

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – April 21, 2005
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-71)*

Members: Henry P. Szymanski *(voting on items 1-74)*
Scott R. Winkler *(voting on items 1-40, 42-45, 47-74)*
Catherine M. Doyle *(voting on items 1-74)*
Donald Jackson *(voting on items 1-39)*

Alt. Board Members: Georgia M. Cameron *(voting on items 40-74)*
Leni M. Siker *(present)*

START TIME: 4:00 p.m.

End Time: 8:58 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	25726 Use Variance	Donald Watson, Property Owner Request to occupy the premises as a transitional living facility for 4 individuals.	2527 N. 38th St. A/K/A 2525 N. 38th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	26140 Use Variance	Gurinder S. Nagra, Lessee Request to occupy a portion of the existing general retail establishment as a currency exchange agency (check cashing).	2903 W. Clybourn St. A/K/A 2901 W. Clybourn St. 4th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	26547 Special Use	Alan D. Egelseer & Daniel B. Egelseer Prospective Buyer	8550 N. Granville Rd. 9th Dist.
		Request to occupy the premises as an outdoor salvage operation.	
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	26549 Special Use	Ramzan Charania, Property Owner	3870 S. Howell Av. 14th Dist.
		Request to raze the existing structure and construct a motor vehicle filling station, convenience store, and car wash on the premises.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 plans which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That all car wash activity is conducted inside of the building. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That 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 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>
5	26569 Dimensional Variance	Robert & Gabrielle Mihelich, Property Owner Request to construct an addition to the rear of the dwelling (lower level attached garage/upper level dwelling addition) without the minimum required rear setback. Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval:	2965 S. Shore Dr. 14th Dist.
		<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 petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
6	26518 Special Use	Majida Musaitif, Property Owner Request to continue occupying the premises as a retail store (grocery). Action: Granted 2 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval:	2101 W. Brown St. 15th Dist.
		<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 5. That signage plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	26564 Special Use	Barbara Brown, Property Owner Request to continue occupying the premises as an adult family home for 4 individuals (developmental disabled).	1125 W. Clarke St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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. 	
8	26565 Special Use	Barbara Brown, Property Owner Request to continue occupying the premises as a community living arrangement for 8 clients.	2737 N. 8th St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by an interested party and will be rescheduled for the next available hearing.	
9	26536 Special Use	Milwaukee Public Schools, Lessee Request to occupy the upper portion of the premises as a secondary/elementary school.	5401 N. 76th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	26570 Use Variance	7400 Building, LLC, Tim Wiedenbauer, member;Prospective Buyer	7320-400 W. Florist Av. 2nd Dist.
		Request to occupy a portion of the premises as an elementary/secondary school.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 plans which meet the sign standards of s.295-505-5 (residential zoning districts) of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits 5. That landscape plans meeting the intent of city code section 295-405 are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits 6. That façade and elevation plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 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 the petitioner obtains an occupancy certificate and complies with current State commercial code for educational occupancies. 9. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	

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11	26524 Special Use	Baby Steps Day Care Inc., Prospective Buyer	7605 W. Florist Av. 2nd Dist.
		Request to occupy the premises as a 24 hr. day care center for 70-100 children 1st & 2nd shifts and 25 children for 3rd shift infant to 12yrs of age, 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. Zetley 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 plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 8. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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12	26550 Special Use	Marquette Delta Corp., Property Owner Request to continue occupying the premises as a fraternity house.	1615 W. Kilbourn Av. 4th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on January 28, 2013. 	
13	26559 Special Use	Sojourner Truth House Kathleen F. Stolpman;Property Owner Request to occupy the premises as an emergency residential shelter facility.	1135 N. 33rd St. 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. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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14	26563 Special Use	Belle Resource Center Kathleen F. Stolpman;Property Owner	1141 N. 33rd St. 4th Dist.
		Request to continue occupying the premises as a social service facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
15	26506 Special Use	Vickie Gaillard, Property Owner	4480 N. 85th St. 5th Dist.
		Request to continue occupying the premises as a community living arrangement with an increase from 4 to 5 adult clients.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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. 	

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16	26476 Special Use	Maurice Viverette, Property Owner Request to occupy the premises as an adult family home for 4 adults (elderly/disabled).	3944-46 N. 11th St. 6th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 one (1) year, commencing with the date hereof. 	
17	26560 Special Use	St. Marcus Lutheran Church Property Owner Request to occupy the premises as a religious assembly.	101 E. North Av. 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. Zetley 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 plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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18	26575 Special Use	Rita Gillespie & Reginald Gillespie Property Owner	608 E. North Av. 6th Dist.
		Request to continue occupying the premises as a community based residential facility for 7 ambulatory adults.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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. 	

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19	26514 Special Use	Ella Flippin, Property Owner Request to construct and addition increasing the number of children from 80 to 148 children infant to 12yrs of age to the existing day care center operating Monday-Friday 6:00 AM- Midnight.	6333 W. Burleigh St. 10th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. In addition, any on-site fencing must be of a decorative metal variety. 5. That signage any additional signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 9. That the petitioner obtains a loading zone on W. Burleigh Street to be used for dropping off children attending the facility. 10. That the petitioner obtains a new occupancy certificate to verify that the space will accommodate the increased capacity and complies with any additional State commercial code for educational and institutional occupancies. 11. That this Special Use is granted for a period of time commencing with the date hereof and expiring on February 12, 2011. 	

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20	26574 Special Use	Foundation Ministries Church, Lessee Request to continue to occupy a portion of the premises as a religious assembly.	6815 W. Capitol Dr. 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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21	26555 Special Use	Hope House of Milwaukee Inc. f/k/a Southside Milwaukee Emergency Shelter;Property Owner	209 W. Orchard St. A/K/A 1501 S 2nd St 12th Dist.
		Request to continue occupying the premises as an emergency residential shelter and social service facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 this Special Use and this use Variance are granted for a period of five (5) years, commencing with the date hereof. 	
22	26509 Special Use	George W. Buresh Auto SPA LLC;Property Owner	160 W. Layton Av. 13th Dist.
		Request to add motor vehicle sales to the existing motor vehicle repair facility and car wash.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	

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23	26551 Special Use	Jeffrey R. Brown, Other Request to continue occupying a portion of the premises as a motor vehicle sales facility to the existing salvage operation.	6102-04 S. 13th St. A/K/A 950 W. College Ave. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
24	25395 Special Use	Anthony Arteaga, Property Owner Request to construct a building on the site and occupy it as a contractor's shop.	4000 S. Pine Av. 14th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to re-open the case for additional testimony. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	26247 Rehearing Request	Abdel Hakim Fares, Property Owner Request for a rehearing to occupy the rear portion of the existing general retail establishment as a fast-food/carryout restaurant.	1701 W. Galena St. A/K/A 1703 W. Galena St. 4th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the re-hearing request. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
26	26452 Dimensional Variance	ArlaJune V. Burton, Property Owner Request to allow the parking of a recreational vehicle that is over the maximum vehicle length.	8513 W. Lisbon Av. 5th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
27	26185 Use Variance	Derrick Holland & Anne Conner Property Owner Request to occupy the premises as a day care center for 8 children infant to 12yrs of age, Monday-Friday 6:00AM-6:00PM.	3042 N. 45th St. A/K/A 3044 N. 45th St. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 have no exterior signage. 5. That this Variance is granted for a period of one (1) year, commencing with the date hereof. 	

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28	26213 Special Use	<p>Julette Francis & Larry Wade Property Owner</p> <p>Request to occupy the premises as a group home for 3 girls ages 12-17 with children (maximum of 6 clients).</p> <p>Action: Granted 1 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski. Scott Winkler was opposed.</p> <p>Vote: 4 Ayes, 1 Nays, Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the facility be limited to three female clients, ages 12 - 17, accompanied by a maximum of three children on site. 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 one (1) year, commencing with the date hereof. 	6442 N. 91st St. 9th Dist.
29	Administrative	<p>Proposed Modification of the Boards Resubmission Criteria as listed in the Board's Rules of Procedure.</p> <p>Action: Granted</p> <p>Motion: Catherine Doyle moved to grant the modification. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p>	

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30	26526 Special Use	Ivan Zaiats, Lessee Request to add motor vehicle sales to the existing motor vehicle repair and body shop.	2775 S. Chase Av. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code. Specifically, the sign area of the freestanding sign must be limited to a maximum of 50 square feet. 5. That no disabled or unlicensed vehicles or parts are stored outside. 6. That all repair work is conducted inside of the building. 7. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 8. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 9. That zoning code section 295-409 relative to lighting provisions is complied with. 10. That a revised site plan, which illustrates a physical separation from the parcel to the North, is submitted to and approved by the Zoning Administrative Group prior to the issuance of permits. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

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31	26500 Special Use	Paula Blan-Nash & Alexander Nash Property Owner Request to occupy the premises as a community living arrangement for 10-12 teen mothers, ages 13 - 19(including their children).	2245 N. 24th Pl. A/K/A 2239 N. 24th Pl. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
32	26507 Special Use	Bernard Kallman & Eric Broxton, Lessee Request to occupy the premises as a motor vehicle repair facility (tire sales and repair).	2222 W. Meinecke Av. A/K/A 2404 N. 23rd St. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
33	26522 Use Variance	Tammy Campbell, Lessee Request to occupy the premises as a 24-hour day care center for 8 children infant to 12 yrs. of age.	2579 N. 33rd St. 15th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	26447 Special Use	Small World Child Care of Milwaukee Lessee Request to occupy a portion of the premises as a day care center for 22 children infant to 12yrs of age, Monday-Friday 6:30AM-6:00PM.	2101 N. 48th St. A/K/A 4800 W. Lloyd St. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code and must not exceed 18 square feet in area. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That the outdoor play area is not utilized before 9:00 A.M. 8. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	26314 Special Use	Iris Walker, Lessee Request to occupy the premises as an adult day care facility for 8 adults (special need/handicap) Monday-Friday 8:00AM-4:30PM.	2451 W. Fond Du Lac Av. 15th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to grant the appeal. No second to the motion.	
	Vote:	1 Ayes, 3 Nays, 1 C. Zetley Abstained.	
36	26471 Use Variance	Ted McNamara, FJA Christiansen Roofing;Property Owner Request to deviate from the opaque fence required by code and erect a 7 ft. decorative metal fence on the premises.	2101 W. Purdue St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
37	26274 Special Use	Sherri Bond, Lessee Request to occupy the premises as a transitional living facility for 20 individuals.	4576 N. 31st St. 1st Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson. Scott Winkler was opposed to the motion.	
	Vote:	3 Ayes, 1 Nays, 1 C. Zetley Abstained.	
38	25825 Special Use	Mary Jones, Lessee Request to occupy the premises as a community living arrangement for 5 developmental disabled residents.	4635 N. 66th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	26419 Special Use	Ramona Walker, Property Owner Request to occupy the premises as a community based residential facility for six adults (elderly).	4621 N. 66th St. 2nd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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>
40	24592 Special Use	Scott Wilder, Property Owner Request to occupy the premises with two adult family homes on site totaling 8 clients (4 in 7410 W. Silver Spring and 4 in 7412 W. Silver Spring).	7410 W. Silver Spring Dr. A/K/A 7412 W. Silver Spring DR 2nd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 dwelling unit at 7414 W. Silver Spring be utilized as a general rental unit and not as a State licensed entity. 5. That within 30 days of the issuance of this written decision, the applicant will surrender the state license issued to 7414 W. Silver Spring. 6. That this Special Use permit, issued under a reasonable accommodation request, is granted for a period of two (2) years commencing with the date hereof. 	
41	25844 Dimensional Variance	East River, LLC, Russell Wasserman; Property Owner Request to allow 5 vehicle parking spaces on the premises.	3051 N. Farwell Av. A/K/A 3053 N. Farwell Av. 3rd Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Georgia Cameron.	
	Vote:	3 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	26525 Special Use	Maire E. Mills-Greenya & Robert R. Greenya, Property Owner Request to expand the existing tavern to include an outdoor patio area (beer garden). Action: Granted Motion: Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval:	2417 N. Bartlett Av. 3rd Dist.
		<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 any additional signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. 5. That site illumination for the beer garden must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That the beer garden is not used after 10 p.m. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
43	26543 Special Use	Jacob A. Henes, Property Owner Request to occupy the premises as a motor vehicle repair facility.	801 E. Keefe Av. 3rd Dist.
		Action: Adjourned Motion: This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	26364 Dimensional Variance	Mark L. Rasmussen, Property Owner Request to construct an addition to the existing tavern without the minimum required number of parking spaces.	1501 N. Jackson St. A/K/A 1503 N. Jackson St. 3rd Dist.
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 and this Dimensional Variance is granted for a period of fifteen (15) years, commencing with the date hereof. 	
45	26541 Dimensional Variance	Herman & Tanya Lewis, Property Owner Request to construct a single family residential dwelling that is over the maximum depth permitted without a 3.5 ft. side setback adjustment that is required by code (South Side Setback Required 10.5 ft., Proposed 7.0 ft., Shortage 3.5 ft.).	3418 N. Lake Dr. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	25834 Use Variance	Wendy & Russell Wasserman, Property Owner Request to continue to allow a 3 residential dwelling units on the premises.	3044-46 N. Farwell Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the matter. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 0 Nays, 1 C. Zetley Abstained.	
47	26324 Special Use	Warwick Seay, Property Owner Request to add an outdoor patio to the existing tavern.	932 E. Chambers St. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 security personnel if necessary. 5. That outdoor patio activity end at 10:00 P.M. on weeknights and 11:00 P.M. on weekends. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 10, 2011. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	26529 Special Use	Mike Campbell Jr., Lessee Request to occupy the premises as a motor vehicle repair facility and body shop.	2330 W. Clybourn St. 4th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
49	26530 Use Variance	London Square Apartment Homes LLC. Property Owner Request to allow a temporary barbed wire fence on the premises.	2101 W. Galena St. 4th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of nine (9) months, 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	26318 Dimensional Variance	Wisconsin Correctional Service, Lessee Request to continue occupying the premises as a rooming house for 13 persons with 1 live-in manager without the minimum required number of parking stalls.	2374 N. 6th St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 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>
51	26457 Special Use	Dante Waddy, Property Owner Request to occupy the premises as a group home for 8 males 8yrs-12yrs of age.	3518-20 N. Port Washington Av. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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. 	
52	26465 Special Use	Aleisa Quinonez, Other Request to occupy the premises as a community living arrangement for males ages 12-17 (eight clients maximum).	3425 N. 12th St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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>
53	26487 Special Use	Wendell J. Harris, Lessee Request to occupy the premises as a community living arrangement for 8 males (10 yrs - 17 yrs).	3134 N. 16th St. 6th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
54	26533 Special Use	Cynthia Reasby, Lessee Request to occupy the premises as a day care center for 8 children infant to 12yrs of age, Monday-Friday 6:30AM-10:00PM.	3800 N. 10th St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 exterior signage on site. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	26539 Dimensional Variance	Cassandra Conley, True Church of the First Born;Property Owner Request to construct and occupy the premises as a religious assembly hall without the minimum code required parking.	231-37 E. Meinecke Av. 6th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	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 petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
56	26469 Special Use	Joan Love, Property Owner Request to occupy the premises as a general retail establishment (grocery store).	2976-78 N. 6th St. 6th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	26493 Special Use	Diane Griffin, Prospective Buyer Request to occupy the premises as a day care center for 75 children (20 per shift) infant to 12 yrs. of age, Monday thru Friday 24 hrs per day (site previously approved as a day care center). Action: Granted 5 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code, which limits signage to a maximum area of 18 square feet. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the applicant restricts the day care center to the first floor of the premises and reduces the number of children to the level that the first floor will support. 7. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies. 8. That the hours of operation for the facility be 6 a.m. through 10 p.m. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	2977-79 N. 17th St. 6th Dist.
58	26448 Dimensional Variance	Gene Gokhman, Property Owner Request to construct a 4 unit residential structure without the minimum required average front setback.	225-31 E. Lloyd St. A/K/A 2049 N. Hubbard Ave. 6th Dist.
		Action: Adjourned	
		Motion: This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	26260 Special Use	Taula Lampley, Prospective Buyer Request to occupy the premises as a day care center for 57 children per shift infant to 12yrs of age Monday - Saturday 5:30 AM - 12:30 AM closed Sunday.	2801-03 N. Martin Luther King Dr. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the applicant provide van service to at least 50% of the children attending. 7. That a loading zone is obtained along West Hadley Street, adjacent to the site. 8. That the applicant restricts the day care center to the first floor of the premises and reduces the number of children to the level that the first floor will support. 9. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies. 10. 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>
60	26489 Use Variance	Jacqueline Mann, Property Owner Request to occupy the premises as a day care center for 8 children infant to 12 yrs. of age, Monday thru Sunday 6:00 a.m. to Midnight.	4213 N. 42nd Pl. 7th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
61	26521 Special Use	Robert E. White Sr., Lessee Request to occupy the premises as an elementary/secondary school.	4951 W. Fond Du Lac Av. A/K/A 4953 W. Fond Du Lac Ave. 7th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
62	26433 Special Use	Childcare Solutions, Lessee Request to continue occupying the premises as a day care center for 20 children and increase the age from infant-18 Mo. to infant to 11 yrs of age and the hours of operation from 8:00 AM - 6:00 PM to 6:00 AM - 6:00 PM Monday-Friday.	4008-10 N. 42nd St. A/K/A 4122 W. Capitol Dr. 7th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
63	26461 Special Use	Eusebio & Kathleen Acevedo Prospective Buyer Request to occupy the premises as a religious assembly hall.	3031 W. Lincoln Av. 8th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	26557 Dimensional Variance	William & Denise White, Property Owner Request to construct a single-family residential dwelling without the required average front setback.	8908 N. 70th St. 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	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 petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
65	26495 Special Use	Vivian M. Lee, Lessee Request to occupy the premises as a community based residential facility for 8 residents (elderly).	7505 W. Burleigh St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the alderman and will be rescheduled for the next available hearing.	
66	26532 Special Use	Venice Birmingham, Lessee Request to occupy the premises as a day care center for 40 children infant to 12yrs of age, Monday-Sunday 6:00AM- Midnight (previously approved for 40 children).	5644 W. Appleton Av. A/K/A 5642 W. Appleton Ave. 10th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	25959 Other	Mauricio Arenzon, Wisconsin Knitwear; Property Owner	1111 W. Lincoln Av. 12th Dist.
		Request to modify the conditions of the previous approval of case 21490 (regarding the front windows).	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner and will be rescheduled for the next available hearing.	
68	26538 Special Use	Angel J. Pacheco, Lessee	600 S. 5th St. A/K/A 602 S. 5th St. 12th Dist.
		Request to occupy the premises as a motor vehicle repair facility.	
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the approval. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley 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 disabled or unlicensed vehicles or parts are stored outside. 5. That all repair work is conducted inside of the building. 6. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 7. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 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>
69	26554 Special Use	Jorge Montanez, Lessee Request to occupy the premises as a social service facility.	1644 S. 9th St. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That 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>
70	26528 Special Use	James McCabe, Milwaukee Brewing Company; Lessee Request to occupy the premises as a heavy manufacturing facility (microbrewery and public tour center).	613 S. 2nd St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. C. Zetley excused.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code for LB2 zoning districts. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
71	26356 Dimensional Variance	Jordan Beck, Lessee Request to continue to allow an 8' high solid fence without the minimum landscaping area width.	125-39 E. Mineral St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	26546 Special Use	Louise Gonzalez, Lessee Request to occupy a portion of the premises as a second-hand store.	873 W. Layton Av. A/K/A 841 W. Layton Av. 13th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 0 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 display of products or merchandise. 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 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>
73	26412 Use Variance	Amy J. Madaus, Property Owner Request to occupy the premises as an outdoor storage and ground transportation facility.	4661 S. 20th St. 13th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the Special Use permit. Seconded by Catherine Doyle. Henry Szymanski moved to deny the Use Variance request. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 0 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 to the landscape plan submitted to the Board of Zoning Appeals on February 10, 2005. 5. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 6. That the petitioner has no display of exterior signs or banners. 7. That there are no employee vehicles parked on-site. 8. That the petitioner has no parking on unpaved surfaces. 9. That the premises remains a residential single family property. 10. That the Use Variance requests for outdoor storage is denied. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
74	26186 Special Use	Heaven Sent Elderly Facility Property Owner Request to occupy the premises with four licensed adult family homes on site totaling 16 clients (ages 60-85).	4146 W. Martin Dr. 10th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

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

Board member Winkler moved to approve the minutes of the March 31, 2005 meeting. Seconded by Board member Doyle. Unanimously approved.

The Board set the next meeting for May 19, 2005.

Board member Szymanski moved to adjourn the meeting at 8:58 p.m.. Seconded by Board member Cameron. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board