214 W. Casper St. 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land. 	
27	32945 Use Variance	AJA Enterprise, LLC Bevelyn Johnson; Property Owner Request to occupy the premises as a social service facility.	8726 W. Mill Rd. A/K/A 8722 W. Mill Rd. 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner 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 time commencing with the date hereof, and expiring on June 4, 2017. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	32961 Special Use	8380 76th St. LLC Donald G. Morrison; Property Owner	8380 N. 76th St. 9th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 within 60 days of Board approval of the Special Use the petitioner must meet with the Zoning Administration Group to create a landscape plan. The petitioner must then submit a landscape plan to the Board of Zoning Appeals for Zoning Administration Group review and approval. 6. That landscaping and screening in accordance with an approved landscape plan is implemented within 120 days of Board approval of the Special Use and is maintained in a manner that meets the intent of City code. 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. 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	32941 Special Use	Heppe's Service of Wisconsin, Inc. Scott Heppe; Lessee	8235 W. Blue Mound Rd. 10th Dist.
		Request to continue occupying a portion of the premises as a motor vehicle repair facility.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 landscaping and screening is maintained in a manner that meets the intent of City code. 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-1 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 time commencing with the date hereof, and expiring on July 4, 2022. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	32891 Special Use	Daniel Mora Property Owner	2001 S. 6th St. A/K/A 2005 S. 6th St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle sales and repair facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 accordance with the landscape plan submitted to the Board on August 5, 2005. 5. That site illumination must be controlled to meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That all repair work is conducted inside of the building. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That no work on or storage of vehicles occurs in the public right-of-way. 9. That no sales vehicles are displayed 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 Storage S-1 occupancies and complies with all zoning conditions and building code requirements. 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 these Special Uses are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	32935 Special Use	Jose and Juana Ocon Property Owner	1058 W. Windlake Av. A/K/A 1042 W. Windlake Av. 12th Dist.
		Request to continue occupying the premises as a motor vehicle repair facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 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-1 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 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>
32	32960 Special Use	Karl Tatum Lessee Request to continue occupying the premises as a currency exchange facility.	801 W. Historic Mitchell St. A/K/A 1709 S. 8th St. 3 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 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 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 this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
33	32937 Special Use	G.S.S. Corporation c/o Rosen Nissan; Property Owner Request to continue occupying the premises as a motor vehicle sales facility.	5510 S. 27th St. A/K/A 5516 S. 27th St. 13th 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>
34	32938 Special Use	G.S.S. Corporation c/o Rosen Nissan; Property Owner Request to occupy the premises as a motor vehicle sales facility.	5572 S. 27th St. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of an interested party.	
	Vote:	--	
	Conditions of Approval:	--	
35	32910 Special Use/ Use Variance/ Dimensional Variance	Tabernacle Community Baptist Church John Wesley; Property Owner Request to construct a garage that exceeds the maximum allowed sidewall height (required 10 ft. / proposed 11 ft.) on a lot that does not contain a principal building and to occupy the premises as a principal use parking lot.	2486 W. Medford Av. A/K/A 2475 W. Cypress St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of City code. 5. That this Use Variance and this Dimensional Variance are granted to run with the land. 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>
36	32915 Special Use	Shady Grove Missionary Baptist Church Monroe Epperson; Property Owner	2579 N. 35th St. A/K/A 3507 W. Clarke St. 15th Dist.
		Request to continue occupying the premises as a religious assembly hall.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by 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 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>
37	32972 Special Use	TitleMax of Wisconsin, Inc. d/b/a TitleMax; Lessee	7250 N. 76th St. 9th Dist.
		Request to occupy the premises as a title loan agency (this is a remand of case #32806).	
	Action:	Granted 2 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 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>
38	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:	Granted 10 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 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 Rooming House occupancies and complies with all zoning conditions and building code requirements. 6. That the petitioner obtains a rooming house license from the Department of Neighborhood Services. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
39	32703 Appeal of an Order	Milwaukee Free Riders M.C. Club, Inc. Lessee Request to appeal an order from the Department of Neighborhood Services stating that the applicant has not complied with the conditions of case #31552 (this is a revocation order).	4940 N. 32nd St. 1st Dist.
	Action:	Denied	
	Motion:	Jewel Currie moved to uphold the order. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	This order has been upheld.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	32954 Special Use	Antonio T Hopgood Lessee Request to add a motor vehicle repair facility to the Board approved car wash.	2335 W. Atkinson Av. A/K/A 4204 N. 24th St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the applicant.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	32565 Special Use	Ali Hassan Lessee	9040 W. Silver Spring Dr. A/K/A 9040 W. Silver Spring . 2nd Dist.
		Request to occupy a portion of the premises as a fast-food/carry-out restaurant.	
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jewel Currie.	
	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 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. 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 petitioner maintain landscaping along the property and provide lawn care and snow removal services. 9. That the fence along the property line be repaired within 3 months of approval. 10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on August 10, 2016. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	32895 Special Use	Justice Automotive Inc. Brandon Linton; Lessee	6027 W. Villard Av. A/K/A 6027 W. Villard Av. A 2nd Dist.
		Request to occupy the premises as a motor vehicle sales facility.	
	Action:	Granted 1 yr.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<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 within 90 days of Board approval of the Special Use the petitioner agrees to work with the Zoning Administration Group on a long term landscaping and screening plan for the premises. The plan will also include an implementation schedule for landscape improvements. 7. That no sales vehicles are displayed in the public right-of-way. 8. That the two unused driveways on West Villard Avenue be removed and restored to City of Milwaukee specifications. 9. That there be no more than 8 vehicles displayed for sale and no more than 12 vehicles on site at any given time, in accordance with the site plan submitted on December 9, 2013. 10. That no work on or storage of vehicles occurs in the public right-of-way. 11. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 12. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 13. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 14. That this Special Use is granted for a period of 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>
43	32886 Use Variance/ Dimensional 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:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a decorative metal fence is installed in accordance to the plan submitted to the Board on February 10, 2014. 5. That the applicant installs a decorative metal fence on private property in order to provide separation between the parking space and the public sidewalk area. 6. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, the planting of trees, shrubs and other plant materials. 7. That the petitioner install Type B landscaping on the North side of the property, within 120 days of Board approval. 8. That this Use Variance and this Dimensional 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>
44	32892 Special Use	City of Milwaukee Business Improvement District #2 Ron San Felippo; Lessee	444 N. 3rd St. A/K/A 499 N. 2nd St. 4th Dist.
		Request to occupy the premises as a principal use parking lot.	
	Action:	Granted 3 yrs.	
	Motion:	Jewel Currie moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no parking occur along a five (5)-foot wide strip parallel to and immediately adjacent to the street right-of-way. 5. 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 a new driveway approach. 6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
45	32764 Special Use	Sheldon Robinson Lessee	8436 W. Lisbon Av. A/K/A 8436 W. Lisbon Av. 1 5th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the matter. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	32957 Special Use	Neighborhood Pawn, LLC d/b/a Lakritz Neighborhood Pawn & Resale; Lessee	5424 N. Lovers Lane Rd. A/K/A 5402 N. Lovers Lane Rd. 5th Dist.
		Request to occupy a portion of the premises as a pawn shop and second-hand sales facility.	
	Action:	Adjourned	
	Motion:	Jose Dominguez moved to adjourn the appeal. Seconded by Jewel Currie.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
47	32931 Special Use	Guy Simo Lessee	1840 N. Martin L King Jr Dr. A/K/A 235 W. Reservoir Av. 6th Dist.
		Request to occupy the premises as a community center.	
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	32755 Special Use	Tamara Collins & Debra Morgan Lessee	2500 N. Holton St. A/K/A 2506 N. Holton St. 6th Dist.
		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.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 Nay, 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 5:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to Board of Zoning Appeals within 60 days of Board approval of the special use. 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 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 the applicant provide a removable barrier to separate the outdoor play area from the neighboring property. 11. 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>
49	32890 Special Use	Lynell Monnie Property Owner	3282 N. 46th St. A/K/A 3282 A N. 46th St. 7th Dist.
		Request to continue occupying the premises as a group home for 5 occupants.	
	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 the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That clients of the facility be inside the premises by 9:00 p.m. unless attending school, work, or function associated with this use. 6. That the applicant provide a 24 hour contact number to the Board office. 7. That the applicant holds quarterly neighborhood meetings. 8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	32836 Special Use	Four Wheels Auto Sales and Repairs LLC Ruben V. Vega; Lessee	1643 A S. 38th St. A/K/A 1623 A S. 38th St. 8th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility .	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That no sales vehicles are displayed in the public right-of-way. 7. That no work on or storage of vehicles occurs 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 Storage S -1 occupancies and complies with all zoning conditions and building code requirements. 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 no more than five (5) cars be displayed for sale on the property at one time. 12. 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>
51	32940 Special Use/ Dimensional Variance	Nomies Bluemound LLC Noman M. Rafiq; Lessee Request to add a sign that exceeds the maximum allowed height (allowed 14 ft./proposed 20 ft.) and to continue occupying the premises as a motor vehicle filling station.	8235 W. Blue Mound Rd. 10th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of City 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 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 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 this Variance is granted to run with the land. 10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on July 4, 2022. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	32881 Use Variance	Juan J. Jimenez Property Owner Request to occupy the premises as a currency exchange.	821 S. Cesar E Chavez Dr. A/K/A 821 A S. Cesar E Chavez Dr. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 Business - B occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 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 Variance is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	32967 Special Use	Doggy Office LLC Lisa R. Hooper; Lessee	188 S. 2nd St. 12th Dist.
		Request to occupy the premises as an animal boarding facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That the storefront windows are restored to 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 amend the plan of operation to indicate the maximum number of dogs that will be on site for day care services and overnight boarding. 7. 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. 8. That all fences on the property shall be in compliance with MCO s.295-805-4-1. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	32541 Special Use	Thomas Herman Lessee	6100 S. Howell Av. 13th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Adjourned	
	Motion:	Jewel Currie moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
55	32929 Use Variance	Ryan Clancy Lessee	2801 S. 5th Ct. A/K/A 2803 S. 5th Ct. 14th Dist.
		Request to occupy the premises as an indoor recreation facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That bicycle parking be provided. 6. 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. 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>
56	32638 Special Use	Jessica Pagan Lessee	4211 W. North Av. A/K/A 2255 N. 42nd St. 15th Dist.
		Request to occupy the premises as a day care center for 68 children infant to 12 years of age, operating Monday - Friday 6 a.m. to midnight.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the 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 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. 10. That the facility does not exceed a capacity of 68 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 68 children. 11. That there be no loading or unloading along the North Avenue frontage. 12. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	32823 Dimensional Variance	Spiritual Israel Church Property Owner Request to occupy the premises as a Board approved religious assembly hall that does not meet the minimum required number of parking spaces (required 17 / proposed 4).	2415 W. Fond Du Lac Av. A/K/A 2415 A W. Fond Du Lac Av. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Variance is granted for a period of time commencing with the date hereof, and expiring on August 5, 2015. 	

Other Business:

Board member Jewel Currie moved to approve the minutes of the January 16, 2014 meeting. Seconded by Board member Henry Szymanski. Unanimously approved.

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

Board member Henry Szymanski moved to adjourn the meeting at 6:03 p.m. Seconded by Board member Donald Jackson. 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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