

## AGENDA

February 10, 2005

**PLEASE TAKE NOTICE THAT** a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, February 10, 2005**, 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.

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

1	12th	25837 Dim Var. <i>dismissal</i>	North Shore Bank Darrel Eisenhardt; Lessee	1433 W. Burnham St.
			Request to allow a wall sign that exceeds the maximum area and to add a cabinet sign to the existing pylon sign	
2	12th	26346 Use Variance <i>dismissal</i>	Carmen Aiello La Ley-Centro De Envios, Inc.; Lessee	903 S. Cesar Chavez Dr.
			Request to occupy a portion of the general retail establishment as currency exchange (check cashing & wire transfers)	
3	1st	25462 Special Use <i>dismissal</i>	First Payday Loan of Wisconsin, LLC d/b/a First Payday Loan; Lessee	6013 N. Teutonia Av.
			Request to occupy a portion of the premises as a payday loan agency	

**Board of Zoning Appeals, Hearing on Thursday, February 10, 2005**

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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.

4	5th	25802 Special Use <i>dismissal</i>	Mohammed Ghaffer Eram Amoco; Property Owner	11414 W. Silver Spring Dr.
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Request to occupy the premises as a motor vehicle filling station, convenience store, and car wash

5	9th	26306 Special Use <i>dismissal</i>	Salvation Army Mark Anderson; Lessee	6406 N. 76th St.
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Request to occupy a portion of the premises as a second-hand store

6	10th	25336 Use Var/ Dim Var <i>dismissal</i>	FTH Properties LTD Fred T. Holfstede; Property Owner	6642-44 W. Lisbon Av.
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Request to construct a contractor's shop addition to the existing real estate sales facility (without the required glazing)

**2:00 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.

7	11th	26384 Dim Var	David F. Hahn, Property Owner	8205 W. New Jersey Av.
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Request to allow a fence in the rear yard that is over the maximum height

8	14th	26417 Dim Var	Dennis A. Westrich, Property Owner	1220 E. Warnimont Av.
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Request to allow a detached garage on the premises with sidewalls over the maximum required sidewall height

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

Items Scheduled for approval on the Consent Agenda

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|----|------|-----------------------|--|-------------------------|
| 9  | 15th | 26371<br>Dim Var      | Milwaukee Habitat for Humanity<br>Property Owner   | 2217 N. 28th St.        |
|    |      |                       | Request to construct a single-family residential dwelling on the premises without the minimum required front facade width  |                         |
| 10 | 15th | 26372<br>Dim Var      | Milwaukee Habitat for Humanity<br>Property Owner   | 2066 N. 28th St.        |
|    |      |                       | Request to construct a single-family residential dwelling on the premises without the minimum required front facade width  |                         |
| 11 | 15th | 26373<br>Special Use  | Mount Carmel Missionary Baptist Church<br>Property Owner   | 1721-23 W. Meinecke Av. |
|    |      |                       | Request to continue occupying the premises as a community living arrangement for 8 adults (developmentally/physically disabled)  |                         |
| 12 | 15th | 26388<br>Use Variance | Lena C. Taylor, Property Owner   | 3407 W. Highland Av.    |
|    |      |                       | Request to occupy the premises as general offices  |                         |
| 13 | 15th | 26394<br>Special Use  | Teena Gilbert<br>Diversity Children's Learning Center; Lessee  | 2300 W. North Av.       |
|    |      |                       | Request to amend the hours of operation from 5:00 a.m. - 7:00 p.m. to 5:00 a.m. to 1:00 a.m., and to continue occupying the premises as a day care center for 50 children infant to 13 yrs. of age, operating Monday thru Friday |                         |

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<b><u>No.</u></b>	<b><u>Dist.</u></b>	<b><u>Type.</u></b>		

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

**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.

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14	15th	26405 Dim Var	Miller Brewing Company, Property Owner	4000 W. State St.
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Request to continue to allow a 21 ft x 46 ft. off-premise wall sign on the premises that is over the maximum display area

15	15th	26415 Special Use	Gwendolyn Jackson, Lessee	4828 W. Lisbon Av.
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Request to continue occupying the premises as a day care center for 75 children, ages 4wks. - 13 yrs., from 6 a.m. to 12:30 a.m. Monday thru Friday

16	15th	26435 Special Use	Jacqueline Carson, Property Owner	2601 N. 46th St.
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Request to continue occupying the premises as a group home for 8 teenage girls

17	15th	26295 Special Use	Earl L. Thomas Victory M. B. Church; Property Owner	2661 N. Teutonia Av.
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Request to continue occupying the premises as a religious assembly and add an elementary/secondary school

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

Items Scheduled for approval on the Consent Agenda

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18	1st	26411 Special Use	Kuldip S. Ahuja, Lessee	6400 N. 43rd St.
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Request to continue occupying the premises as a motor vehicle filling station and convenience store

19	1st	26414 Special Use	Mark Kabbes, Prospective Buyer	4775 N. Green Bay Av.
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Request to occupy the premises as a medical service facility (dialysis center)

20	1st	26437 Special Use	Tammy Campbell, Property Owner	4959 N. 21st St.
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Request to continue occupying the premises as a 24 hr family day care home for 8 children, 6wks-12yrs, Monday-Friday

21	2nd	26358 Special Use	Deborah Ozier, Property Owner	3919 N. 58th St.
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Request to occupy the premises as a family day care home for 8 children infant to 12yrs, Monday-Friday & every other weekend 6:00AM-11:30PM

**Board of Zoning Appeals, Hearing on Thursday, February 10, 2005**

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

Items Scheduled for approval on the Consent Agenda

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22	2nd	26367 Special Use	Julette Francis & Larry Wade, Property Owner	5651 N. 96th St.
			Request to continue occupying the premise as a community living arrangement for 8 children	
23	3rd	26364 Dim Var/ Special Use	Mark L. Rasmussen, Property Owner	1501 N. Jackson St.
			Request to construct an addition to the existing tavern without the minimum required number of parking spaces	
24	3rd	26366 Special Use	Nehemiah Project, Inc. Rev. Ed Ruen & Marye Beth Dugan; Property Owner	2574 N. Cramer St.
			Request to continue occupying the premises as a group home for 8 children, 13yrs to 17 yrs of age	
25	3rd	26395 Dim Var	Thomas M. Miller, Property Owner	1633 N. Farwell Av.
			Request to continue occupying the premises as a personal service facility (beauty salon) without the required parking	
26	3rd	26408 Use Variance	Peter Bilgo, Property Owner	2745-57 N. Cramer St.
			Request to continue occupying a portion of four residential lots as a commercial parking lot to support the existing motor vehicle repair facility at 2750 N. Oakland Av	

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

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

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27	3rd	26409 Special Use	Wisconsin Evangelical Lutheran Synod James V. Buelow; Property Owner	2213-15 E. Kenwood Bl.
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Request to continue occupying the premises as a multi-family dwelling in conjunction with the religious assembly

28	3rd	26410 Use Variance	Peter Bilgo, Property Owner	2750 N. Oakland Av.
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Request to continue occupying the premises as a motor vehicle repair facility

29	4th	26010 Special Use	Lewenauer Investment LLP Prospective Buyer	762 N. Jackson St.
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Request to continue occupying the premises as a parking lot

30	4th	26375 Special Use	CPS Parking Of Wisconsin Inc., Lessee	503 N. Plankinton Av.
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Request to continue occupying the premises as a parking lot

31	4th	26393 Special Use	Paul Ray, Lessee	1611 W. Wells St.
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Request to occupy the premises as a fast-food/carry-out restaurant (pizza delivery/carry-out)

32	4th	26423 Dim Var	West End Development Corporation Property Owner	840 N. 26th St.
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Request to relocate a single family residential dwelling on the premises without the minimum front facade width and over the maximum front setback

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33	4th	26424 Dim Var	West End Development Corporation Property Owner	834 N. 26th St.
			Request to relocate a single-family residential dwelling on the premises without the minimum front setback	
34	4th	26426 Dim Var	West End Development Corp. Property Owner	830 N. 26th St.
			Request to relocate a single family residential dwelling on the premises without the minimum front facade width as well as being over the maximum front setback	
35	4th	26436 Use Variance	Ann T. Bowe, Property Owner	2929 W. Highland Bl.
			Request to continue occupying the premises as general offices (legal office)	
36	4th	25876 Special Use	CPS Parking of Wisconsin, Inc, Lessee	319 E. Clybourn St.
			Request to continue occupying the premises as a parking lot	
37	5th	26368 Special Use	Gregory Goldman & Efim Brehman Property Owner	9105 W. Hampton Av.
			Request to continue occupying the premises as a motor vehicle repair facility with the addition of motor vehicle sales (five cars maximum)	

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38	6th	26382 Special Use	Ms. Annie M. Robinson, Optionee	3416 N. Teutonia Av.
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Request to occupy the premises as a general retail establishment (grocery store)

39	6th	26392 Special Use	Lula Robinson, Property Owner	3307 N. 11th St.
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Request to occupy the premises as a 24 hr family day care home for 6-8 children, infant to 12yrs of age, operating Monday-Sunday

40	6th	26403 Special Use	Irma Walker, Lessee	1033 W. Keefe Av.
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Request to continue occupying the premises as a small group shelter care facility for 8 males

41	6th	26407 Special Use	Eboness Briant, Lessee	3000 N. Teutonia Av.
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Request to occupy the premises as a day care center for 20 children infant to 12yrs of age, Monday-Friday 6:00AM-11:30PM

42	7th	26399 Special Use	Audrey A. Jolly, Property Owner	2434 W. Hadley St.
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Request to continue occupying the premises as a day care center and expand onto the second floor increasing the amount of children from 30 per shift up to 40 children per shift infant to 12yrs of age Monday-Sunday 6:00 AM- Midnight

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

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|----|-----|----------------------|---|------------------------|
| 43 | 7th | 26433<br>Special Use | Childcare Solutions, Lessee   | 4008-10 N. 42nd St.    |
|    |     |                      | Request to continue occupying the premises as a day care center for 20 children infant to 11 yrs of age and increase the hours of operation from 8:00 AM - 6:00 PM to 6:00 AM - 6:00 PM Monday-Friday |                        |
| 44 | 8th | 26398<br>Special Use | Laura Angalo, Lessee  | 2635 W. Burnham St.    |
|    |     |                      | Request to occupy the premises as a general office  |                        |
| 45 | 9th | 26406<br>Special Use | Office Furniture Resources, Inc., Prospective Buyer   | 8787 W. Brown Deer Rd. |
|    |     |                      | Request to occupy the premises as second-hand store (office furniture)  |                        |
| 46 | 9th | 26413<br>Dim Var.    | Roundy's, Lessee  | 8120 W. Brown Deer Rd. |
|    |     |                      | Request to erect a wall sign that is over the maximum required sign display area  |                        |

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

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47	10th	26401 Special Use	Marilyn Kern, Lessee	7205 W. Burleigh St.
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Request to continue occupying the premises as a day care center for 19 children infant to 12 yrs. of age, 6:00 a.m. to 9:00 p.m. Monday thru Saturday

**2:00 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.

48	12th	26081 Special Use	Armando Sierra, Lessee	1439 W. Lincoln Av.
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Request to occupy the premises as a religious assembly

49	14th	26352 Rehearing Request	Beverly Koch, Property Owner	1728 E. Iron St.
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Request for a rehearing to raze the detached garage and parking drive on the premises eliminating the minimum required off-street parking

50	15th	26360 Rehearing Request	Latesha L. Robinson, Lessee	1122 W. Wright St.
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Request for a rehearing to occupy the premises as group home for 8 girls 12yrs-17yrs of age (from Milwaukee County and children's court)

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**2:00 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.

51	3rd	26390 Resubmission Request	Dennis Lutynski, Property Owner  Request for a resubmission to continue occupying the premises as a 3-family dwelling unit	2977-79 N. Cramer St.
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**2:15 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.

52	11th	26303 Special Use/ Dim Var	McDonald's Corporation Richard Neubauen; Property Owner  Request to raze the existing structure and construct a fast-food/carry-out restaurant with a drive-thru facility without the required glazing	3137 S. 76th St.
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53	12th	26387 Special Use	Agustin Ruiz, Property Owner  Request to occupy the premises as a motor vehicle repair facility and tire sales	1438 S. 6th St.
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54	15th	26383 Special Use	Rita Anderson, Property Owner  Request to occupy the rear cottage as a 24 hr day care center for 8 children infant to 12yrs of age Monday-Friday, Saturday 7:00AM-1:00AM, Closed Sunday	2430 W. Galena St.
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55	15th	25675 Special Use	Joshua Possessing the Promise Ministries Property Owner  Request to continue occupying the premises as a religious assembly hall	4931 W. Center St.
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**2:15 p.m. – Public Hearing (continued)**

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- |    |     |                                |  |                              |
|----|-----|--------------------------------|--|------------------------------|
| 56 | 1st | 26374<br>Appeal of an<br>Order | Samaritan Inn Ministries, Property Owner<br><br>Request to appeal an order issued by the Department of Neighborhood Services determining the premises to be a transitional living facility   | 2522 W. Capitol Dr.          |
| 57 | 1st | 26420<br>Other                 | Academic Solutions / Children In Crisis, Inc.<br>Lessee<br><br>Request to continue occupying the premises as an elementary/secondary school and increase the number of students from 200 to 385 (adding additional class rooms internally) | 4055 N. 34th St.             |
| 58 | 1st | 26340<br>Special Use           | Latasha Jackson, Property Owner<br><br>Request to increase the number of children from 97 to 134, of the existing day care center with children infant to 12yrs of age operating Monday-Friday 6:00 a.m.- 11:30 p.m.                       | 2400-04 W. Capitol Dr.       |
| 59 | 1st | 26061<br>Special Use           | Jimmy & Iola McClendon, Property Owner<br><br>Request to occupy the premises as a transitional living facility for 16 males  | 4355 N. 27 <sup>th</sup> St. |
| 60 | 1st | 26060<br>Special Use           | Jimmy & Iola McClendon, Property Owner<br><br>Request to occupy the premises as a transitional living facility for 16 males  | 4339 N. 27 <sup>th</sup> St. |
| 61 | 2nd | 26101<br>Special Use           | Carolyn & Fidencio Ricketts<br>Property Owner<br><br>Request to occupy the premises as an adult family home for 4 disabled and elderly adults  | 4269 N. 68th St.             |

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**3:00 p.m. – Public Hearing**

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- |    |     |                       |   |                         |
|----|-----|-----------------------|---|-------------------------|
| 62 | 2nd | 26011<br>Special Use  | Jeff Eaton, Lessee<br><br>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. |
| 63 | 2nd | 26307<br>Use Variance | Kabao Yang, Property Owner<br><br>Request to occupy a portion of the premises (1 unit) as a day care center for 8 children infant to 12 yrs. of age, Monday - Friday 7:00 AM-7:00 PM          | 7805 W. Bender Av.      |
| 64 | 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.        |
| 65 | 2nd | 25845<br>Special Use  | Kenneth Riche, Property Owner<br><br>Request to continue occupying the premises as a currency exchange  | 5309 W. Fond Du Lac Av. |
| 66 | 4th | 26247<br>Special Use  | Abdel Hakim Fares, Property Owner<br><br>Request to occupy the rear portion of the existing general retail establishment as a fast-food/carryout restaurant                                   | 1701 W. Galena St.      |

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

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67	5th	25445 Appeal of an Order	Robert H. Nagy, Property Owner  Request to appeal an order issued by the Department of Neighborhood Services determining the premises requires landscaping and the stock pile height is greater than what is permitted	5000 N. 124th St.
68	6th	26329 Special Use	Mary Church Terrell Club, Inc. Property Owner  Request to occupy the premises as a rooming house for 5 female students	3002 N. 9th St.
69	6th	26348 Dim Var/ Special Use	Freewill Community Baptist Church Property Owner  Request to occupy the premises as a religious assembly without the minimum required parking	3356 N. Martin Luther King Dr.
70	6th	26241 Special Use	Dorothy Collier, Property Owner  Request to occupy the premises as a day care center for 8 children, 6 weeks to 12 years of age, operating Monday - Friday, 6 a.m. to 10 p.m.	2840 N. 17th St.

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**3:45 p.m. – Public Hearing**

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|----|-----|----------------------|--|-------------------------|
| 71 | 7th | 26370<br>Special Use | Mt. Castle Corporation, Prospective Buyer<br><br>Request to occupy the premises as a community living arrangement for 7 clients (developmentally disabled and/or mentally challenged)  | 2825-27 N. 47th St.     |
| 72 | 7th | 26400<br>Special Use | Robertas Day Care Center, Lessee<br><br>Request to occupy a portion of the premises as a day care center for 49 children infant to 12yrs of age, Monday-Friday 6:00AM-11:00PM          | 4714 W. Fond Du Lac Av. |
| 73 | 7th | 26275<br>Special Use | Larry Johnson, Property Owner<br><br>Request to occupy the premises as a day care center for 16 children (8 per shift) infant to 12yrs of age, Monday - Friday 6:00 a.m. to 12:00 a.m. | 3035 N. 40th St.        |
| 74 | 8th | 25751<br>Special Use | MPS Boys & Girls Club, Prospective Buyer<br><br>Request to combine the parcels and occupy the premises as a parking lot to the adjacent school (boys & girls club)                     | 1970 S. 24th St.        |

**Board of Zoning Appeals, Hearing on Thursday, February 10, 2005**

<u>Item No.</u>	<u>Ald Dist.</u>	<u>Case No. Type.</u>	<u>Case Information.</u>	<u>Location.</u>
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**3:45 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.

75	9th	26353 Other	Will Allen 'Wills Roadside Market', Growing Power, Inc. Property Owner  Request to modify the existing specialty school (agricultural training) by constructing an addition on the premises	5500 W. Silver Spring Dr.
76	9th	26213 Special Use	Julette Francis & Larry Wade, Property Owner  Request to occupy the premises as a group home for 5-8 girls ages 12-17	6442 N. 91st St.
77	9th	26254 Special Use	Arkadiy Tsirlin, Property Owner  Request to add motor vehicle sales to the existing motor vehicle repair facility	5200 W. Mill Rd.
78	10th	26159 Special Use Dim. Var.	Double 'E' Automotive Supply Inc., Kar-Kare Service Center, Lessee  Request to continue utilizing the premises as a motor vehicle repair facility with an expansion of the service bays on site (internally) and to include motor vehicle sales without the required landscaping	6201 W. Bluemound Rd.

**Board of Zoning Appeals, Hearing on Thursday, February 10, 2005**

<u>Item No.</u>	<u>Ald Dist.</u>	<u>Case No. Type.</u>	<u>Case Information.</u>	<u>Location.</u>
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**4:45 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.

79	7th	26041 DimVar/ Special Use	St. Joseph's Hospital of Franciscan of Mil., Inc. a/k/a St. Joseph Regional Medical Center; Property Owner	3026 N. 49th St.
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Request to both occupy the premises as a surface parking lot and to seek a variance from landscaping required by code

**5:15 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.

80	4th	25633 Special Use	Amiad Tufail, Property Owner	2635 W. Kilbourn Av.
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Request to construct a motor vehicle filling station, convenience store, and fast-food/carry-out restaurant with a drive through facility

**5:45 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.

81	5th	25635 Special Use	Abdul Haq AK Petroleum Inc.; Prospective Buyer	8712 W. Lisbon Av.
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Request to raze a portion of the existing structure and construct an expanded motor vehicle filling station and convenience store

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.