

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – October 9, 2014
City Hall, Common Council Committee Room 301-A

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 – 52*)

Members: Henry P. Szymanski (*voting on items 1 – 52*)
Martin E. Kohler (*voting on items 1 – 50*)
Jose L. Dominguez (*voting on items 1 – 52*)
Jewel Currie (*excused*)

Alt. Board Members: Karen D. Dardy (*voting on items 1 – 52*)

START TIME: 4:05 p.m.

End Time: 7:03 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	33204 Special Use	Umenia White Lessee Request to occupy the premises as a community center.	5423 W. Vliet St. A/K/A 5425 W. Vliet St. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	32973 Use Variance	Theron Mills Property Owner Request to occupy a portion of the premises as a health clinic.	2525 S. Kinnickinnic Av. A/K/A 2527 S. Kinnickinnic Av. 14th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	33299 Special Use	Matt Talbot Recovery Centers, Inc. Darren Matavka; Prospective Buyer Request to occupy the premises as a community living arrangement for 15 occupants.	981 W. Oklahoma Av. A/K/A 981 A W. Oklahoma Av. 14th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
4	33363 Use Variance	Herminia DeGuzman Property Owner Request to occupy a portion of the premises as a general office.	3254 N. 92nd St. A/K/A 3256 N. 92nd St. 5th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
5	33068 Special Use	Jerome Pitchford Lessee	3548 N. Teutonia Av. 6th Dist.
		Request to occupy the premises as a social service facility.	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
6	33188 Special Use	Learning Enterprise Henry Tyler; Lessee	2200 N. Martin L King Jr Dr. A/K/A 2200 N. Martin L King Jr Dr. B55 6th Dist.
		Request to occupy the premises as a school for 100 students grades K4 - 12, operating Monday - Friday 7:00 a.m. - 5:00 p.m.	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	33413 Extension of Time	National Enterprise Inc. Khaled Al Mousa; Property Owner Request for an extension of time to comply with the conditions of case #32620.	1400 S. 6th St. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>EXTENSION OF TIME GRANTED. MUST COMPLY WITH THE CONDITIONS OF CASE #32620:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the sign complies with .s295-407-4 of the Milwaukee Code of Ordinances. Specifically that the display area of the automatic changeable message sign may not be changed more frequently than once every 30 seconds. 5. That this Dimensional 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>
8	33324 Special Use	Dreamland Child Care Cassandra Holley; Property Owner	9049 N. 76th St. 9th Dist.
		Request to occupy the premises as a day care center for 50 children per shift infant - 12 years of age, operating Monday - Friday 5:30 a.m. - 1:00 a.m.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 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 Institutional I-4 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 the applicant does not display any exterior signs or banners except those approved and installed in conjunction with a sign permit, and operates the Automatic Changeable Message sign in accordance with Milwaukee Code of Ordinances s.295-407-4. 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>
9	33400 Use Variance	Charles Homa Lessee	6317 W. Fairview Av. A/K/A 6317 A W. Fairview Av. 10th Dist.
		Request to continue occupying the premises as a ground transportation service.	
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 6. That this Use Variance 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>
10	33380 Special Use	Adil Ahmed Lessee	2690 S. 16th St. 12th Dist.
		Request to continue occupying the premises as a motor vehicle sales facility (this is a new operator).	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the applicant submit an amendment to the plan of operation to the Board that details a motor vehicle test drive route that discourages the usage of surrounding residential streets. 7. That landscaping and screening is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 8. That no more than 10 cars are parked on site at any given time. 9. That no sales vehicles are displayed in the public right-of-way. 10. That no work on or storage of vehicles occurs in the public right-of-way. 11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 13. That all repair work is conducted inside the building. 14. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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11	33407 Special Use	SER National Keith Overton; Lessee Request to occupy the premises as a social service facility.	1243 S. Cesar E Chavez Dr. A/K/A 1247 S. Cesar E Chavez Dr. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the applicant does not display any exterior signs or banners except those approved and installed in conjunction with a sign permit. 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>
12	33412 Special Use	Marlene's Touch of Class Inc. Joe Befus; Lessee	805 W. Historic Mitchell St. A/K/A 1709 S. 8th St. 3 12th Dist.
		Request to continue occupying the premises as a second-hand sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	33430 Special Use	Jaime Gonzalez Property Owner	825 S. 5th St. 12th Dist.
		Request to continue occupying the premises as a principal use parking lot.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 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>
14	33433 Special Use	Milwaukee Area Technical College Jaime Vega; Property Owner Request to continue occupying the premises as a college (petitioner is expanding to occupy the entire building).	816 W. National Av. A/K/A 816 W. National Av. 41 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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 this Special Use is granted for a period of time commencing with the date hereof, and expiring on March 27, 2022. 	
15	33340 Special Use	Emad Elkhalfifa Lessee Request to continue occupying the premises as a motor vehicle sales and repair facility.	5003 N. Teutonia Av. 1st 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>
16	33410 Special Use	Milwaukee County David S. Gulgowski; Property Owner	7835 N. Green Bay Rd. 1st Dist.
		Request to erect a transmission tower (petitioner is replacing existing tower with a new tower).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted to run with the land. 	

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17	33322 Special Use	Refaat Manassra Lessee	5653 N. 76th St. 2nd Dist.
		Request to continue occupying the premises as a fast-food/carry-out restaurant.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 5. That signage must meet 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 does not display any exterior signs or banners except those approved and installed in conjunction with a sign permit. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	33420 Special Use	Silver View LLC Property Owner Request to continue occupying the premises as a community living arrangement for 23 occupants.	9215 W. Silver Spring Dr. A/K/A 9215 W. Silver Spring Dr. 3 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
19	33399 Dimensional Variance	Allen Edmonds Corporation Jay Schauer; Lessee Request to continue to allow an off-premise sign that is within 1,000 feet of the High Rise Bridge and does not meet the minimum required distance between signs.	315 N. 12th St. A/K/A 1215 W. St Paul Av. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Dimensional 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>
20	33401 Dimensional Variance	Patrick Kennelly Property Owner Request to occupy the premises as a permitted single-family dwelling that does not meet the minimum required sideyard setback.	3002 W. State St. 4th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the 3rd floor space be used only as an extension of the single family residence and is not occupied as a separate dwelling unit. 5. That this Dimensional 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	33414 Special Use	Daniel R McCormick Property Owner	829 N. Marshall St. 4th Dist.
		Request to occupy the premises as a general office.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-705-7 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
22	33428 Special Use	Springfield College School of Human Services; Lessee	744 N. 4th St. 300 A/K/A 744 N. 4th St. 210 4th Dist.
		Request to continue occupying a portion of the premises as a college.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That 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>
23	33429 Special Use	Milwaukee Rescue Mission Patrick Vanderburgh; Property Owner Request to continue occupying the premises as a social service facility and emergency residential shelter.	830 N. 19th St. A/K/A 828 N. 19th St. 4th 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>
24	33335 Special Use	Cynthia Black Angie Reasby; Lessee	8320 W. Lisbon Av. 5th Dist.
		Request to increase the number of children from 30 to 44 per shift for the Board approved day care center operating Monday - Saturday 6:00 a.m. - midnight for children infant - 12 years of age.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license for the expanded day care 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 ten 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 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 day care occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 10. That the facility does not exceed the capacity established by the State Department of Children and Families. 11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on July 14, 2016. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	33341 Dimensional Variance	Stephen J Dorniak II Property Owner Request to erect a front yard fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.).	9100 W. Townsend St. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Dimensional 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>
26	33386 Special Use	St. Anne's Home for the Elderly, Milwaukee, Inc. Lynn Vogt; Property Owner	3800 N. 92nd St. A/K/A 3800 N. 92nd St. 2001 5th Dist.
		Request to occupy a portion of the premises as a community living arrangement (to be operated in conjunction with the skilled nursing facility on site).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant does not display any exterior signs or banners except those approved and installed in conjunction with a sign permit. 5. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on April 19, 2018. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	33405 Special Use	Border Patrol Wisconsin, Inc. Richard Lepping; Property Owner	4117 N. 76th St. A/K/A 4143 N. 76th St. 5th Dist.
		Request to continue occupying the premises as a fast-food/carry-out restaurant with drive-through facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 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 does not display any exterior signs or banners except those approved and installed in conjunction with a sign permit. 8. 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>
28	33378 Special Use	Adulthood's Path II, LLC Aisha Barkow or Clarindria White; Property Owner	3442 N. 14th St. 6th Dist.
		Request to continue occupying the premises as a group home for 5 occupants.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a 24 hour contact name and phone number be provided to the Board office. 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. 6. That all visits are supervised. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	33406 Use Variance	Kelli R Hollins Lessee Request to occupy the premises as a day care center for 18 children per shift infant - 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight.	2661 N. Martin L King Jr Dr. A/K/A 2661 N. 3rd St. 6th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the 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 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. 8. 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. 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>
30	33320 Special Use	Jomyka C Burks Lessee	4434 W. Capitol Dr. 7th Dist.
		Request to increase the number of children from 40 to 48 per shift (20 per shift at night) and to continue occupying the premises as a 24 hour day care center for children infant to 12 years of age, operating Monday - Sunday.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That 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 daycare occupancies and complies with all zoning conditions and building code 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>
31	33393 Dimensional Variance	Meinecke Holdings LLC James Meinecke; Property Owner Request to continue to allow two wall signs that exceed the maximum allowed area (allowed 80 sq.ft. / proposed 161 sq.ft.).	5020 W. Fond Du Lac Av. A/K/A 5022 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. The applicant does not display any exterior signs or banners except those approved and installed in conjunction with a sign permit, and operates the Automatic Changeable Message sign in accordance with the provisions of Milwaukee Code of Ordinances s.295-407-4. 5. That this Dimensional Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	33394 Special Use	Teresa Perez Sosa Lessee	2138 W. Mitchell St. A/K/A 1670 S. 22nd St. 8th 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 Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows 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. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That the petitioner shall comply with MPD documentation and record keeping requirements. 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>
33	33053 Special Use	Marian Charities, Inc. Bill Suhr; Property Owner	3707 N. 92nd St. A/K/A 3709 N. 92nd St. 5th Dist.
		Request to occupy the premises as an assembly hall.	
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the maximum capacity for all events on site be limited to 60. 5. That the hours of operation be limited to Monday - Friday 9:00 a.m. - 9:00 p.m., Saturday 9:00 a.m. - 10:00 p.m., and Sunday 10:00 a.m. - 6:00 p.m., according to the documents submitted on July 9, 2014. 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 supply a 24-hour contact phone number to the Board office and any interested party that requests it. 8. That an employee and/or security personnel be on site during all events. 9. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 10. 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. 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 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>
34	33384 Use Variance	Cheryl Jones Lessee	7155 N. 43rd St. 9th Dist.
		Request to occupy the premises as a day care center for 75 children per shift infant - 12 years of age, operating Monday - Sunday 6:00 a.m. - 12:30 a.m.	
	Action:	Granted 3 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.295-605 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 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. 8. That the petitioner submit a plan for removal of the asphalt in the front of the building to the Zoning Administration Group within thirty (30) days of approval. 9. That the applicant applies for a loading zone on North 43rd Street within thirty (30) days. Please contact Mr. Joe Halvorson at 414-286-8677 to apply for or to renew, if necessary, the loading zone. 10. 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 prior to occupancy. 11. That the facility does not exceed a capacity of 75 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 75 children. 12. 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>
35	33395 Dimensional Variance	Riteway Bus, LLC Jason Ebert; Property Owner Request to occupy the premises as a permitted ground transportation service that does not meet the required interior parking lot landscaping.	6242 N. 64th St. 9th Dist.
	Action:	Adjourned	
	Motion:	Jose Dominguez moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	33381 Special Use	Amjad A Choudhary Property Owner	5706 W. Blue Mound Rd. 10th Dist.
		Request to construct a car wash for the Board-approved motor vehicle filling station.	
	Action:	Granted	
	Motion:	Jose Dominguez moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 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 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 the use of the car wash does not violate any provision of MCO 80-63 & MCO 80-64. 11. That the hours of operation for the car wash to be limited to 7:00 a.m. - 9:00 p.m. 12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 22, 2022. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	33402 Special Use/ Dimensional Variance	Harold Oemig Property Owner Request to convert the existing rear building into a two-family dwelling that does not meet the minimum required rear setback (required 4 ft. / proposed 1.4 ft.) and to allow two principal residential buildings on site.	3819 W. Michigan St. A/K/A 3815 W. Michigan St. 10th Dist.
	Action:	Granted	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with the Uniform Dwelling code for residential occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 5. That this Special Use and 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>
38	33230 Special Use	Ubaldo Diaz Lessee	1101 W. Boden Ct. A/K/A 1009 W. Boden Ct. 13th Dist.
		Request to occupy a portion of the premises as a car wash.	
	Action:	Granted 1 yr.	
	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 existing landscaping and screening is maintained in a manner that meets the intent of City code. 6. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of 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>
39	33421 Special Use	Jason Miller Lessee	1101 W. Boden Ct. A/K/A 1009 W. Boden Ct. 13th Dist.
		Request to occupy a portion of the premises as light and heavy motor vehicle repair.	
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That existing 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 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 all repair work is conducted inside the building. 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>
40	33351 Use Variance	Shawn Page Lessee	3397 S. Howell Av. A/K/A 3399 S. Howell Av. 14th Dist.
		Request to occupy the premises as a general retail establishment.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no sales items are placed or stored within the public right-of-way. 5. That there shall be no off-premise signs placed in the public right-of-way. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That the 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 Variance is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	33358 Dimensional Variance	Hugo H. Del Portillo Alexander Del Portillo; Property Owner Request to construct an addition of a third floor and an attached garage to the existing dwelling that exceeds the maximum allowed floor area and does not meet the minimum required rear setback, combined side setback, and garage door setback (existing detached garage to be razed).	1425 E. Manitoba St. 14th Dist.
	Action:	Adjourned	
	Motion:	Jose Dominguez moved to adjourn the appeal. Seconded by Karen Dardy.	
	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	33375 Use Variance/ Dimensional Variance	Educational Enterprises Andrew Newmann; Property Owner Request to construct an addition to the Board-approved school, increasing the number of students from 330 to 600, and to continue operating Monday - Friday 7:00 a.m. - 7:00 p.m. for K4 - 8th grades.	3040 W. Capitol Dr. A/K/A 4020 N. 31st St. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the premises is developed in accordance with the façade, elevation & site plans submitted to the Board on September 4, 2014. 5. That the landscape plan submitted to the Board on September 4, 2014 is revised to include a decorative metal fence along the street frontage of the east parking lot and to provide plant material along the North 31st Street frontage. 6. That landscaping and screening in accordance with an approved landscape plan is installed within 90 days of occupancy and maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts. 8. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, excavation for the building foundations and occupancy of the public sidewalk during construction. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter. 9. That the unused driveway located on West Capitol Drive be removed and restored to City of Milwaukee specifications within one (1) year. Please contact the Development Center Tech Team at 286-8480 to apply for a DPW permit to close the driveway approach. 10. That this Dimensional Variance is granted to run with the land. 11. That this Use 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>
43	33116 Special Use	D'Quince Crowell Lessee Request to occupy the premises as a ground transportation service and a light and heavy motor vehicle storage facility.	4912 W. Villard Av. A/K/A 4902 W. Villard Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff.	
	Vote:	--	
	Conditions of Approval:	--	
44	33422 Special Use/ Dimensional Variance	Milwaukee Iron & Metal, LLC Property Owner Request to erect a fence that exceeds the maximum allowed height and to continue occupying the premises as an outdoor salvage operation (petitioner will be expanding the operation on to the adjacent parcel).	4485 N. Green Bay Av. A/K/A 4481 N. Green Bay Av. 1st 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	33140 Special Use	The Chateau LLC c/o Katz Properties, Inc. James Justinger; Property Owner	2535 N. Farwell Av. A/K/A 2537 N. Farwell Av. A 3rd Dist.
		Request to continue occupying the premises as a rooming house for 54 occupants.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That 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. 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>
46	33372 Special Use	Utopia Daycare Corp. Monica A. Landry; Lessee Request to occupy a portion of the premises as an adult day care center.	10136 W. Fond Du Lac Av. A/K/A 10136 W. Fond Du Lac Av. 4 5th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for day care occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 6. That the petitioner restrict all driving and parking to areas paved according to MCO 252-74. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	
47	32979 Special Use	Golden Rule C.O.G.I.C. Corrine Miller; Property Owner Request to continue occupying the premises as a social service facility.	2430 W. Hopkins St. A/K/A 2428 W. Hopkins St. 6th Dist.
	Action:	Denied	
	Motion:	Jose Dominguez moved to deny the appeal. Seconded by Karen Dardy.	
	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	32980 Special Use	Golden Rule C.O.G.I.C. Corrine Miller; Property Owner Request to continue occupying the premises as a religious assembly hall.	2432 W. Hopkins St. A/K/A 2434 W. Hopkins St. 6th Dist.
	Action:	Denied	
	Motion:	Martin Kohler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	33391 Special Use	EEI Real Estate Holdings: Fortis LLC; Property Owner	3546 N. Martin L King Jr Dr. A/K/A 3546 N. Green Bay Av. 6th Dist.
		Request to raze the existing structure and to occupy the premises as an accessory use parking lot.	
	Action:	Granted	
	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 the landscape plan submitted to the Board on August 18, 2014 is revised to include landscaping and screening to buffer the north and south sides of the parking lot from the north and south-abutting residences. The buffer landscaping must the intent of City code section 295-405 for Type 'H' landscaping. 5. That landscaping and screening in accordance witan approved landscape plan must be installed within 90 days of occupancy and maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 6. That a Department of Public Works (DPW) permit is obtained to construct the new driveway approach on North Dr. Martin L. King Jr Drive. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process. 7. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on September 11, 2022. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	33396 Special Use/ Dimensional Variance	Larry Roffers Charles Bishop; Property Owner Request to construct a two-family dwelling in rear yard that does not meet the minimum required rear setback.	2017 N. Hubbard St. A/K/A 2019 N. Hubbard St. 6th Dist.
	Action:	Granted	
	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 landscaping and screening is implemented in accordance with the landscape plan submitted to the Board of Zoning Appeals on August 22, 2014, and is maintained in accordance with s.295-405-1-c-9 of the Milwaukee Zoning Code. Specifically that all plant material shall be maintained on an on-going basis, including seasonal tree and plant replacement. 5. That one of the following conditions for the proposed private catch basin shown in the public right-of-way of North Hubbard Street is met: A. that the proposed catch basin is relocated wholly onto private property -OR- B. that a Special Privilege be obtained from the City of Milwaukee Common Council to allow the private catch basin to occupy the public right-of-way. The Special Privilege application must be submitted within thirty (30) days. Please contact Ms. Dawn Schmidt to obtain a Special Privilege Application Form or with questions at 414-286-2454. 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, construction of the proposed private catch basin and basin lateral. The DPW permit must be obtained prior to the start of any work in the public right-of-way. Please contact Ms. Dawn Schmidt at 414-286-2454 with questions regarding this matter. 7. That a Department of Public Works (DPW) permit is obtained to construct the new driveway approach on North Hubbard Street. Contact the Development Center Tech Team at 414-286-8208 with questions regarding the driveway permit process. 8. That this Special Use and this Variance are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	33283 Special Use/ Dimensional Variance	Feras Rahman Lessee Request to continue occupying the premises as a motor vehicle sales facility that does not meet the minimum required landscaping.	2300 W. Lincoln Av. 8th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Karen Dardy.	
	Vote:	3 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 a decorative metal fence in accordance to the fence plan submitted to the Board on October 7, 2014 is installed within 120 days of Board approval of the Special Use. 7. That no more than ten (10) vehicles be parked on the lot at any time. 8. That the applicant install a barrier between the public sidewalk and parked vehicles, such as a decorative fence or decorative bollards within one (1) year. 9. That vehicles be parked so that they do not block the driveway approaches. 10. That no sales vehicles are displayed in the public right-of-way. 11. That no work on or storage of vehicles occurs in the public right-of-way. 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 and this Variance 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>
52	33096 Dimensional Variance	Thomas Pascal Property Owner Request to occupy the premises as a multi-family dwelling that does not meet the minimum dwelling area per unit (required 1,800 sq.ft. / proposed 1,125 sq.ft.).	2451 W. Mc Kinley Av. A/K/A 1253 N. 24th Pl. 4th Dist.
	Action:	Dismissed	
	Motion:	Jose Dominguez moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

Other Business:

Board member Henry Szymanski moved to approve the minutes of the September 11, 2014 meeting. Seconded by Board member Jose Dominguez. Unanimously approved.

Board member Karen Dardy moved to approve the Board of Zoning Appeals 2015 hearing calendar. Seconded by Board member Henry Szymanski. Unanimously approved.

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

Board member Henry Szymanski moved to adjourn the meeting at 7:03 p.m. Seconded by Board member Jose Dominguez. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board