

AGENDA

July 27, 2006

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, July 27, 2006**, commencing at **2:00 p.m.** in the Common Council Committee Rooms, **Room 301-B**, City Hall, Third Floor, 200 East Wells Street, Milwaukee, Wisconsin, affecting the following premises. Please note that most items have been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

2:00 p.m. Administrative Consent Agenda

Items scheduled for approval on the Administrative Consent Agenda

No oral testimony will be taken on these items.

<u>Item No.</u>	<u>Ald Dist</u>	<u>Case No. Type</u>	<u>Case Information</u>	<u>Location</u>
1	1st	27068 Special Use <i>Dismissal</i>	Katherine M. Handy, Property Owner Request to occupy 2 separate adult family homes (elderly & disabled)for 3 individuals in each unit (Units 3 & 4)	4620 N. 27th St.
2	1st	27240 Special Use <i>Dismissal</i>	Jerry J. Lockett, Property Owner Request to continue occupying the premises as a community based residential facility and reducing the number of clients from 8 to 6 adults (developmentally disabled)	3412 W. Rohr Av.
3	1st	27278 Special Use <i>Dismissal</i>	Kimberly Hardrick, Property Owner Request to occupy the premises as a group home for 8 males ages 12 - 17 (mental & medical disabilities)	5556 N. 35th St.

NOTE:

* Limited parking for persons attending meetings in City Hall is available at reduced rates (3 hour limit) at the Milwaukee Center, southwest corner, E. Kilbourn and N. Water Street. Parking tickets must be validated in Room 205, City Hall (City Clerk's Office).

* Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. To request this service, contact the Department of City Development, 809 N. Broadway, Milwaukee, WI 53202, telephone 286-5939.

Board of Zoning Appeals, Hearing on Thursday, July 27, 2006

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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	1st	27635 Dim. Var. <i>Dismissal</i>	Daniel H. Bruckner, Property Owner	6701 N. Teutonia Av.
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Request to park heavy motor vehicle equipment (excavating) on the premises without the required paved surface for the existing permitted contractor's yard

5	1st	27289 Special Use <i>Dismissal</i>	Gwen L. Webb, Property Owner	5760 N. 42nd St.
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Request to continue occupying the premises as an adult family home for 4 female adults with developmental disabilities

6	1st	27291 Special Use <i>Dismissal</i>	Deborah & Andre Crowley The Esther House 2;Property Owner	7057 N. 44th St.
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Request to continue occupying the premises as an adult family home for 4 individuals (developmentally disabled, functional impaired elderly, ambulatory, nonambulatory, semi-ambulatory)

7	2nd	27275 Special Use <i>Dismissal</i>	Gwendolyn Jackson, Property Owner	5010 N. 85th St.
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Request to occupy the premises as a group home for 6 individuals (young women 12yrs-18yrs of age)

8	2nd	27306 Special Use <i>Dismissal</i>	Rosemary Durr, Property Owner	6620 W. Carmen Av.
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Request to occupy the premises as an adult family home for 2-3 men or women (elderly that are mentally or functionally handicapped)

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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.

9	2nd	26603 Special Use <i>Dismissal</i>	Evelyn B. Patterson, Property Owner	5405-09 W. Capitol Dr.
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Request to occupy the premises as a community living arrangement for 12 individuals (elderly, developmentally disabled)

10	2nd	27159 Special Use <i>Dismissal</i>	Barbara Ambrose, Property Owner	5057 N. 65th St.
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Request to continue occupying the premises as a community living arrangement for 4 developmentally disabled adults

11	4th	26429 Special Use <i>Dismissal</i>	Larry Butler, Property Owner	2526 W. Highland Av.
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Request to continue occupying the premises as a community living arrangement for 5-8 women

12	6th	27149 Special Use <i>Dismissal</i>	Cassandra Martin, Property Owner	3550 N. 9th St.
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Request to occupy the premises as a group home for a maximum of 6 girls, ages 12 - 17

13	6th	27285 Special Use <i>Dismissal</i>	April Juett, Property Owner	2760 N. 4th St.
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Request to occupy the premises as a community living arrangement for 5 adults (disabled adults 18yrs of age & older)

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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.

14	6th	27369 Special Use <i>Dismissal</i>	Keith Terry 2227 N 31st St LLC;Lessee	2045 N. Hubbard St.
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Request to occupy the premises as a group home for 8 males 10 - 17 yrs. of age (non wheel chair medical & mental disabilities)

15	6th	26939 Special Use <i>Dismissal</i>	Shalanda Green, We R Family Inc.;Lessee	2045 N. Hubbard St.
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Request to occupy the premises as a group home for 8 girls 12yrs - 17 yrs of age (mentally or non wheel chair medically disabled)

16	6th	27186 Special Use <i>Dismissal</i>	Euranna Odom, Property Owner	3703 N. 15th St.
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Request to occupy the premises as an adult family home for 4 adults (elderly, mentally/physically disabled)

17	7th	27073 Special Use <i>Dismissal</i>	Jeanetta Anderson-Schwartz & Shaquanna Briggs Property Owner	4768 N. 39th St.
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Request to occupy the premises as a community living arrangement for 6-8 individuals (developmental disabilities)

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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.

18	7th	27214 Special Use <i>Dismissal</i>	Dorothy J. Smith, Property Owner	4070 N. 39th St.
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Request to occupy the premises as a community living arrangement for 5 adults (developmentally disabled/challenging behaviors, this is a client increase from 3 to 5 clients of the existing adult family home)

19	7th	26992 Special Use <i>Dismissal</i>	Earl & Karen Baker, Property Owner	3206 N. 39th St.
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Request to continue occupying the premises as a community living arrangement for 4 - 6 residents (developmentally disabled, mentally challenged and wheel chair bound)

20	9th	27252 Use Var./ Dim. Var. <i>Dismissal</i>	Russell & Rhoda Volmer, Property Owner	6477 N. 54th St.
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Request to occupy a portion of the premises as a contractors yard (parking 2 snow plow trucks on the premises)

21	10th	27292 Dimensional Variance/ Special Use <i>Dismissal</i>	Jimmy Fisher, Lessee	7165 W. Burleigh St.
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Request to occupy the premises as a religious assembly without the minimum required number of parking spaces

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<p><u>2:00 p.m. Administrative Consent Agenda (continued)</u> <u>Items scheduled for approval on the Administrative Consent Agenda</u> <u>No oral testimony will be taken on these items.</u></p>				
22	12th	27259 Dimensional Variance <i>Dismissal</i>	Francisca Rodriguez & Reyna Rodriquez Property Owner Request to allow a car-port on the premises over the maximum allowed lot coverage	2115 S. 6th St.
23	14th	26649 Special Use <i>Dismissal</i>	DaLynn Brookshire, Lessee Request to occupy the premises as a group home for 5-8 females 12yrs-17yrs of age	2639 S. 3rd St.
24	15th	26602 Special Use <i>Dismissal</i>	Russell W. Stamper II, Property Owner Request a reasonable accommodation to occupy the premises as a group home for 7 young men 13yr to 17yrs of age (at risk youth, temporary placement through Milwaukee County Juvenile court System)	2634 W. Medford Av.
25	15th	27174 Special Use <i>Dismissal</i>	Neighborhood Living Willie Mae Moore;Property Owner Request to modify the Board approved adult family home to include 3 individuals that are 18yrs of age and older (previous approval was individuals ages 60 and over)	2319 N. 39th St.
26	15th	27465 Use Variance <i>Dismissal</i>	House of David Inc., Lessee Request to occupy the premises as a transitional living facility for 6 adult women (AODA, homeless, mental illness, & transitioning from incarceration)	2840 N. 37th St.

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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.

27	1st	27616 Special Use	Gregory R. Owens, Property Owner Request to continue occupying the premises as a group home for 8 boys 12yrs. to 17yrs. of age	4261 N. Teutonia Av.
28	1st	27624 Special Use	Walgreens #00295, Property Owner Request to continue occupying the premises as a general retail establishment with a drive through facility	4808 N. Hopkins St.
29	1st	27645 Special Use	James Parkinson, Lessee Request to occupy the premises as a motor vehicle repair facility (includes tire sales)	5206 N. Hopkins St.
30	1st	27663 Special Use	Bessie L. Williams, Lessee Request to increase the hours of operation from Monday-Friday 5:30AM - 12:30AM to 24hrs Monday-Sunday of the existing day care center for 33 children per shift (3 total shifts)	3622 W. Silver Spring Dr.
31	1st	27664 Special Use	LaTanya Jones, Lessee Request to continue occupying a portion of the premises as a day care center with 150 children per shift, infant to 12 yrs. of age, with increased operating hours from 6:00 a.m. - 10:00 p.m. to 6:00 a.m. to midnight	6125 N. Teutonia Av.
32	2nd	27646 Special Use	Michael A. Jones, Lessee Request to occupy the premises as a motor vehicle repair facility (window tinting, detailing)	8740 W. Kaul Av.

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

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| 33 | 3rd | 27636
Special Use | Lacy Landre, Lessee | 1625 E. Irving Pl. |
| | | | Request to occupy a portion of the premises as a second-hand store (vintage & used clothing) | |
| 34 | 3rd | 27641
Dimensional Variance | Lake Park Lutheran Church
Pastor David Dragseth;Property Owner | 2647 N. Stowell Av. |
| | | | 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 | |
| 35 | 4th | 27585
Dimensional Variance | Clear Channel Outdoor
aka Eller Media Co.;Property Owner | 2455 W. Clybourn St. |
| | | | Request to modify the height of the board approved off-premise sign that is over the maximum allow sign height (sign height is 35 ft/proposed modification to 50 ft) | |
| 36 | 7th | 27655
Use Variance | Normerstine Pullian
Lessee | 3870 N. 27th St. |
| | | | Request to continue occupying the premises as a 24 hr. day care center for 8 children infant to 12 yrs. of age, operating Monday - Friday | |

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

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37	8th	27639 Dimensional Variance	Thomas Westfahl, Property Owner	2673 S. 30th St.
			Request to raze the existing detached garage and construct a new detached garage that is over the maximum allowed lot coverage for an accessory structure and without the minimum required north side setback	
38	8th	27652 Dimensional Variance	Sergio Montenegro, Property Owner	2107 S. 28th St.
			Request to allow a detached garage without the minimum required side setback (already constructed)	
39	9th	27586 Special Use	James A. Grzanna, Lessee	9400 N. 124th St.
			Request to occupy a portion of the premises as a motor vehicle sales facility (used cars)	
40	10th	27510 Dimensional Variance	Roger Kriete Milwaukee Mack Sales, Inc.;Property Owner	4444 W. Blue Mound Rd.
			Request to replace the existing sign of the non-conforming motor vehicle sales facility that is over the maximum allowed sign display area	
41	10th	27546 Special Use	Joseph Gipson & Maron Alexander Other	5700 W. Center St.
			Request to add car wash to an existing non-conforming motor vehicle sales facility	

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

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42	10th	27609 Special Use	Marilyn Kern, Lessee	3077 N. 72nd St.
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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

43	10th	27620 Dimensional Variance	James C. Bigger, Property Owner	1603 N. 50th St.
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Request to install mechanical equipment (condensing unit for an air-conditioner) without the minimum required side-yard setback

44	10th	27640 Special Use	Future Heights, LLC & Greystone Gallery Property Owner	5201 W. North Av.
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Request to occupy the premise as a second-hand store (decorative & architectural items for older homes & providing home restoration consulting)

45	11th	27604 Special Use	Safeer Mian, Property Owner	5030 W. Howard Av.
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Request to continue occupying the premises as a motor vehicle filling station and convenience store

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

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46	11th	27615 Special Use	Jose D. Lopez, Property Owner	4600 W. Forest Home Av.
			Request to raze the existing building and construct a fast-food/sit-down, carryout restaurant	
47	11th	27619 Dimensional Variance	Douglass L. Muszynski & Carla D. Muszynski Property Owner	3615 S. 95th St.
			Request to construct a front porch without the minimum required front setback	
48	11th	27644 Dim. Var.	Lori J. Peierl, Property Owner	8120 W. Morgan Av.
			Request to expand the existing 12ft x 12ft accessory structure (gambrel roofed shed) to a 12ft x 16ft accessory structure with gambrel roof (with this increase, the accessory structure is over the 150 sq. ft. to be considered under the shed design standards per code, therefore, the structure must meet the design standards of a garage)	
49	11th	27648 Special Use	Dennis Polzin, Property Owner	3510 W. Lincoln Av.
			Request to continue occupying the premises as a motor vehicle filling station, convenience store, and car wash facility	

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

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50	12th	27517 Dimensional Variance	Rain Maker Enterprises, Property Owner	1748 S. 3rd St.
			Request to divide the lot into two separate parcels without the minimum required lot area coverage	
51	12th	27597 Dimensional Variance	Rainmaker Enterprises, Inc., Property Owner	220 W. Maple St.
			Request to divide the lot into two separate parcels without the minimum required lot area (lot is currently 1748 S 3rd St.)	
52	12th	27605 Special Use	Martin Belkin, Property Owner	231 S. 2nd St.
			Request to continue occupying the premises as a rooming house (2nd floor 4 residents, 3rd floor 6 residents)	
53	12th	27621 Dimensional Variance	George Prentice Jr., Property Owner	922 S. 3rd St.
			Request to remodel the existing residential dwelling and construct an attached garage without the minimum required south side setback and rear setback	
54	12th	27633 Special Use	Edward R. Pero, Lessee	805 W. Historic Mitchell St.
			Request to continue occupying a portion of the premises as a second-hand store	

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

Items Scheduled for approval on the Consent Agenda

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55	13th	27599 Dimensional Variance	Jose Valle, Property Owner	3454 S. 16th St.
			Request to add a carport to the existing detached garage over the maximum allowed lot area coverage	
56	13th	27617 Special Use	Milwaukee Pre-Owned, LLC Lessee	524 E. Layton Av.
			Request to occupy a portion of the premises (1st floor) as a motor vehicle sales facility (site has permitted office use on site)	
57	13th	27653 Special Use	Rock Transfer & Storage, Inc., Lessee	1500 W. Zellman Ct.
			Request to occupy the premises as a truck freight terminal (previously approved truck freight terminal has left the premises)	
58	14th	27625 Special Use	Walgreens #03509, Lessee	620 W. Oklahoma Av.
			Request to continue occupying the premises as a general retail establishment with a drive through facility	

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

Items Scheduled for approval on the Consent Agenda

No oral testimony will be taken on these items.

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.

59	15th	27592 Special Use	Hughey McClinton, Sr. Property Owner	3100 W. Lisbon Av.
Request to add a day care center for 20 children infant to 12yrs. of age, operating Monday - Friday 6:00 a.m. to 6:00 p.m. and Saturday 7:00 a.m. to 5:30 p.m. to the permitted religious assembly				

60	15th	27637 Special Use	Isha Enterprises Inc. d/b/a Vliet Shell;Lessee	1361 N. 36th St.
Request to continue occupying the premises as a motor vehicle filling station with a convenience store				

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.

61	2nd	27658 Resubmission Request	MARBE, LLC; Property Owner	6926 W. Capitol Dr.
Request for a resubmission to apply for and occupy the premises as a carry-out restaurant (made by the property owner)				

62	7th	27502 Special Use	John H. Gibson, Prospective Buyer	3106 N. 40th St.
Request to occupy the premises as a day care center for 50 children (25 per shift, 2 shifts total) infant to 12yrs of age, operating 6:00AM - Midnight, Monday-Sunday				

63	7th	27103 Special Use	Linda Rogers, Property Owner	4532 N. 45th St.
Request to occupy the premises as a group home for 6-8 girls 12yrs-17yrs of age				

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2:00 p.m. Administrative Review (continued)

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

No oral testimony will be taken on these items.

64	11th	27432 Special Use	Steven Skalecki, Property Owner	9026 W. Burdick Av.
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Request to allow a transmission tower (50 ft. flag pole for weather observation) on the residential premises

65	11th	27509 Special Use	LaToya Bates, Lessee	3924 S. 51st St.
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Request to occupy the premises as a secondary school (all girl high school)

66	12th	27344 Special Use	National Real Estate Investment Mickey Govani;Property Owner	1614 W. National Av.
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Request to modify the Board approved case No. 25139 by not constructing the corner building which housed the filling station and to continue occupying a portion of the premises as a motor vehicle repair facility, creating a special use for an accessory parking lot located between the street facade of the principal building and a street lot line

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.

67	1st	27583 Special Use	David Cunningham Northland Companies;Property Owner	6123 N. Teutonia Av.
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Request to occupy a portion of the premises as a school (elementary or secondary), (K3-8th grade, maximum of 63 students)

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2:15 p.m. – Public Hearing (continued)

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68	1st	27588 Special Use	Euranna Odom, Property Owner Request to occupy the premises as a 24 hr. family day care home for 8 children infant to 12yrs. of age, operating Monday - Friday	5822 N. 35th St.
69	1st	27549 Use Variance	Tameka Lockett, Prospective Buyer Request to occupy the 1st floor of the premises as a day care center for 17 children infant to 12yrs. of age, operating Monday - Friday, 6:00 a.m. to Midnight	1941 W. Hope Av.
70	2nd	27613 Special Use	Sajan Makbul, Property Owner Request to raze the existing motor vehicle filling station and convenience store, and construct a new motor vehicle filling station, (four existing & adding one new pump island) convenience store, and a fast-food carryout restaurant on the premises without a pedestrian access way (off of W. Silver Spring Dr.)	9040 W. Silver Spring Dr.
71	4th	27608 Dimensional Variance	James Wiechmann Mansion Row LLC.;Prospective Buyer Request to construct a multi-family residential dwelling (townhouses) on the premises without the minimum rear setback required per code	711 E. Kilbourn Av.

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2:15 p.m. – Public Hearing (continued)

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72	6th	27547 Special Use	Cassandra Perine, Lessee	413 E. North Av.
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Request to occupy the premises as a day care center for 48 children (maximum of 24 per shift) infant to 12yrs. of age, operating Sunday - Saturday 6:00 a.m. to Midnight

73	6th	27496 Special Use	Love At First Sight LLC Mayfield Manangement Group;Lessee	1718 N. 1st St.
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Request to occupy a portion of the premises as a day care center for 100 children (100 first shift, 50 second shift) infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight

3:00 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.

74	7th	27494 Use Variance	Theodora McQueen, Lessee	2607 W. Auer Av.
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Request to occupy the premises as a 24hrs. day care center for 8 children (per shift) infant to 12 yrs. of age, operating Monday - Sunday

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3:00 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	7th	27601 Special Use	King of Kings Missionary Baptist Church Rev. John C. Hughes;Property Owner Request to construct an addition and continue occupying the premises as a religious assembly hall	4706 W. Fond Du Lac Av.
76	10th	27631 Use Variance	Maxie's Milwaukee, LLC Lessee Request to occupy a portion of the premises as a principal parking lot for the adjacent existing sit-down restaurant (6732 W. Fairview Ave)	6820 W. O'Connor St.
77	11th	27572 Special Use	Gustavo Brenes Clark Tire Service & Auto Sales;Lessee Request to add a motor vehicle sales facility (used cars) to the existing board approved repair facility	4440 W. Forest Home Av.
78	15th	27554 Special Use	Christ Presbyterian Church, Property Owner Request to occupy the premises as a community center	1910 W. Walnut St.
79	15th	27482 Special Use	Mike Malatesta Advanced Waste Services, Inc. Request to occupy a portion of the premise as an outdoor storage facility of heavy motor vehicles	3801 W. Mc Kinley Av.

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.