

## AGENDA

October 6, 2005

**PLEASE TAKE NOTICE THAT** a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, October 6, 2005**, commencing at **4:00 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.

### **4:00 p.m. Administrative Consent Agenda**

Items scheduled for approval on the Administrative Consent Agenda

No oral testimony will be taken on these items.

<b>Item No.</b>	<b>Ald Dist</b>	<b>Case No. Type</b>	<b>Case Information</b>	<b>Location</b>
1	15th	26949 Special Use <i>dismissal</i>	Eugene E. Smith, Prospective Buyer  Request to occupy the premises as an assembly hall (banquet hall runs in conjunction with the adjacent restaurant/tavern)	4005-15 W. North Av.
2	4th	25633 Special Use <i>dismissal</i>	Anjad Tufail, Property Owner  Request to construct a motor vehicle filling station, convenience store, and fast-food/carry-out restaurant with a drive through facility	2635 W. Kilbourn Av.

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**4:00 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.

- |   |     |                      |  |                         |
|---|-----|----------------------|--|-------------------------|
| 3 | 5th | 26991<br>Dim Var.    | Stuart T. Spahr, Property Owner  | 10505 W. Jonen St.      |
|   |     |                      | Request to construct a two-family residential dwelling (side by side town house) on the premises without the minimum required side setback                             |                         |
| 4 | 5th | 26995<br>Special Use | Diane Dupar, Lessee  | 10135 W. Hampton Av.    |
|   |     |                      | Request to occupy the premises as a day care center for 125 children infant to 13 yrs. of age, 6:30 AM to 11:00 PM Monday - Friday                                     |                         |
| 5 | 5th | 27000<br>Special Use | Michael D. Bovee<br>B.M.G. Investments; Property Owner   | 5315 N. Lovers Lane Rd. |
|   |     |                      | Request to construct a new storage building and an addition to the existing structure on site, while continuing to occupy the premises as a contractor's shop and yard |                         |
| 6 | 6th | 26906<br>Special Use | Lolita Scott & Carolyn Scott, Property Owner   | 3035 N. 10th St.        |
|   |     |                      | Request to change the designation of the board approved shelter care facility to a group home for 8 children (abused or neglected) ages 8 to 17                        |                         |
| 7 | 6th | 26920<br>Special Use | Tasha Jenkins, Lessee  | 315 W. Court St.        |
|   |     |                      | Request to continue occupying a portion of the premise as a social service facility  |                         |

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**4:00 p.m. - Consent Agenda (continued)**

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8	6th	26982 Special Use	Sivad Family Development Center Property Owner	2300-10 W. Hopkins St.
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Request to continue occupy the premise as a day care center for 40 children infant to 12yrs of age, Monday-Friday 6:00am-11:00pm

9	6th	26994 Special Use	Jacquelyn Larry, Property Owner	2804 N. 18th St.
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Request to continue occupying the premises as a day care center for 8 children infant to 12 yrs. of age, 6:00 a.m. to 10:00 p.m. Monday - Saturday

10	6th	27011 Special Use	Charles C. Washington, Property Owner	801 W. Burleigh St.
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Request to continue occupying the premises as a hand car wash

11	6th	26912 Dim Var	Rev. Darryl Williams, Property Owner	1616 W. Atkinson Av.
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Request to erect a freestanding sign over the maximum allowed height and sign area

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**4:00 p.m. - Consent Agenda (continued)**

Items Scheduled for approval on the Consent Agenda

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|----|-----|-----------------------|--|-------------------------|
| 12 | 7th | 26932<br>Special Use  | Aliyah Abuwi, Lessee   | 3735 N. 35th St.        |
|    |     |                       | Request to occupy the premises as a day care center for 100 children (50 children per shift) infant to 12 yrs of age, Monday-Saturday 6:30 AM - 11:30 PM                                       |                         |
| 13 | 7th | 26981<br>Special Use  | Virginia F Pratt, Property Owner   | 4454 N. 52nd St.        |
|    |     |                       | Request to continue occupying the premises as a 24 hrs. day care center for 24 children (8 per shift) infant to 12 yrs. of age, Monday - Friday  |                         |
| 14 | 7th | 27019<br>Special Use  | Francelle Roberson, Lessee   | 5301 W. Villard Av.     |
|    |     |                       | Request to continue occupying the premise as a 24 hr. day care center for 26 children, infant to 12 yrs of age, Monday-Friday  |                         |
| 15 | 8th | 26911<br>Use Variance | Choj Vang<br>Goldenlakes Properties, LLC; Property Owner   | 3606-10 W. National Av. |
|    |     |                       | Request to allow a parking lot to be located between the street facade of a principal building and a street lot line   |                         |
| 16 | 8th | 26943<br>Special Use  | Yulonda Rodriguez, Property Owner  | 2132 S. Layton Bl.      |
|    |     |                       | Request to occupy a portion of the premises (1st floor) as a day care center for 8 children infant to 12 yrs. of age, Monday - Friday 6:00 a.m. to 12:00 a.m. (petitioner lives in upper unit) |                         |

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**4:00 p.m. - Consent Agenda (continued)**

Items Scheduled for approval on the Consent Agenda

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17	8th	26990 Dim Var	Luis Guaman, Property Owner	1013 S. 25th St.
			Request to construct a detached garage over the maximum allowed lot coverage	
18	8th	27006 Special Use	Marquette Concrete LLC, Lessee	1901 W. Mt Vernon Av.
			Request to erect a temporary concrete batch plant on the premises	
19	9th	26961 Special Use	Gene R. & Helen J. Hughes, Lessee	10421 W. Donna Dr.
			Request to continue occupying the premises as two adult family homes with 4 (developmentally disabled) clients residing in each unit	
20	9th	26996 Dim Var	Kristin Spears Koridek Republic Western Insurance Company; Property Owner	5651 W. Good Hope Rd.
			Request to construct an indoor storage facility (mini self storage units) without the minimum required glazing, required front setback, and without a primary entrance door on the front facade	

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|----|------|--|--|----------------------------|
| 21 | 10th | 27009<br>Special Use                             | La Tonya Johnson, Property Owner   | 2363 N. 54th St.           |
|    |      |  | Request to continue occupying the premises as a 24 hrs. family day care home for 24 children (8 per shift) infant to 12 yrs. of age, Monday - Sunday |                            |
| 22 | 11th | 26928<br>Special Use                             | Hi Tech Automotive<br>Thomas Schandel & Amanda Mathews; Lessee   | 4440 W. Forest Home Av.    |
|    |      |  | Request to occupy the premises as a motor vehicle repair facility  |                            |
| 23 | 12th | 26964<br>Dimensional<br>Variance/Spe<br>cial Use | Luis Alfaro<br>Iglesia del Dios Vivo; Property Owner   | 1316 S. Cesar E Chavez Dr. |
|    |      |  | Request to continue occupying the premises as a religious assembly hall without the minimum required parking   |                            |
| 24 | 12th | 26973<br>Special Use                             | Anthony D'Acquisto (trustee)<br>Kathleen D'Acquisto Irrevocable Trust; Property<br>Owner   | 112 E. Mineral St.         |
|    |      |  | Request to occupy the main floor of the premises as a second-hand store (antique gallery & retail)   |                            |
| 25 | 12th | 26974<br>Special Use                             | Riaz M. Mian, Property Owner   | 1707 W. Rogers St.         |
|    |      |  | Request to continue occupying the premises as a motor vehicle filling station and convenience store  |                            |

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26	12th	26987 Special Use	Timothy J. Olson, Property Owner	425 W. National Av.
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Request to continue occupying the 2nd & 3rd floors of the premises as a rooming house (25 rooms and 1 one bedroom apartment/ 16 clients)

27	12th	27017 Dim Var/ Special Use	Dorothy Ristic, Property Owner	726 S. 6th St.
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Request to continue occupying a portion of the second floor as a rooming house for 6 residents without the minimum required parking

28	15th	26927 Special Use	Diane Thompson, Lessee	2634 N. 49th St.
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Request to continue occupying the premises as a group home for 6 children

29	15th	26986 Special Use	Patricia Campbell, Prospective Buyer	4517-19 W. North Av.
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Request to continue occupying the premises as a day care center for 50 children infant to 12 yrs. of age, 6:00 a.m. to 12:00 a.m. Monday - Sunday

30	15th	27022 Special Use	Mother Jones ChildCare Academy Inc. Lessee	3630 W. Lisbon Av.
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Request to continue occupying the premise as a day care facility for 100 children, 6wks-12yrs, from 6:00 am to 12:00 am Monday-Sunday

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|----|-----|----------------------|--|-----------------------|
| 31 | 1st | 26916<br>Special Use | Hriam LLC.<br>Eli Davis; Lessee  | 5363 N. 37th St.      |
|    |     |                      | Request to continue occupying the premise as a<br>community living arrangement for 8 adults                                      |                       |
| 32 | 1st | 27007<br>Special Use | Jeffrey R. Brown, Property Owner   | 4485 N. Green Bay Av. |
|    |     |                      | Request to continue occupying the premises as an<br>outdoor auto salvage yard  |                       |
| 33 | 1st | 27018<br>Special Use | David & Toni Howard, Property Owner  | 5100 N. 42nd St.      |
|    |     |                      | Request to continue occupying the premise as a<br>community base residential facility for 6 adults<br>(developmentally disabled) |                       |
| 34 | 2nd | 26980<br>Special Use | Great Lakes Quick Lube LP, Lessee  | 7028 W. Capitol Dr.   |
|    |     |                      | Request to continue occupying the premises as a<br>motor vehicle repair facility (quick oil lube)                                |                       |
| 35 | 3rd | 26975<br>Special Use | Great Lakes Quick Lube, LP, Lessee   | 1700 E. North Av.     |
|    |     |                      | Request to continue occupying the premises as a<br>motor vehicle repair facility (quick lube)                                    |                       |

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36	3rd	26999 Dim Var	Cindy L. Oppe, Property Owner	2712 E. Locust St.
			Request to construct an addition (three season room) to the existing single-family dwelling, that exceeds the maximum code allowed lot coverage and without the required combined side setbacks	
37	4th	26945 Special Use	Ceria M Travis Academy, Lessee	3020 W. Vliet St.
			Request to continue occupying a portion of the premises (1st floor) as a school (secondary) for 200 students 9th through 12th grade	
38	4th	26977 Special Use/ Dim Var	Dankwart Essbaum, Property Owner	1002 N. 22nd St.
			Request to occupy the premises as a rooming house for 8 tenants (students and/or professional persons) without the code required number of on site parking spaces (3 required)	
39	4th	27002 Special Use	Forest Doolen Metrobrook Church c/o Elmbrook Church; Lessee	1010 N. Van Buren St.
			Request to occupy a portion of the premises as a general office	
40	4th	27008 Special Use	La Tonya Johnson, Lessee	2639 W. Clybourn St.
			Request to continue occupying the premises as a 24hr day care center reducing the number of children from 65 to 50 per shift (150 total) infant to 12yrs of age and increase the number of days from Monday-Saturday to Monday-Sunday	

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**4:00 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.

41	1st	26061 Special Use	Jimmy & Iola McClendon, Property Owner	4355 N. 27th St.
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Request to occupy the premises as a transitional living facility for 16 males

42	1st	26060 Special Use	Jimmy McClendon, Property Owner	4339 N. 27th St.
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Request to occupy the premises as a transitional living facility for 16 female clients

**4:15 p.m. – Public Hearing**

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43	6th	26930 Special Use	Hamilton & Hamilton Outreach Annette J. & Oliver L. Hamilton; Property Owner	3645 N. 18th St.
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Request to occupy the premises as a community living arrangement 5 residents (mentally ill/emotionally disturbed)

44	6th	26963 Special Use/ Use Var	Sharon Mays-Ferguson Intercession, Inc.; Property Owner	3276-86 N. 7th St.
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Request to combine the parcels and construct a multi-family (6.5 units) residential dwelling on the premises and occupy it as a transitional living facility for 10 individuals without the minimum required front setback and minimum required number of parking spaces (teen mothers, 10 individuals total at any given time, this includes any combination of mothers and their children)

45	6th	27004 Special Use	Holy Miracle Church, Lessee	3064 N. Martin L King Jr. Dr.
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Request to occupy the premises as a religious assembly

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46	6th	26962 Dim Var.	Patrick Wilber, Property Owner	2213 N. Holton St.
			Request to convert the existing rooming house into a multi-family residential dwelling (4 units) without the minimum required lot area per dwelling unit	
47	6th	26976 Special Use	Paul Bachowski, Property Owner	2225 N. 7th St.
			Request to continue occupying the premises as a car wash facility	
48	6th	26979 Dim Var	Jeffrey Margenau, Property Owner	514 E. Garfield Av.
			Request to convert the existing rooming house into a multi-family residential dwelling (4 units) without the minimum required lot area per dwelling unit	
49	6th	26983 Special Use	Rev. John A. Barton Sr, Prospective Buyer	2933-57 N. Martin L King Jr Dr.
			Request to occupy a portion of the premises as a religious assembly and social service facility	
50	7th	26908 Special Use	Brenda Pettis, Property Owner	4735 W. Fond Du Lac Av.
			Request to occupy the premises as a group home for 5 children (developmentally disabled) ages 3 to 17	
51	7th	26985 Use Variance	Beverly & Joseph Malone, Property Owner	4474 N. 38th St.
			Request to occupy the premises as a day care center for 8 children infant to 12yrs of age, Monday-Friday 6:00 AM - Midnight	

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**4:15 p.m. – Public Hearing (continued)**

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52	7th	26868 Dim Var.	Walter J. Burks, Prospective Buyer  Request to construct a single-family residential dwelling without the minimum front and rear setbacks	4647 W. Scranton Pl.
53	7th	26625 Use Variance	Adam Hampton, Lessee  Request to occupy a portion of the premises as a general retail establishment (grocery store)	4201 W. Bonny Pl.
54	7th	26175 Special Use	The House of God, Property Owner  Request to continue occupying the premises as a religious assembly hall	4800-8 W. Fond Du Lac Av.
55	9th	26948 Special Use	SF&S Petroleum Inc., Prospective Buyer  Request to occupy the premises as a motor vehicle filling station with a convenience store	4235 W. Silver Spring Dr.
56	10th	26816 Special Use	Beverly Jones & Woodrow Jones Property Owner  Request to occupy the premises as a community based residential facility for 8 clients (handicapped & disabled)	2946 N. 57th St.

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**5:15 p.m. – Public Hearing**

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- |    |      |                       |   |                     |
|----|------|-----------------------|---|---------------------|
| 57 | 11th | 26969<br>Dim Var      | Wayne R. Keller, Property Owner   | 3351 S. 52nd St.    |
|    |      |                       | Request to construct an addition to the existing single car garage converting it into a two-car garage without the minimum required side setback (only the rear portion of the garage addition requires the variance) |                     |
| 58 | 12th | 26931<br>Special Use  | Raul Rosas, Lessee  | 1556 W. Lincoln Av. |
|    |      |                       | Request to occupy a portion of the premises as a second-hand store (furniture, appliances, and electronics)   |                     |
| 59 | 12th | 26942<br>Special Use  | Daniel Mora, C & D Enterprises<br>d/b/a Jalisco Auto Sales; Property Owner  | 2001-05 S. 6th St.  |
|    |      |                       | Request to combine the vacant parcels and occupy the premises as a motor vehicle sales facility, repair facility, and body shop   |                     |
| 60 | 12th | 26965<br>Use Variance | Kathy Patten, Property Owner  | 2561 S. 15th Pl.    |
|    |      |                       | Request to occupy the premises as an animal boarding facility (personal pets, not a business)   |                     |
| 61 | 13th | 26925<br>Special Use  | Ziad Abdelhamid<br>Tender Care Child Care; Prospective Buyer  | 3821 S. Howell Av.  |
|    |      |                       | Request to occupy the premises as a day care center for 45 children infant to 12 yrs of age, Monday - Friday 6:00 AM - 6:00 PM  |                     |

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**5:15 p.m. – Public Hearing (continued)**

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62	13th	26998 Dim Var	James T. Ballman, Property Owner	4170 S. Howell Av.
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Request to construct an addition to the existing building and occupy a portion of the premises as a contractor's shop, without the minimum required glazing along the primary street facade, and garage doors facing the street without the minimum setback from the front facade of the main building mass

63	14th	26937 Use Variance	Modesta Otero, Ismael J. Rodriguez-Otero Katayon Tabatabaei, Property Owner	2234-36 S. 6th St.
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Request to allow parking within the front yard setback of the premises

64	14th	26812 Special Use	Christina Roldan, Lessee	2922 S. 13th St.
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Request to occupy the premises as a day care center for 40 children infant to 12yrs of age, Monday-Friday 6:00 AM - 6:00PM

65	14th	26771 Special Use	Marilyn R. Betthausen, Property Owner	2918 S. 13th St.
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Request to continue occupying the premises as a second-hand store

66	15th	26838 Special Use	Antonia A. Vann Asha Family Services, Inc.; Lessee	4738 W. Lisbon Av.
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Request to occupy the premises as a social service facility

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67	15th	26984 Special Use	Behavior Modifications, Inc & Christian Church of God, Inc.; Property Owner  Request to occupy the 2nd floor of the premises as a group foster home for 5-8 boys 12yrs to 17yrs of age	3803 W. Center St.
68	1st	26585 Special Use	Yolanda Bender, Property Owner  Request to occupy the premises as a group home for 8 individuals (includes any combination of pregnant teens and/or teen mother with their children to total 8 individuals at any given time)	5070 N. 49th St.
69	1st	26877 Variance	Thomas H. Wynn, Jr., Property Owner  Request to occupy the premises as a contractor's yard	5023 N. Green Bay Ave.
70	2nd	26950 Special Use	Pastor Folahau Ojo, Lessee  Request to occupy a portion (unit 200) of the premises a religious assembly hall	5401 N. 76th St.
71	2nd	26724 Special Use	Sheba C. Mays, Property Owner  Request to occupy the premises as an adult family home for 4 adults (advanced aged, irreversible dementia/Alzheimers, developmentally disabled, & mental illness)	7319 W. Hampton Av.

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**6:15 p.m. – Public Hearing**

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

72	3rd	26913 Dim Var/ Use Var	Stephen & Frances Swigart, Property Owner  Request to expand the driveway over the maximum allowed width and allow parking in the side street setback	1529 E. Hartford Av.
73	3rd	26640 Other	Randy Bryant, Property Owner  Request to modify the Board approved plans for the second principal dwelling unit on the premises (reducing size)	2022-24 E. Lafayette Pl.
74	4th	26351 Special Use	Guest House, Inc.; Property Owner  Request to continue occupying the premises as a social service facility (homeless shelter)	1216 N. 13th St.
75	4th	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.
76	4th	26760 Special Use Dim Var	Larry Lococo & Kathleen D'Acquisto, Irrevocable Trust; Property Owner  Request to continue occupying the premises as a parking lot without the minimum required landscaping	417 E. Chicago St.

**Board of Zoning Appeals, Hearing on Thursday, October 6, 2005**

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

**6:15 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.

77	4th	26851 Special Use	FB Properties Joint Venture & Towne Realty INC. Property Owner	746-52 N. Old World Third St.
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Request to continue occupying the premises as a surface parking lot

78	4th	26713 Special Use	FB Properties Joint Venture A Wisconsin General Partnership/Towne Realty Inc.;	215 W. Wells St.
			Property Owner	

Request to combine the parcels and expand the non-conforming surface parking lot

79	4th	26784 Special Use	Ashraf Salamel, Lessee	540 N. 27th St.
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Request to occupy the premises as a fast-food/carry-out restaurant

80	4th	26890 Special Use	Idelle Williams & Phyllis Sterling, Lessee	2627-31 W. State St.
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Request to occupy a portion of the premises (1st floor) as a day care center for 50 children infant to 12 yrs. of age, 6:00 a.m. to 12:00 a.m. Monday thru Friday

**7:00 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.

81	10th	26186 Special Use (Reasonable Accommodation request)	Heaven Sent Elderly Facility, Property Owner	4146 W. Martin Dr.
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Request to occupy the premises with four licensed adult family homes on site totaling 16 clients (ages 60-85)

**Board of Zoning Appeals, Hearing on Thursday, October 6, 2005**

<b>Item</b>	<b>Ald</b>	<b>Case No.</b>	<b>Case Information.</b>	<b>Location.</b>
<b>No.</b>	<b>Dist</b>	<b>Type.</b>	_____	_____

**7:30 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.

82	15th	23409 Dim Var	Lamar Advertising of Milwaukee, Lessee	1632 N. 12th St.
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Request to raise the existing billboard on the premises by 20 feet

**8:00 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.

83	3rd	26849 Dim Var	James & Suzanne Holton, Property Owner	2115 E. Lafayette Pl.
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Request to divide the parcel and construct a single family dwelling with an access drive partially located on the adjoining lot

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.