

AGENDA

September 14, 2006

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, September 14, 2006**, 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.

<u>Item No.</u>	<u>Ald Dist</u>	<u>Case No. Type</u>	<u>Case Information</u>	<u>Location</u>
1	2nd	27357 Special Use <i>Dismiss</i>	Laverne S. Davis, Property Owner Request to increase the hours of operation from 6:00AM to Midnight to 24hrs of the existing family day care home for 5 children infant to 12yrs of age Monday-Friday	7123 W. Hampton Av.
2	14th	27466 Use Variance <i>Dismiss</i>	Micaela Mendez, Property Owner Request to occupy the premise as a day care center for 8 children infant to 12yrs of age, Monday-Friday 6:00AM to Midnight (existing family day care home on site)	3000 S. 12th St.

Board of Zoning Appeals, Hearing on Thursday, September 14, 2006

<u>Item No.</u>	<u>Ald Dist</u>	<u>Case No. Type.</u>	<u>Case Information.</u>	<u>Location.</u>
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4:00 p.m. Administrative Consent Agenda

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No oral testimony will be taken on these items.

3	15th	27195 Special Use <i>Dismiss</i>	House of David, Inc., Lessee	4415 W. North Av.
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Request to occupy the 1st floor of the premises as a social service facility and a transitional living facility located on the 2nd floor

4	1st	27595 Special Use <i>Dismiss</i>	Automotive Professional Services, Inc. APSCO & On the Go Motors, Inc.; Lessee	7289 N. Teutonia Av.
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Request to continue occupying the premises as a motor vehicle sales (vehicles equipped for the disabled) and repair facility (installation and sales of handicap products and equipment)

4:00 p.m. - Consent Agenda

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5	2nd	27677 Special Use	Gloria Turner, Property Owner	5615 W. Capitol Dr.
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Request to continue occupying the premises as a day care center for 44 children infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight

6	2nd	27712 Special Use	Mattie Pickens, Prospective Buyer	8301 W. Silver Spring Dr.
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Request to occupy the premises as a 24 hrs. day care center for 60 children infant to 12 yrs. of age, operating Monday - Saturday

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4:00 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. 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	2nd	27724 Special Use	Ethel Spicer, Property Owner	6523 W. Fond Du Lac Av.
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Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 11:30 p.m. and continue occupying the premises as a day care center for 50 children infant to 12 yrs. of age, operating Monday - Friday

8	4th	27670 Special Use	Marshall & Wells LLC, Property Owner	818 E. Wells St.
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Request to continue occupying the premises as a parking lot

9	5th	27698 Special Use	Linda Dickens, Property Owner	4701 N. 76th St.
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Request to increase the number of children from 39 to 55 (per shift) and continue occupying a portion of the premises as a day care center for children infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to 11:00 p.m. and Saturday 8:00 a.m. to 4:00 p.m., and an adult day care for 30 individuals operating Monday - Friday 6:00 a.m. - 5:00 p.m. and Saturday 8:00 a.m. - 4:00 p.m.

10	5th	27622 Special Use/ Dim Var.	Mazan Jabr, Prospective Buyer	8211 W. Hampton Av.
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Request to combine the parcels and raze the existing building that is located adjacent to the existing Board approved motor vehicle filling station (8332-34 W. Appleton Ave.) and construct a two-bay car wash facility without the code required landscaping around the dumpster area

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4:00 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. 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.

11	6th	27638 Special Use	Arma Taylor, Lessee	1817 N. Martin L King Jr. Dr. 1
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Request to occupy a portion of the premises as a day care center for 10 children infant to 12yrs. of age, Monday - Friday 6:00 a.m. to 6:00 p.m.

12	6th	27642 Special Use	Roy Lewis Johanna Child Development, LLC.;Lessee	2498 W. Hopkins St.
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Request to increase the number of children from 25 per shift to 95 per shift(2 shifts), infant to 12yrs of age and also increase the hours of operation from Monday-Friday 6:00AM - 6:00PM to Monday-Friday 6:00AM - Midnight and Saturday-Sunday 8:00AM - Midnight of the existing day care center that occupies a portion of an existing religious assembly hall

13	6th	27707 Special Use	Bertha Morrow, Lessee	2821 N. 4th St.
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Request to occupy a portion of the premises as a specialty/personal instruction school (nursing assistant training program)

14	6th	27672 Special Use	Saleem Abdullah, Property Owner	3251 N. 9th St.
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Request to continue occupying a portion of the premises (1st floor) as a grocery store

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4:00 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. 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.

15	6th	27715 Use Variance	Ajit Singh, Property Owner	1545 W. Hopkins St.
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Request to continue occupying the premises as a motor vehicle filling station

16	6th	27681 Special Use	Jimmie Williams, Property Owner	3427 N. 17 th St.
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Request occupy the premises as a day care center
For 8 children (per shift, 1st and 2nd) infant to 12
Yrs. of age, operating Monday – Friday 6:00 a.m. to
10:00 p.m.

17	6th	27723 Special Use/ Dim. Var.	Milwaukee Area Technical College, Lessee	2770 N. 5th St.
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Request to continue occupying the premises as a parking lot without the minimum required landscaping

18	7th	27643 Special Use	Cynthia Nelson, Property Owner	3019 N. 30th St.
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Request to continue occupying the premises as a motor vehicle repair and sales facility

19	8th	27690 Dim Variance	Marvin P. Truss, Property Owner	2528 W. Mineral St.
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Request to allow parking within the front yard of the premises

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4:00 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	8th	27628 Special Use/ Dim Var.	John Dobron, Property Owner	729 S. 21st St.
			Request to continue occupying the premises as a rooming house for 7 residents without the minimum required parking	
21	9th	27727 Other	Priya Corporation, Property Owner	8200 W. Brown Deer Rd. 200
			Request to modify the existing board approved plans (relocating the car wash facility to provide space for a proposed permitted bank & modifying the principal building facade) for the proposed motor vehicle filling station, convenience store, car wash, offices and fast-food/ carryout restaurant	
22	10th	27671 Use Variance	Charles Homa, Lessee	6317 W. Fairview Av.
			Request to occupy a portion of the premises (detached garage) as a ground transportation service	
23	11th	27661 Special Use	Cleveland Ave. Citgo, LLC., Lessee	6001 W. Cleveland Av.
			Request to continue occupying the premises as a motor vehicle filling station and convenience store	
24	11th	27722 Special Use	Mohammad Rafagat, Property Owner	3908 S. 76th St.
			Request to continue occupying the premises as a motor vehicle filling station and convenience store	

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

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25	11th	27725 Special Use	Dwight MacKinney, Lessee	3161 S. 76th St.
			Request to construct a drive through facility to the existing fast-food/carryout restaurant (restaurant is permitted)	
26	11th	27701 Dimensional Variance	Ken Teske, Property owner	5018 W. Forest Home Av.
			Request to allow a masonry wall (fence) within 25 ft. of a street lot line and over the maximum allowed height for the existing substation/distribution equipment facility (electric substation)	
27	12th	27713 Dimensional Variance	La Merenda, Inc., Lessee	125 E. National Av.
			Request to occupy the premises as a sit-down restaurant without the minimum required number of off-street parking spaces (the sit-down restaurant is a permitted use)	

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

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28	12th	27651 Special Use	Rosalino Orozco, Property Owner Request to continue occupying the premises as a motor vehicle repair facility	1412 S. 12th St.
29	13th	27612 Modification & Extension of Time	Kanwar S. Ghuman, Property Owner Request to modify the previously Board approved construction plans (site improvements/configuration & facade changes) and for an extension of time to comply with conditions of case No. 26661	5979 S. Howell Av.
30	13th	27669 Special Use	James J. Kozlowski, Lessee Request to continue occupying the premises as a motor vehicle repair facility	1909 W. Oklahoma Av.
31	13th	27726 Special Use	Robert Krause, Property Owner Request to allow the continuation of a drive-through facility for the existing sit-down restaurant (drive-through facility lacks 180ft. of the require 200ft. queue lane and is within 150 ft. of residential uses)	4301 S. Howell Av.

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

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32	13th	27710 Dimensional Variance	Monica Freitag, Property Owner	3373 S. 15th St.
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Request to permit a 12 ft x 20 ft carport that is attached to the existing detached garage, and when combined with the lot coverage of the garage, is over the maximum lot coverage permitted by code

33	14th	27691 Special Use	Nara Colton, Property Owner	2340 S. 6th St.
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Request to increase the number of children from 49 to 72 (expanding to the 2nd floor) and continue occupying the premises as a day care center for children infant to 12 yrs. of age, operating Monday - Saturday 6:00 a.m. to Midnight

34	14th	27718 Dim. Variance	Joseph Mlinar, Property Owner	3879 S. Kansas Av.
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Request to allow an addition to the existing detached garage without the minimum required side street setback

35	14th	27683 Special Use	Bill Pelant, Property Owner	3850 S. Howell Av.
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Request to occupy the premises as a parking lot (temporary parking for customers of the store located on the parcel to the south of the premises, 3860 S. Howell)

36	14th	27716 Dim. Variance	Arteaga Construction Inc, Property Owner	900 W. Montana St.
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Request to construct a multi-family residential dwelling (5-unit condominium) without the minimum west and east side setbacks (this includes setback adjustment required per building depth beyond 50ft.), over the maximum allowed lot coverage, and without a front door orientation that faces the street

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

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37	14th	27717 Dim. Variance	Arteaga Construction Inc, Property Owner	834 W. Montana St.
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Request to construct a multi-family residential dwelling (5-unit condominium) without the minimum west and east side setbacks (this includes setback adjustment required per building depth beyond 50ft.), over the maximum allowed lot coverage, and without a front door orientation that faces the street

38	15th	27665 Dimensional Variance	Daniel Porter, Prospective Buyer	1533 W. Wright St.
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Request to construct a single-family residential dwelling without required front setback and front facade width

39	15th	27634 Special Use	Keith Stribling Victory Center West Other	4429 W. Lisbon Av.
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Request to continue occupying a portion of the existing permitted religious assembly as a transitional living facility for 8 residents

40	15th	27689 Dimensional Variance	Allen Ebenezer C.M.E. Church Pastor Isaih Sims; Property Owner	2669 N. 19th St.
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Request to raze the existing dwelling and construct a religious assembly hall without the minimum required amount of parking, minimum required side street facade within the setback range, and without the minimum required glazing on the primary and secondary street frontage (the building has been redesigned from the previous approval)

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

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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.

41	15th	27688 Dim. Var.	Tony Lewis, Prospective Buyer	2437 N. 17 th St.
			Request to construct a single family residential dwelling without minimum required front façade width	

42	1st	27627 Special Use	JT Real Estate d/b/a The Exchange; Property Owner	4825 N. 32nd St.
			Request to occupy the premise as a car wash (vehicle detailing) facility	

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.

43	15th	27431 Resubmission Request	Rafik F. Mseitif, Lessee	1400 W. North Av.
			Request to resubmit an appeal with the intent to occupy the premises as a motor vehicle repair facility and sales facility (installation of tires, and electronic sound equipment)	

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.

44	2nd	27602 Special Use	Veronica McKelvin, Property Owner	6324 W. Fond Du Lac Av.
			Request to occupy the premises as a day care center for 85 children (per shift, 2 shifts) infant to 12yrs. of age, operating Monday - Sunday 6:00 a.m. to Midnight	

45	2nd	27596 Special Use	Suhail M. Rawashdeh, Lessee	5827 W. Capitol Dr.
			Request to continue occupying a portion of the premises as a motor vehicle repair facility (retail sales and installation of automotive electronics)	

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4:00 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.

46	2nd	27684 Appeal of an Order	Capitol Audio LLC, Lessee	7210 W. Capitol Dr.
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Request to appeal an order issued by the Department of Neighborhood Services determining that a special use shall operate in conformance with its approved plan of operation, site plans, and conditions of approval

47	2nd	27658 Special Use	MARBE, LLC	6926 W. Capitol Dr.
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Request to occupy the premises as a carry-out restaurant

48	3rd	27692 Dimensional Variance	Greenwich Avenue, LLC., Property Owner	2451 N. Cramer Av.
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Request to raze the existing dwelling and construct a multi-family residential dwelling (5-unit townhouse condominium) without the minimum required rear setback and minimum required side street setback for a corner lot

49	3rd	27711 Special Use/ Dim Var.	Oakland Avenue Associates, LLC Property Owner	2914 N. Oakland Av.
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Request to modify the Board approved plans by eliminating the previously proposed residential apartments and constructing a single story general retail establishment with a drive-through facility, that does not meet the glazing requirements (retail establishment is permitted, the drive through requires Board approval because it is located within 150 ft. of residential uses)

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

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50	3rd	27641 Dimensional Variance	Lake Park Lutheran Church Pastor David Dragseth;Property Owner	2647 N. Stowell Av.
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Request to replace an existing monument sign for the existing religious assembly hall by erecting a new monument sign that is over the maximum allowed sign height and maximum allowed sign area

51	4th	27611 Appeal of an Order	Landmark on the Lake LLC., Other	1660 N. Prospect Av.
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Request to appeal an order issued by the Department of Neighborhood Services determining that the premises has prohibited signs (portable & banner signs) without the required permits and real estate signs that exceed 6 sq. ft

52	4th	27603 Special Use	Juanita Sandifer, Lessee	2923 W. Clybourn St
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Request to occupy the premises as a day care center for 50 children (25 per shift) infant to 12yrs. of age, operating Monday - Sunday 6:00 a.m. to 11:00 p.m.

53	4th	27558 Use Variance	JC Enterprises of Milwaukee, LLC John Fisco Jr.; Property Owner	822 N. 24th St.
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Request to occupy the premises as a rooming house for 12 residents

54	4th	27192 Use Variance	Clear Channel Outdoor, Property Owner	1701 W. State St.
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Request to reduce the height of the existing off premise sign and add another sign face on the east side of the structure

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

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55	4th	26760 Special Use/ Dim Var.	Larry Lococo, Property Owner	417 E. Chicago St.
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Request to continue occupying the premises as a parking lot without the minimum required landscaping

56	5th	27686 Appeal of an Order	Short Term Financial, LLC. Jason M. Case - MGR; Lessee	9228 W. Capitol Dr.
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Request to appeal an order issued by the Department of Neighborhood Services determining that there is an illegal occupancy and use of the premises

5:00 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.

57	5th	27551 Dimensional Variance	Terry W. Lintonen, Property Owner	6839 N. 99th St.
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Request to construct a detached garage in the front yard of the premises

58	5th	27436 Dimensional Variance	James R. Blau, Property Owner	12000 W. Silver Spring Dr.
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Request to remove a portion of the existing freestanding sign and erect a changeable message board (below the existing sign) that is over the maximum sign display area

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

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59	6th	27623 Dimensional Variance	James W. Ferguson, Property Owner Request to construct a detached garage over the maximum allowed sidewall height	2830 N. 6th St.
60	6th	27450 Special Use	Kalim M Beg, Property Owner Request to add a car wash to the existing board approved motor vehicle filling station and convenience store	232 W. Locust St.
61	6th	27748 Use Variance	Capitol Crossing, LLC., Other Request to modify the plans of the Board approved elementary/secondary school (proposed gymnasium addition)	225 W. Capitol Dr.
62	6th	27501 Use Variance	Gwen Moore & Ingrid Moreland, Other Request to occupy a portion of the premises for outdoor merchandise sales (soda vending machine at the front of the house)	3716 N. 24th Pl.
63	7th	27568 Special Use	Tina F. Williams, Property Owner Request to occupy the premises as a 24hr. family day care home for 8 children, infant to 12yrs. of age, operating Sunday - Saturday	4710 N. 42nd St.

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

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64	8th	27656 Special Use	Emad Oudeh, Property Owner Request to add a motor vehicle sales facility, and continue occupying the premises as a repair facility	2300 W. Lincoln Av.
65	9th	27630 Use Variance	Jacquelyn Larry, Property Owner Request to occupy the premises as a family day care center for 8 children per shift infant to 12 yrs of age, operating 6:00AM-10:00PM Monday - Sunday	6612 N. 56th St.
66	10th	27626 Special Use	Garrett W. McIntosh Scrub-A-Dub Systems Inc.;Property Owner Request to continue occupying the premises as a car wash facility	7315 W. Appleton Av.
67	10th	27614 Special Use	Sajan Makbul, Property Owner Request to raze the existing motor vehicle filling station and construct a new motor vehicle filling station with a convenience store (includes food preparation area & sub shop)	5100 W. Burleigh St.
68	10th	27546 Special Use	Joseph Gipson & Maron Alexander Other Request to add a car wash to an existing non-conforming motor vehicle sales facility	5700 W. Center Av.

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6:00 p.m. – Public Hearing

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69	10th	27609 Special Use	Marilyn Kern, Lessee	3077 N. 72nd St.
			Request to increase the number of children from 19 to 40 and continue occupying a portion of the premises (1st floor) as a day care center for children infant to 12yrs. of age, operating Monday - Saturday 6:00 a.m. to 9:00 p.m.	
70	10th	27470 Special Use	Jewel C. Barrow & Jose H. Santos, Lessee	5401 W. Lisbon Av.
			Request to occupy the premises as a motor vehicle body shop	
71	10th	27537 Special Use	Regina Hughes, Lessee	7251 W. Appleton Av.
			Request to occupy a portion of the premises (1st floor & basement) as day care center for 50 children infant to 12yrs. of age, operating Monday - Friday, 6:00 a.m. to 6:00 p.m.	
72	11th	27619 Dimensional Variance	Douglas L. Muszynski & Carla D. Muszynski Property Owner	3615 S. 95th St.
			Request to construct a front porch without the minimum required front setback average (the front porch is closer to lot line than the average of the two abutting residential dwellings)	
73	12th	27581 Special Use	20 Below LLC, Lessee	126 E. Mineral St.
			Request to occupy a portion of the premises (1st floor) as an assembly hall (dance hall)	
74	12th	27647 Special Use	Daniel Mora, Property Owner	2690 S. 16th St.
			Request to occupy the premises as a motor vehicle sales facility (includes hand washing, detailing, & minor repairs for vehicles being sold only)	

Board of Zoning Appeals, Hearing on Thursday, September 14, 2006

<u>Item No.</u>	<u>Ald Dist</u>	<u>Case No. Type.</u>	<u>Case Information.</u>	<u>Location.</u>
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6:00 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	12th	27679 Dimensional Variance	Hispanic Chamber of Commerce of Wisconsin Property Owner Request to erect a wall sign that is over the maximum allowed square footage	1021 W. National Av.
76	12th	27705 Dimensional Variance	CVS Pharmacy, Lessee Request to erect two wall signs that are over the maximum allowed sign area	1316 W. Forest Home Av.
77	1st	27583 Special Use	David Cunningham & Shirley Hull, Property Owner/ Lessee Request to occupy a portion of the premises as a school (elementary or secondary), (K3-8th grade, maximum of 63 students)	6123 N. Teutonia Ave.
78	1st	27544 Dimensional Variance	Osie Tatum Jr., Pastor Mason Temple Church of God in Christ; Property Owner Request to construct a permitted religious assembly hall without the minimum required number of parking spaces	6090 N. 35th St.
79	1st	27327 Special Use	Robert Binsfeld, Lessee Request to occupy a portion of the existing car wash facility as a motor vehicle sales facility	4110 N. Green Bay Av.

Board of Zoning Appeals, Hearing on Thursday, September 14, 2006

<u>Item No.</u>	<u>Ald Dist</u>	<u>Case No. Type.</u>	<u>Case Information.</u>	<u>Location.</u>
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6:00 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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80	1st	27593 Special Use	Ben Kienbaum, Property Owner	3800 W. Mill Rd.
			Request to continue occupying the premises as an outdoor salvage yard (junk yard)	
81	1st	27556 Special Use	Brogall Holdings LLC., Prospective Buyer	6333 N. Teutonia Av.
			Request to occupy the premises as an outdoor salvage operation (motor vehicle recycler & vehicle parts retailer)	

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 53201-0324.