

## AGENDA

October 28, 2004

**PLEASE TAKE NOTICE THAT** a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, October 28, 2004**, commencing at **1:00 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.

<b>Item No.</b>	<b>Ald Dist</b>	<b>Case No. Type</b>	<b>Case Information</b>	<b>Location</b>
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**1:00 p.m. Administrative Consent Agenda**

Items scheduled for approval on the Administrative Consent Agenda

No oral testimony will be taken on these items.

1	7th	25608 Special Use <i>dismissal</i>	Janara Jenkins, Lessee  Request to occupy the premises as a car wash facility	3700 W. Burleigh St.
2	10th	25734 Special Use <i>dismissal</i>	Michelle Harmon, Lessee  Request to occupy the premises as a second-hand store (clothing & household items)	5506 W. Center St.
3	10th	26111 Use Variance <i>dismissal</i>	Caroline Minogue, Lessee  Request to occupy the premises as a recording studio	5625 W. Wells St.

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<p><b>1:00 p.m. Administrative Consent Agenda (continued)</b>  <u>Items scheduled for approval on the Administrative Consent Agenda</u>  <u>No oral testimony will be taken on these items.</u></p>				
4	11th	25983 Appeal of an Order <i>dismissal</i>	Eleanore Tadych, Property Owner  Request to appeal an order from the Department of Neighborhood Services determining the premises to have erected a fence without providing the required vision setback	5811 W. Howard Av.
5	12th	26138 Special Use <i>dismissal</i>	Si Smits, Property Owner  Request to continue occupying the premises as a tavern with a parking lot located between the street facade of a principal building and a street lot line	205-09 E. National Av.
6	13th	26162 Dim Var. <i>dismissal</i>	Amanda Herriges, Property Owner  Request to erect a 6ft. fence in the front yard setback of the premises which exceeds the maximum required height	160 W. Saveland Av.
7	14th	25668 Special Use <i>dismissal</i>	Marlene's Touch of Class, Prospective Buyer  Request to occupy the premises as a second-hand store	2929 S. 13th St.
8	15th	24584 Special Use <i>dismissal</i>	Tautila Russell, Property Owner  Request to occupy the premises as a community living arrangement for 8 male adults	2511-13 N. 50th St.
9	15th	25401 Special Use <i>dismissal</i>	Selina Cain, Lessee  Request to occupy the premises as a 24hr day care facility for 24 children(8 per shift) infant to 12yrs of age, Monday-Sunday	2609 N. 39th St.

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<p><b>1:00 p.m. Administrative Consent Agenda (continued)</b>  <u>Items scheduled for approval on the Administrative Consent Agenda</u>  <u>No oral testimony will be taken on these items.</u></p>				
10	1st	24585 Special Use <i>dismissal</i>	Tautila Russell, Property Owner  Request to occupy the premises as a community living arrangement for 8 disabled adults	5475 N. 41st St.
11	1st	25933 Special Use <i>dismissal</i>	Babies Christian Day Care & Preschool, Lessee  Request to occupy the premises as a 24hr day care center for 85 children infant to 12yrs of age, Monday-Sunday	3618 W. Villard Av.
12	2nd	25956 Use Variance <i>dismissal</i>	Sia Vang, Property Owner  Request to combine the parcels and construct a general retail establishment (grocery store) with parking between the front facade of the principle building on site and the street lot line	7411 W. Hampton Av.
13	3rd	25196 Special Use <i>dismissal</i>	Warwick Seay, Property Owner  Request to add an outdoor patio to the existing tavern	932 E. Chambers St.
14	5th	26084 Dim Var. <i>dismissal</i>	Berea Lutheran Church, Property Owner  Request to erect two ground signs on the premises over the maximum number of signs and square footage	4873 N. 107th St.
15	6th	25721 Special Use <i>dismissal</i>	Ms. Kendra Terry, Lessee  Request to occupy a portion of the premises as a 24hr day care center 45 children infant to 12 yrs of age, Monday-Sunday	2323 N. Martin Luther King Dr.

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**1:00 p.m. - Consent Agenda**

**Items Scheduled for approval on the Consent Agenda**

**No oral testimony will be taken on these items.**

If there are any objections to these approvals, please make them known to the Board office in writing and at least 24 hours prior to the time of the hearing.  
 If written objections to these approvals are received, the item will not be approved and will be held for a public hearing to allow additional testimony.

16	7th	26191 Special Use	Atonement Lutheran Church, Property Owner	4536 N. Sherman Bl.
			Request to continue occupying the premises as a day care center for 35 children infant to 11yrs of age, Monday - Friday 7:00 a.m. - 5:30 p.m.	
17	8th	26125 Dim Var.	Peter O, Bockhorst, Property Owner	2123 S. Layton Bl.
			Request to create a 16 ft. x 7 ft. entrance off of the alley to the existing detached garage without the minimum required setback (4 ft. off the alley)	
18	8th	26152 Special Use	Social Development Commission (SDC) Property Owner	3025 W. Mitchell St.
			Request to continue occupying the premises as an emergency residential shelter and a social service facility	
19	9th	25930 Special Use	Robert A. Zoesch, Property Owner	8722 N. Granviller Rd.
			Request to continue occupying the premises as a motor vehicle repair facility with the addition of motor vehicle sales	
20	9th	26145 Special Use	Wanda Hudson, Lessee	9175 N. 76th St.
			Request to occupy a portion of the premises as a day care center for 150 children infant to 13yrs of age, Monday - Friday from 6:00 a.m.-6:00 p.m.	
21	9th	26153 Special Use	Leslie Feiler, Property Owner	9001 N. 76th St.
			Request to occupy a portion of the premises as an assembly hall (bridge club)	
22	10th	26094 Special Use	Ruby Grisby Grisby's Child Development Center	3090 N. 53rd St.
			Request to occupy the premises as a day care center for 25 children infant to 5yrs of age, Monday-Friday 6:30a.m.-5:30p.m	

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|----|------|----------------------|---|----------------------|
| 23 | 10th | 26189<br>Special Use | Garrett W. McIntosh<br>Scrub-A-Dub Systems Inc.; Property Owner   | 7315 W. Appleton Av. |
|    |      |                      | Request to continue occupying the premises as a car wash  |                      |
| 24 | 10th | 26190<br>Special Use | Garrett W. McIntosh<br>Scrub-A-Dub Car Wash; Property Owner   | 555 S. 84th St.      |
|    |      |                      | Request to continue occupying the premises as a car wash and motor vehicle repair facility (oil change)   |                      |
| 25 | 11th | 26144<br>Special Use | Options for Community Growth Inc.<br>Lessee   | 7207 W. Morgan Av.   |
|    |      |                      | Request to continue occupying the premises as a adult family home for 4 adults with developmental disabilities                                      |                      |
| 26 | 12th | 26174<br>Special Use | Jaime Gonzalez<br>Botana's Restaurant; Property Owner   | 825 S. 5th St.       |
|    |      |                      | Request to occupy the premises as a principal parking lot   |                      |
| 27 | 13th | 25416<br>Special Use | Bynjami Zegiri<br>Dita Investments, LLC; Property Owner   | 5354 S. 27th St.     |
|    |      |                      | Request to add a drive thru facility (pick up of phoned in orders only, operating 6:00 am - 10:00 pm) to the existing permitted sit down restaurant |                      |
| 28 | 13th | 25820<br>Special Use | Lawrence Gaffney, Lessee  | 4161 S. Howell Av.   |
|    |      |                      | Request to continue occupying the premises as a motor vehicle repair and sales facility   |                      |

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29	13th	26184 Special Use/ Dim Var.	Bridgeman Foods, Inc., Lessee	580 W. Layton Av.
			Request to construct a fast-food/carryout restaurant with a drive through facility	
30	14th	26148 Special Use/ Dim. Var.	Land Investors LLC, Prospective Buyer	2121 S. Kinnickinnic Ave.
			Request to construct a multi-family residential dwelling with ground floor retail with an accessory parking lot located between the street frontage of a principal building and street lot line(mixed development containing retail with condominiums), in addition to not providing the required front and side setbacks for the principal building	
31	14th	26150 Use Variance	Sean J. Maroney Maroney Dental Lab LLC; Prospective Buyer	2602 E. Oklahoma Av.
			Request to occupy a portion of the residential dwelling as a light manufacturing facility (dental laboratory that fabricates crown & bridge prosthetics, that is not open to the public)	
32	15th	25949 Special Use	Ms. Brendis Hopson, Lessee	4731 W. North Av.
			Request to occupy the premises as an adult day care center, Monday-Saturday 6:00 AM-6:00 PM (20 clients maximum)	
33	15th	25955 Special Use	Community Relations-Social Development Commission, Lessee	2201 N. 35th St.
			Request to continue occupying the top floor of the premises as a social service facility	
34	15th	26156 Special Use	Rosetta Carr, Lessee	2735 W. Wright St.
			Request to continue occupying the premises as a day care facility for 16 children (8 per shift) infant to 12yrs of age, Monday - Saturday 6:00a.m. -11:30p.m	

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35	15th	26188 Special Use	New Living Church of Immanuel Ministries Other  Request to continue occupying the first floor of the premises as a religious assembly	4031 W. North Av.
36	1st	26141 Special Use	Sherri Bond, Lessee  Request to add a community living arrangement for 8 adolescent girls to the existing transitional living facility that currently consists of 12 clients	5926 N. Teutonia Av.
37	1st	26155 Special Use	Tonya A. Rogers, Lessee  Request to occupy a portion of the premises as a religious assembly hall	3002 W. Silver Spring Dr.
38	2nd	26143 Special Use	Madeline Thornton, Property Owner  Request to increase the hours of operation on Saturday & Sunday from 6:00 AM-6:00 PM to 6:00 AM - Midnight and continue occupying the premises as a day care center for 100 children per shift infant to 12yrs of age, Monday-Friday 6:00AM-Midnight	8421 W. Villard Av.
39	3rd	26192 Special Use	Pat & Paul Haislmaier, Property Owner  Request to erect a 3rd floor addition to the existing office building	1042 E. Juneau Av.
40	4th	26140 Special Use	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.

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41	5th	26151 Special Use	Anitra Massey & Peter Massey, Lessee	10136 W. Fond Du Lac Av.
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Request to occupy a portion of the premises as a day care center for 84 children (42 per shift) infant to 12yrs of age, Mon.-Fri. 6:00 a.m.-11:00 p.m. and Sat. 8:00 a.m.-4:00 p.m.

42	5th	26193 Diml Var.	John F. & Marcia R. Koehler, Prospective Buyer	4308 N. 100th St.
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Request to construct a single-family residential dwelling without the minimum required building height and minimum number of stories

43	6th	26096 Special Use	Rev. Joe Todd, Ephesians Missionary Baptist Church, Prospective Buyer	2418 N. 6th
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Request to occupy a portion of the existing religious assembly hall as a day care center for 72 children infant to 12yrs of age, Monday-Saturday 6:00AM-6:00PM

44	6th	26105 Special Use/ Dim Var.	Sunrise Baptist Church, Prospective Buyer	3725 N. Teutonia Av.
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Request to remodel the existing structure and occupy the premises as a religious assembly

**1:00 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.

45	9th	25062 Special Use	First Payday Loan Of Wisconsin, Lessee	8155 W. Brown Deer Rd.
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Request to occupy a portion of the premises as a payday loan agency

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**1:15 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.

46	7th	26082 Special Use	Irena Moore, Lessee	3120 N. 37th St.
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Request to occupy the premises as a day care facility for 8 children (per shift) infant to 12yrs of age, Monday-Sunday open 24hrs

47	7th	26098 Special Use	Brenda Carter, Other	3617 N. 42nd St.
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Request to occupy the premises as a community living arrangement for a total of 8 tenants (4 girls with 1 child each) ages 12-18

48	7th	26137 Special Use	Rashell M. Gladney, Property Owner	4649 N. 52nd St.
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Request to occupy the lower unit of premises as 24 hr. day care facility for 8 children per shift infant to 12yrs of age, Monday-Sunday

49	8th	26064 Special Use	Hassan J. Hassan, Lessee	2525 W. Lincoln Av.
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Request to occupy a portion of the existing furniture store as a motor vehicle repair facility (installation of car alarms, stereos, and electronics)

50	9th	26093 Special Use	Manasseh Sarpong & Baaba Andoh Property Owner	6587 N. 73rd St.
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Request to occupy the premises as a community living arrangement for 8 developmentally disabled individuals (handicap or elderly)

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**1:15 p.m. – Public Hearing (continued)**

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51	9th	26118 Special Use	Poinciana Sprewell, Property Owner	7730 W. Hustis St.
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Request to occupy the premises as a community based residential facility for 8 tenants (disabled & elderly)

52	11th	26075 Dim Var.	David Richard Thurow, Property Owner	3317 S. 51st St.
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Request to construct an addition to existing detached garage over the maximum area and height

53	12th	26116 Special Use	Christiane Davis, Lessee	1706 W. Mineral St.
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Request to occupy the premises as an adult family home for 4 adults with cognitive and physical disabilities

54	12th	26134 Special Use	Saleh Bazzar, Property Owner	2000 S. 14th St.
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Request to occupy the premises as a general retail establishment (grocery store)

55	12th	26081 Special Use	Armando Sierra, Lessee	1439 W. Lincoln Av.
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Request to occupy the premises as a religious assembly

**2:00 p.m. – Public Hearing**

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56	13th	25925 Dim Var.	Mathew Wolf, Property Owner	824 W. Armour Av.
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Request to erect an 8 ft. fence along the front property line

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**2:00 p.m. – Public Hearing (continued)**

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57	13th	24176 Special Use	AH & S Realty/The Peltz Group, Inc. Property Owner	2101 W. Morgan Av.
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Request to modify the previous granted special use #20629 as to hours of operation, from 7 AM to 6 PM (M-F) & 7 AM to 1 PM Saturday for the public office and recycling center, and 24 hours/day, 7 days/week fully enclosed processing facility

58	13th	25661 Special Use Dim. Var.	The Peltz Group, LLC, Mary Kliesmet; Lessee	2020 W. Morgan Av.
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Request to occupy the premises as a heavy motor vehicle repair facility located within 150 ft. of a residential district and operating between the hours of 7 p.m. and 7 a.m. (site also has stock piles in excess of fence line height)

59	13th	25413 Other	AH&S Realty, LLC, Property Owner	2101 W. Morgan Av.
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Request to appeal the denial of a certificate of occupancy by the Milwaukee Development Center to occupy the premises as a Mixed-waste processing facility

60	13th	25657 Special Use	AH&S Realty, LLC c/o The Peltz Group, LLC, Attention: Mary Kliesmet; Property Owner	2020 W. Morgan Av.
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Request to appeal an order issued by the Department of Neighborhood Services determining that the facility is being utilized as a mixed-waste processing facility

61	13th	26108 Special Use	Sprint PCS, Lessee	5790 S. 27th St.
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Request to erect a 68ft. transmission tower (stealth flagpole) on the premises

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**2:00 p.m. – Public Hearing (continued)**

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62	13th	26114 Dim Var.	Gary A. Tiedke, Property Owner  Request to allow the parking of a vehicle (boat) in excess of 22 ft. in length on the premises	1555 W. Whitaker Av.
63	14th	25784 Dim. Var.	Steve Goretzko, Lessee  Request to allow a wall sign that exceeds the allowable area to the existing sit-down restaurant (coffee shop)	2699 S. Kinnickinnic Av.
64	14th	26135 Dim Var.	Susan M. Hosking, Property Owner  Request to raze the existing detached garage and construct a two story addition, that includes a garage that is not set back 4 ft. from the main building mass, has it's door facing the street and lacks the required minimum rear setback	3155 S. Illinois Av.
65	14th	26031 Special Use	Klement's Sausage Company, Property Owner  Request to combine the parcels and raze the existing structures to occupy the premises as a parking lot	2332 S. Austin St.
66	15th	26077 Special Use	Bridget Howard, Other  Request to occupy the premises as a day care facility for 8 children infant to 12yrs of age, Mon.-Sun. 6:00 AM-2: 30 PM & 11:00 PM-6:00 AM	2747 N. 40th St.
67	15th	25443 Special Use/ Dim. Var.	Willie D. Weeks Sr., Property Owner  Request to continue occupying the premises as a motor vehicle repair facility with the addition of a second hand sales facility (also seeking exemption from the required landscaping)	1819 W. North Av.

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**2:00 p.m. – Public Hearing (continued)**

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|----|------|-----------------------|---|-----------------------|
| 68 | 15th | 26103<br>Special Use  | Venodia Reaves, Property Owner<br><br>Request to occupy the premises as a day care facility for 8 children infant to 7yrs of age, Monday-Friday 6:00 AM-6:00 PM   | 2409 N. 36th St.      |
| 69 | 1st  | 26070<br>Special Use  | Alma P. Gardner, Property Owner<br><br>Request to occupy the premises as a community living arrangement for 6 adolescent males ages 12-17   | 5086 N. 48th St.      |
| 70 | 1st  | 26123<br>Special Use  | Angela Cooper & Demetrius Cooper, Lessee<br><br>Request to continue occupying the premises as a day care center for 50 children infant to 12yrs of age, amending hours from 5:30 a.m. - 9:00 p.m. to 24 hour facility | 3821 W. Florist Av.   |
| 71 | 1st  | 26131<br>Use Variance | Boys & Girls Club of Greater Milwaukee<br>Dan Corry; Lessee<br><br>Request to occupy a portion of the premises as a community center  | 4834 N. 35th St.      |
| 72 | 1st  | 26071<br>Use Variance | Bertha Collier, Lessee<br><br>Request to occupy the premises as a choice school (elementary or secondary/ 238 students)   | 4911 W. Good Hope Rd. |

**3:00 p.m. – Public Hearing**

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|----|-----|----------------------|--|------------------|
| 73 | 2nd | 25822<br>Special Use | Shirla Kinlow, Property Owner<br><br>Request to occupy the premises as a day care center for 53 children infant to 7 yrs, 7:30 am-6:00 pm, Monday-Friday | 4025 N. 50th St. |
|----|-----|----------------------|--|------------------|

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**3:00 p.m. – Public Hearing (continued)**

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74	2nd	26011 Special Use	Jeff Eaton, Lessee  Request to add a contractor's yard and continue occupying the premises as an office, equipment repair (repair personal and business vehicles) and contractor's shop	7219 W. Fond Du Lac Av.
75	2nd	25776 Special Use	Arthur Miller, Lessee  Request to occupy the premises as a religious assembly hall	6228 W. Capitol Dr.
76	3rd	26119 Special Use	Jose Rodriguez & Joe Johnson, Lessee  Request to occupy the premises as a motor vehicle repair and sales facility	632 E. Center St.
77	4th	26130 Special Use	Jaswinder Singh, Lessee  Request to occupy a portion of the existing general retail establishment (grocery store) as a currency exchange facility	801 N. 27th St.
78	4th	25872 Special Use	Detra Ferguson, Lessee  Request to occupy the premises as a day care center for 96 children (48 per shift) infant to 12yrs of age, Monday-Friday 5:30AM-Midnight	2411-19 W. State St.
79	5th	26107 Dim. Var/ Special Use	PDQ Food Store, Prospective Buyer  Request to raze the existing structure and construct a motor vehicle filling station, convenience store, and car wash facility on the premises	11811 W. Silver Spring Rd.

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**3:00 p.m. – Public Hearing (continued)**

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80	5th	24757 Special Use	Marcus L. Burris, Property Owner	11010 W. Jeffrey Ct.
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Request to occupy the premises as a community living arrangement for 8 adults (either ambulatory or semi ambulatory/may have diagnosis of Alzheimer's or Dementia)

**3:30 p.m. – Public Hearing (continued)**

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81	6th	25923 Special Use	Mattie Hollingsworth, Property Owner	3030 N. Palmer St.
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Request to occupy the premises as a community living arrangement for 8 residents (assisted living)

82	6th	26022 Special Use	Audrey White, Property Owner	3179 N. Richards St.
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Request to occupy the premises as a group home for 8 females ages 8-18

83	6th	26080 Special Use	Ferlisha Ivy, Lessee	133 E. Concordia Av.
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Request to occupy the premises as a day care facility for 8 children infant to 12yrs of age, Monday-Friday open 24 hrs

84	6th	26089 Special Use	Vickie Foster, Property Owner	1905-07 W. Chambers St.
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Request to occupy the premises as a day care facility for 8 children per shift (2 shifts), 6wks-12yrs of age, Monday-Friday 6:00AM-11:00PM, Saturday 8:00AM-5:00PM, Closed Sunday

**Board of Zoning Appeals, Hearing on Thursday, October 28, 2004**

<u>Item No.</u>	<u>Ald Dist.</u>	<u>Case No. Type.</u>	<u>Case Information.</u>	<u>Location.</u>
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**3:30 p.m. – Public Hearing (continued)**

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

85	6th	26129 Special Use	Harolyn Moore, Lessee  Request to occupy the premises as a day care facility for 8 children per shift infant to 12yrs of age, Monday-Friday 6:00a.m. to Midnight	221 W. Ring St.
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86	6th	25385 Special Use/ Use Var	Dewayne Ross, Property Owner  Request to increase the parking area of the existing motor vehicle repair and body shop facility by adding light motor vehicle outdoor storage to the premises	245 E. Keefe Av.
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87	6th	24335 Dim Var.	Patrina Echols, Lessee  Request to occupy the premise as a community living arrangement for 8 children	400-02 E. Meinecke Av.
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88	6th	25749 Special Use	Latarra Nealy, Lessee  Request to occupy the premises as a day care center for 8 children infant to 12 years of age, Monday-Friday 7:00 a.m.- 10:00 p.m.	3639 N. 25th St.
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**4:00 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.

89	7th	25505 Special Use	Tiffany Terry, Lessee  Request to occupy the premises as a community living arrangement for 4 residents	3342 N. 54th St.
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Board of Zoning Appeals, Hearing on Thursday, October 28, 2004

<u>Item No.</u>	<u>Ald Dist.</u>	<u>Case No. Type.</u>	<u>Case Information.</u>	<u>Location.</u>
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**4:30 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.

90	2nd	24592 Special Use	Scott Wilder, Property Owner  Request to occupy the premises as a community living arrangement for 12 adults	7412 W. Silver Spring Dr.
91	2nd	26036 Appeal of an Order	Scott Wilder Mt. Castle Corporation; Property Owner  Request to appeal an order from the Department of Neighborhood Services determining that the premises is being occupied as a community living arrangement	7412 W. Silver Spring Dr.

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, 809 North Broadway, Room 102, Milwaukee, WI 53202.