

AGENDA

April 22, 2004

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, April 22, 2004**, commencing at **2:00 p.m.** in the Common Council Committee Rooms, **Room 301-B**, City Hall, Third Floor, 200 East Wells Street, Milwaukee, Wisconsin, affecting the following premises. Please note that most items have been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

2:00 p.m. Administrative Consent Agenda

Items scheduled for approval on the Administrative Consent Agenda

No oral testimony will be taken on these items.

Item No.	Ald Dist	Case No. Type	Case Information	Location
1	4 th	25584 Special Use <i>dismissal</i>	Border Patrol WI Rich Lepping; Property Owner	2210 W. Wisconsin Av.
			Request to occupy the premises as a fast-food/carry-out restaurant with a drive through facility	
2	6 th	25704 Special Use <i>dismissal</i>	H & K Partners, Property Owner	1903 W. Capitol Dr.
			Request to continue occupying the premises as a fast-food/carryout restaurant with a drive through facility	
3	6 th	25063 Special Use <i>dismissal</i>	First Payday Loan of Wisconsin, LLC d/b/a First Payday Loans; Lessee	2410 N. Martin Luther King Dr.
			Request to occupy a portion of the premises as a payday loan agency	
4	10 th	25096 Special Use <i>dismissal</i>	AT&T Wireless PCS, LLC Jim Hommer; Lessee	5407 W. McKinley Av.
			Request to erect a temporary cellular transmission tower on the premises without the required landscaping and co-location	

Board of Zoning Appeals, Hearing on Thursday, April 22, 2004

Item No.	Ald Dist.	Case No. Type.	Case Information.	Location.
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2:00 p.m. Administrative Consent Agenda (continued)

Items scheduled for approval on the Administrative Consent Agenda

No oral testimony will be taken on these items.

5	10 th	25121 Special Use <i>dismissal</i>	Verizon Wireless c/o Mary Herrick	5701 W. McKinley Av.
Request to occupy the premises as a temporary wireless telecom facility				

2:00 p.m. - Consent Agenda

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6	15 th	25560 Special Use	Jackie Gibson, Prospective Buyer	2821 N. 40th St.
Request to occupy the premises as a community living arrangement for 6 elderly and advance age residents				

7	15 th	25634 Special Use	Mr. Peter Helf KFC; Property Owner	1355 N. 35 th St.
Request to continue occupying the premises as a fast food/ carryout restaurant with increased hours of operation				

8	15 th	25663 Dim Var.	Housing Authority of the City of Milwaukee Property Owner	1541 N. 13th St.
Request to construct a single-family dwelling with an excessive front setback				

Board of Zoning Appeals, Hearing on Thursday, April 22, 2004

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2:00 p.m. - Consent Agenda (continued)

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|----|------|----------------------|--|-------------------------|
| 9 | 1 st | 25610
Special Use | Mohammad Choudry, Lessee | 2604 W. Capitol Dr. |
| | | | Request to occupy the premises as a fast-food/carry-out restaurant with a drive through facility, Monday - Sunday 10:00 a.m. - Midnight | |
| 10 | 1 st | 25647
Special Use | Rashinder Lal, Lessee | 2620 W. Capitol Dr. |
| | | | Request to continue occupying the premises as a motor vehicle filling station, convenience store, and car wash | |
| 11 | 1 st | 25653
Special Use | Shirley R. Howard, Property Owner | 4919 W. Good Hope Rd. |
| | | | Request to continue occupying the premises as a day care center with the addition of an Adult day care center on site | |
| 12 | 1 st | 25692
Special Use | Life & Liberty Church, Prospective Buyer | 2009 W. Hampton Av. |
| | | | Request to continue occupying the premises as a religious assembly hall | |
| 13 | 1 st | 25598
Dim Var. | South Community Organization, Inc.
Property Owner | 5615 N. 38th St. |
| | | | Request to construct a single-family dwelling without the minimum front facade width | |
| 14 | 2 nd | 25602
Special Use | Roshelle & Frederick Rutledge
Most Precious Possession Child Care II;
Prospective Buyer | 9700-06 W. Appleton Av. |
| | | | Request to occupy the premises as a day care center for 200 children (100 per shift) infant to 12 yrs of age, Monday-Friday 6:00 a.m. - Midnight | |

Board of Zoning Appeals, Hearing on Thursday, April 22, 2004

Item	Ald	Case No.	Case Information.	Location.
No.	Dist.	Type.		

2:00 p.m. - Consent Agenda (continued)

Items Scheduled for approval on the Consent Agenda

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|----|------|------------------------------------|---|---------------------|
| 15 | 2 nd | 25666
Use Variance | William Jenkins
d/b/a Golf Center on Mill Road; Property Owner | 7047 W. Mill Rd. |
| | | | Request to construct a 610 foot addition to the existing structure on a golf driving range (intensifying the Board approved use on site) | |
| 16 | 2 nd | 25679
Special Use/
Dim. Var. | Aldi Inc., Property Owner | 6700 W. Capitol Dr. |
| | | | Request to continue occupying the premises as a general retail store with parking located between the street facade of the principal building and the street lot line | |
| 17 | 3 rd | 25648
Special Use | Paul Johnson
d/b/a Citizen Scooters, Inc.; Prospective Buyer | 1609 E. North Av. |
| | | | Request to occupy the premises for light motor vehicle sales and service | |
| 18 | 3 rd | 25683
Special Use | Meta House
Ruth Kallio-Mielke; Property Owner | 2618 N. Bremen St. |
| | | | Request to continue occupy the premises as a community based residential facility for 16 women and 7 children | |
| 19 | 4 th | 25625
Special Use | Marshall & Wells LLC, Lessee | 818-20 E. Wells St. |
| | | | Request to continue to occupy the premises as a parking lot | |

Board of Zoning Appeals, Hearing on Thursday, April 22, 2004

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2:00 p.m. - Consent Agenda (continued)

Items Scheduled for approval on the Consent Agenda

No oral testimony will be taken on these items.

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20	5 th	25453 Special Use	ASLC Grantosa LLC, Property Owner Request to continue occupying the premises as a community base residential facility for 20 elderly persons	4265 N. 104th St.
21	5 th	25700 Special Use	H & K Partners, Property Owner Request to continue occupying the premises as a fast-food/carryout restaurant with a drive through facility	5444 N. Lovers Ln. Rd.
22	5 th	25624 Special Use	Lisa Ashley, Property Owner Request to continue occupying the premises as a day care center for with an increase in children from 45 to 50, infant to 12 yrs. of age, Monday-Friday 6:00 a.m. - 6:00 p.m.	9111 W. Lisbon Av.
23	6 th	25606 Special Use	Samuel Isom, Lessee Request to continue occupying the premises as a second-hand store (stripping & furnishing furniture)	1737 W. Atkinson Av.
24	6 th	25621 Special Use	Mary Marie Harrell, Property Owner Request to occupy the premises as a community living arrangement for 8 elderly adults	524 W. Clarke St.
25	6 th	25628 Special Use	Westside Healthcare Association, Inc. Wayne Moyer, CEO; Lessee Request to occupy a portion of the premises as a medical office	1525 N. 7th St.

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2:00 p.m. - Consent Agenda (continued)

Items Scheduled for approval on the Consent Agenda

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26	6 th	25703 Special Use	H & K Partners, Property Owner	2470 N. Martin Luther King Jr. Dr.
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Request to continue occupying the premises as a fast-food/carryout restaurant with a drive through facility

27	6 th	25677 Special Use	Charles Green-Pastor Christian Faith Fellowship Church East; Property Owner	2001 N. Holton St.
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Request to continue occupying the premises as a religious assembly hall with the addition of a day care center for 22 children, infant to 12 yrs of age, Monday-Friday 6:00 a.m. - 7:00 p.m.

28	7 th	25550 Special Use	Andre & James Carter, Lessee	3936 W. Fond Du Lac Av.
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Request to add a elementary school (14 children k4 and k5) to the existing day care facility

29	7 th	25582 Special Use	Sariena M. Davis & Bobby Jones Property Owner	3237 N. 29th St.
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Request to occupy the premises as a community living arrangement for 8 elderly and disabled clients

30	7 th	25607 Special Use	Bell Therapy, Inc., Property Owner	4065 N. 35th St.
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Request to include the lower level of premises as part of the existing adult day care center on site

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2:00 p.m. - Consent Agenda (continued)

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|----|------|----------------------|---|------------------------------|
| 31 | 7 th | 25612
Special Use | Lynell Daniels & Tiffany Cross
Property Owner | 3282 N. 46th St. |
| | | | Request to occupy the premises as group home for 4 teenage mothers and their children (eight persons total on site) | |
| 32 | 7 th | 25620
Special Use | Lanell White
Whites Residential AODA Fac.; Property Owner | 4020 W. Burleigh St. |
| | | | Request to increase the number of clients from 8 to 10 of the existing community based residential facility for adult females | |
| 33 | 7 th | 25698
Special Use | H & K Partners, Property Owner | 4400 N. 60 th St. |
| | | | Request to continue occupying the premises as a fast-food/carryout restaurant with a drive through facility | |
| 34 | 7 th | 25654
Special Use | Gloria Diggs, Property Owner | 3927 W. Roosevelt Dr. |
| | | | Request to continue occupying the premises as a community based residential living facility (CBRF) | |
| 35 | 7 th | 25696
Special Use | Temple of the Holy Spirit, Property Owner | 4444 W. Capitol Dr. |
| | | | Request to occupy the premises as a religious assembly hall (provides food & cloth pantry) | |
| 36 | 8 th | 25586
Special Use | Maxine Franklin, Lessee | 1329 S. 35th St. |
| | | | Request to occupy the premises as a 24 hr. day care center for 20 children infant - 12 yrs of age, Monday-Sunday | |

Board of Zoning Appeals, Hearing on Thursday, April 22, 2004

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2:00 p.m. - Consent Agenda (continued)

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| 37 | 9 th | 25596
Special Use | Bevelyn Johnson
D&F Investments; Property Owner | 8726 W. Mill Rd. |
| | | | Request to occupy a portion of the premises as a group home for 8 adolescent females in addition to the existing transitional living facility on site | |
| 38 | 9 th | 25682
Special Use | Balvir Singh, Lessee | 6330 W. Silver Spring Dr. |
| | | | Request to continue occupying the premises as a motor vehicle filling station and convenience store | |
| 39 | 9 th | 25687
Special Use | James O. Bradley, Lessee | 8404 W. Brown Deer Rd. |
| | | | Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility | |
| 40 | 10 th | 25705
Special Use | H & K Partners, Property Owner | 7343 W. Appleton Ave. |
| | | | Request to continue occupying the premises as a fast-food/carryout restaurant with a drive through facility | |
| 41 | 10 th | 25676
Special Use | Creative Stepping Stone, Property Owner | 6526 W. Blue Mound Rd. |
| | | | Request to continue occupying the premises as community based residential facility for 33 older adults | |

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2:00 p.m. - Consent Agenda (continued)

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42	11 th	25529 Dim Var.	John S. Lanham, Property Owner	5720 W. Oklahoma Av.
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Request to construct a wheel chair ramp in the front setback of the existing medical office

43	11 th	25673 Dim Var.	Max & Rose Korze, Property Owner	4401 W. Tripoli Av.
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Request to construct an addition to the existing residential dwelling

44	11 th	25706 Special Use	H & K Partners, Property Owner	3236 S. 27 th St.
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Request to continue occupying the premises as a fast-food/carryout restaurant with a drive through facility

45	12 th	25701 Special Use	H & K Partners, Property Owner	1570 W. Mitchell St.
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Request to continue occupying the premises as a fast-food/carryout restaurant with a drive through facility

46	12 th	25618 Special Use	Heartland Food Corp., Lessee	1841 S. 14th St.
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Request to continue occupying the premises as a fast-food/carry-out restaurant with drive through facility

47	12 th	25655 Use Variance	Paul Kneever, Lessee	830 S. Barclay St.
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Request to occupy the premises as an artist studio live/work space

48	13 th	25651 Special Use	Naseer Nasir, Lessee	4960 S. 27 th St.
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Request to occupy the premises for retail and wholesale general merchandise, sales and service of motorcycles/motorscooters with some outdoor storage

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2:00 p.m. - Consent Agenda (continued)

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49	13 th	25697 Special Use	H & K Partners, Property Owner	110 W. Layton Ave.
			Request to continue occupying the premises as a fast-food/carryout restaurant with a drive through facility	
50	13 th	25640 Special Use	Sajan Makbul Airport Amoco, Inc.; Property Owner	4709 S. Howell Av.
			Request to add a fast-food/ carry-out restaurant to the existing filling station and convenience store,	
51	13 th	25681 Special Use	Brad Schlossmann, Lessee	4640 S. 27th St.
			Request to construct an addition to the existing body shop, motor vehicle sales and repair facility	
52	13 th	25678 Special Use	Amrit P. Kaur & CJ Singh, Property Owner	3725 S. Howell Av.
			Request to construct an addition to the existing car wash, convenience store, and motor vehicle filling station	
53	14 th	25646 Special Use	Bridgeman Foods II, Inc./ JB Properties Property Owner	3050 S. Chase Av.
			Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility	
54	14 th	25667 Special Use	Sage Schwarm/Becky Heck d/b/a Luv Unlimited; Lessee	2649 S. Kinnickinnic Av.
			Request to occupy the premises as a second-hand store with new & used merchandise	
55	14 th	25668 Special Use	Marlene's Touch of Class Prospective Buyer	2929 S. 13th St.
			Request to occupy the premises as a second-hand store	

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56	14 th	25617 Use Variance	Michael Patrick, Lessee	2934 S. 9th St.
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Request to continue occupying the northeast portion of the premises as a motor vehicle repair facility

2:15 p.m. Administrative Review

Items scheduled for consideration and action by the Board in Administrative Review

No oral testimony will be taken on these items.

57	2 nd	25066 Special Use	First Payday Loan of Wisconsin, LLC d/b/a First Payday Loan; Lessee	5570 N. 76th St.
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Request to occupy the premises as a payday loan agency

2:30 p.m. - Public Hearing

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes.

If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

58	15 th	25632 Special Use	Calvin Coleman, Lessee	3716 W. North Av.
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Request to occupy a portion of the premises as a detailing and hand car wash facility

59	15 th	25638 Special Use	Maurice Lawrence, Prospective Buyer	2121 W. North Av.
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Request to occupy the premises as a social service facility

60	15 th	25537 Dim Var.	Milwaukee Habitat for Humanity, Prospective Buyer	1323 N. 37 Pl.
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Request to construct a single family residential dwelling on the premises without the required house width

Board of Zoning Appeals, Hearing on Thursday, April 22, 2004

Item No.	Ald Dist.	Case No. Type.	Case Information.	Location.
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2:30 p.m. – Public Hearing (continued)

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes.

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61	15 th	25504 Special Use	Christina Mitchell, Property Owner	3511-17 W. Lisbon Av.
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Request to occupy the premise as a 24 hr. day care center for 50 children infant to 12 yrs of age Monday-Sunday and an adult day care center for 20 persons Monday-Sunday 8:00 a.m. - 6:00 p.m.

62	2 nd	25611 Special Use	Daphanie Battles & Tyron Cooper Property Owner	4229 N. 74th St.
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Request to occupy the premises as a group foster home for 10 girls 12 yrs - 18 yrs of age

63	5 th	25257 Special Use	Sherry L. Walton, Property Owner	3205 N. 76th St.
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Request to occupy the premises as an adult family home for 4 residents

64	5 th	25440 Special Use	Ark of Safety Day Care, Property Owner	8057 W. Appleton Av.
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Request to continue occupying the premises as a 24 hr. day care center for 76 children 1st & 2nd shift and 25 children for 3rd shift infant to 12 yrs. of age Monday-Sunday

65	5 th	25532 Special Use	Andrea Lynn Hopgood, Lessee	8320 W. Lisbon Av.
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Request to occupy the premises as a day care center for 30-40 children, infant to 12 yrs of age, Monday-Friday 7:00 a.m. - 6:00 p.m.

66	5 th	25499 Special Use	Janice Schmitt, Lessee	4240 N. 78th St.
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Request to occupy the premises as a day care center for 40 children , infant to 10 yrs. of age, operating Monday - Friday 6:30 a.m. - 5:30 p.m. (this will be the second day care on site, the other has 16 children and will closing in June of this year)

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3:15 p.m. – Public Hearing

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes.

If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

67	7 th	25615 Special Use	Kiana Williams, Property Owner Request to occupy the premises as a group for 8 youth boys 12 yrs - 17 yrs of age	3543 N. 10th
68	8 th	25664 Special Use	Ignacio Rocha/Carlos Gonzalez, Lessee Request to continue occupying the premises as a car wash with the addition of car sales	1801 W. Forest Home Av.
69	8 th	25551 Dim Var.	Craig R. Lockwood, Property Owner Request to allow a 7 ft fence (6ft. w/ 1ft. lattice) on the premises	2057 S. 30th St.
70	9 th	25642 Dim Var.	Russ Darrow Colonial Inc. d/b/a Russ Darrow Nissan; Lessee Request to install a free standing sign that is over the maximum height and display area on the premises of the existing motor vehicle sales facility	9201 W. Brown Deer Rd.
71	10 th	25352 Special Use	John Andrews Milwaukee Front Row Restaurant Joint Venture, LLC; lessee Request to construct a sign on the premises that is not attached to a flat opaque wall surface (on top of glass)	201 S. 46th St.
72	10 th	25535 Special Use	Rigoberto Arteago, Prospective Buyer Request to occupy the premises as a motor vehicle sales, repair, and vehicle detailing / car wash	4902 W. State St.
73	10 th	25543 Special Use	Stephanie Hampton, Property Owner Request to occupy the premises as an adult family home for 4 female adults with physical & developmentally disabled, advanced age, or diagnosed with dementia/alzheimer's	3605 N. 60th St.

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3:15 p.m. – Public Hearing (continued)

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

74	10 th	25565 Special Use	Border Patrol WI Rich Lepping; Property Owner Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility	5630 W. North Av.
75	10 th	25398 Dim Var.	Robert Paul Leuck, Property Owner Request to convert a single-family dwelling into a two-family residential dwelling	532 N. 54th St.
76	10 th	25336 Use Var/ Dim Var.	FTH Properties LTD Fred T. Holfstede; Property Owner Request to construct a contractor's shop addition to the existing real estate sales facility (without the required glazing)	6642-44 W. Lisbon Av.

4:00 p.m. – Public Hearing

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

77	12 th	25553 Use Variance	Arturo Hernandez, Property Owner Request to construct a driveway to allow parking on the side setback of the premises	829 S. 11th St.
78	12 th	25636 Special Use	Riaz Mian Mian's Oil Corp, Inc.; Property Owner Request to raze the existing structure and construct a motor vehicle filling station, convenience store, and fast-food/carry-out restaurant	1418 S. Muskego Av.
79	12 th	25373 Dim Var.	James J. Valona, Property Owner Request to modify the previous Board approved plans to construct a covered porch on the premises	323 W. Walker St.

Board of Zoning Appeals, Hearing on Thursday, April 22, 2004

Item	Ald	Case No.	Case Information.	Location.
No.	Dist.	Type.		

4:00 p.m. – Public Hearing (continued)

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|----|-------|------------------------------------|--|------------------------|
| 80 | 12 th | 25544
Special Use
/Dim. Var. | Tim O'Connell/ John Poblocki, Lessee | 2000 S. 4th St. |
| | | | Request to occupy the premises as an outdoor storage facility (crushed stone) | |
| 81 | 13 th | 25555
Special Use | Earl & Judy Barwick, Lessee | 4177 S. Howell Av. |
| | | | Request to occupy the premises as a second-hand store | |
| 82 | 13 th | 25566
Special Use | Jose A. Brucelis, Lessee | 1724-26 W. Lincoln Av. |
| | | | Request to occupy the premises as a second-hand store(furniture) | |
| 83 | 13 th | 25441
Special Use | Gracie Vinson, Lessee | 3821 S. Howell Av. |
| | | | Request to occupy the premises as a day care center for 45 children infant to 12 yrs. of age, Monday-Saturday 7:00 a.m. - Midnight | |
| 84 | 13 th | 25279
Special Use | Edward G. & Mary T. Ennis | 5150 S. 27th St. |
| | | | Request to continue occupying the premises as a motor vehicle sales and repair facility | |

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5:00 p.m. – Public Hearing (Contested)

Please note that each item scheduled for a public hearing has been scheduled for approximately thirty minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

85	13 th	25260 Appeal of an Order	James Letizia DBA Diamond Jim's, Auto Sales; Lessee	5848 S. 27 St.
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Request to appeal the order of the Department of Neighborhood Services determination that the non-conforming Special use was enlarged without Board approval

PLEASE NOTE:

Most items have been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

Upon reasonable notice, effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Board of Zoning Appeals at 286-2501, (FAX) 286-2555, (TDD) 286-3245 or by writing the Board of Zoning Appeals, 841 North Broadway, Room 1010, Milwaukee, WI 53202.