

## AGENDA

November 16, 2006

**PLEASE TAKE NOTICE THAT** a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, November 16, 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.

<b><u>Item No.</u></b>	<b><u>Ald Dist</u></b>	<b><u>Case No. Type</u></b>	<b><u>Case Information</u></b>	<b><u>Location</u></b>
1	5th	27686 Appeal of an Order <i>Dismissal</i>	Short Term Financial, LLC. Jason M. Case - MGR; Lessee	9228 W. Capitol Dr.
			Request to appeal an order issued by the Department of Neighborhood Services determining that there is an illegal occupancy and use of the premises	
2	6th	27869 Extension of Time	Intercession, Inc., Prospective Buyer	3276 N. 7th St.
			Request for an extension of time to comply with conditions of case No. 26963	

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

Items scheduled for approval on the Administrative Consent Agenda

No oral testimony will be taken on these items.

3	11th	27521 Dimensional Variance <i>Dismissal</i>	Desty & Connie Lorino, Prospective Buyer  Request to divide the lot creating a parcel that does not have the minimum required lot width and minimum required lot area	3150 S. 85th St.
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4	1st	27520 Use Variance <i>Dismissal</i>	Shamar L. Cotton, Property Owner  Request to occupy the premises as a rooming house (homeless, mental disorders)	4041 N. 23rd St.
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**4:00 p.m. - Consent Agenda**

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5	4th	27813 Special Use	Badger Distribution of Milwaukee, LLC Lessee  Request to occupy the premises as an indoor storage facility (distribution of beverages)	2455 W. State St.
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6	5th	27834 Special Use	Vernestine Carr, Lessee  Request to expand the existing day care center to the lower level of the premises and increase the number of children from 60 to 72 per shift infant to 12yrs of age, operating Monday - Friday 6:00AM - 10:00PM	7972 W. Appleton Av.
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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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7	6th	27843 Special Use	Arjit Singh, Lessee	1909 W. Hopkins St.
			Request to modify the conditions and Board approved plans for case No. 26762 (modifying site layout)	
8	6th	27749 Special Use	Normerstine Pullian, Lessee	2216 W. Hopkins St.
			Request to occupy a portion of the premises as a day care center for 50 children (per shift) infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to Midnight	
9	6th	27873 Special Use	Audrey White, Property Owner	3179 N. Richards St.
			Request to continue occupying the premises as a group home for 8 females ages 8-18	
10	7th	27880 Special Use/ Dimensional Variance	Mountain Top Faith Church of Deliverance Lessee	3707 W. Fond Du Lac Av.
			Request to continue occupying the premises as a religious assembly and a social service facility without the minimum required number of parking spaces	
11	7th	27817 Special Use	Kourtney Stevens, Lessee	4345 W. Fond Du Lac Av.
			Request to expand the day care center to the 2nd floor and to continue occupying the premises as a 24 hrs. day care center increasing the number of children from 56 to 60 per shift (pool of 180), infant to 12 yrs. of age, Monday - Friday	

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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.

12	8th	27850 Special Use	Seeds of Health, Inc., Property Owner	1445 S. 32nd St.
			Request to continue occupying a portion of the 2nd floor of the premises as a social service facility	
13	8th	27776 Special Use/ Dimensional Variance	Max Motors & Body Shop Inc., Lessee	2550 S. 30th St.
			Request to occupy the premises as an outdoor storage facility (motor vehicle storage)	
14	8th	27887 Use Variance	Greg Schley, Lessee	2239 W. Orchard St.
			Request to continue occupying the premises as a second-hand store (appliances)	
15	9th	27882 Special Use	Shawnkya Turner, Lessee	8972 N. 86th St.
			Request to continue occupying the premises as a 24 hrs family day care home for 8 children infant to 12 yrs. of age, Monday - Friday	
16	9th	27853 Special Use	Rashinder Lal, Property Owner	4928 W. Villard Av.
			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)**

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.

17	9th	27825 Use Variance	Joe Fleming, Lessee	5700 N. 58th St.
			Request to continue occupying the premises as a day care center for 8 children infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to 10:00 p.m	
18	9th	27819 Dimensional Variance	Midwest Products Engineering Inc. Property Owner	10597 W. Glenbrook Ct.
			Request to construct an additional 7 loading docks to the existing light manufacturing, office and warehousing facility without the minimum required landscaping	
19	9th	27808 Special Use	Q.C. Financial Services, Inc., Lessee	8330 W. Brown Deer Rd.
			Request to continue occupying a portion of the premises as a payday loan agency	
20	10th	27827 Dimensional Variance	John Ginderske, Property Owner	2849 N. 58th St.
			Request to allow parking within the front yard of the premises	
21	10th	27870 Special Use	Linda Gaskin, Lessee	7127 A W. Lisbon Av.
			Request to occupy a portion of the premises as a social service facility (learning academy for youth)	

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

Items Scheduled for approval on the Consent Agenda

No oral testimony will be taken on these items.

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22	10th	27872 Dimensional Variance	Cynthia Gunnerson, Property Owner	232 S. 65th St.
			Request to construct a single-family dwelling without the minimum required side-yard setback	
23	10th	27863 Special Use	Children's Service Society of Wisconsin Lessee	620 S. 76th St.
			Request to occupy a portion of the premises as offices (child welfare agency)	
24	10th	27865 Special Use	Karen Spencer, Lessee	4311 W. Vliet St.
			Request to continue occupying the premises as a secondhand(furniture & household goods) and outdoor merchandise sales facility	
25	11th	27804 Special Use	Jeff Weigel, Lessee	6214 W. Howard Av.
			Request to occupy a portion of the premises as a motor vehicle sales facility (petitioner is proposing to pave a portion of the north end of the lot off of W. Forest Home Ave. to use in conjunction with the Board approved motor vehicle sales facility located at 6313 W. Forest Home Ave. to display additional vehicles)	

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

Items Scheduled for approval on the Consent Agenda

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26	12th	27811 Dimensional Variance	Jose Suchil, Property Owner	1431 S. 7th St.
			Request to allow parking within the front-yard of the premises (2 parking spaces)	
27	12th	27812 Special Use	Gregorio Montoto, Lessee	1004 W. National Av.
			Request to continue occupying the premises as a currency exchange facility	
28	12th	27830 Special Use	Genoveva Uribe, Property Owner	901 S. 10th St.
			Request to construct an addition (space for walk-in cooler & freezer) to the existing board approved sit-down restaurant	
29	12th	27666 Special Use	161 First, LLC, Lessee	122 W. Pittsburgh Av.
			Request to occupy the premises as a principal parking lot	
30	12th	27835 Special Use	Leonardo Martinez, Lessee	815 S. 9th St.
			Request to occupy the premise as a motor vehicle repair facility	

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

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31	12th	27824 Special Use	Luis Sanchez, Property Owner	1202 W. Greenfield Av.
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Request to continue occupying the premises as a motor vehicle repair facility, sales facility, and body shop

32	13th	27854 Special Use	Utku Alp, Lessee	4320 S. 27th St.
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Request to continue occupying the north side of the premises as a motor vehicle repair facility

33	13th	27802 Other	Makbul Sajan & Sanjay R. Patel, Lessee	4709 S. Howell Av.
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Request to modify the condition of case No. 25640 to allow addition signage to be erected for the existing motor vehicle filling station with a fast food/carryout restaurant

34	14th	27809 Dimensional Variance	Cheryl & Randy Kernats, Lessee	3475 S. 10th St.
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Request to erect a fence on the premises without the minimum required setback

35	14th	27844 Dimensional Variance	Owen P. & Christine L. Mielcarek, Property Owner	2006 E. Estes St.
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Request to construct an accessory structure (shed) on the premises without the minimum required side street setback

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

Items Scheduled for approval on the Consent Agenda

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36	14th	27757 Special Use	City of Milwaukee, Property Owner	371 E. Ward St.
			Request to retrofit an existing parking lot and continue occupying the premises as a principal parking lot	
37	15th	27842 Dimensional Variance	SV Penix, Property Owner	2453 N. 34th St.
			Request to continue to allow two commercial vehicles to be parked on the premises	
38	15th	27799 Special Use	Michael & Danita White, Property Owner	1630 N. 40th St.
			Request to occupy the premises as a day care center for 8 children infant to 12yrs of age, operating Monday-Saturday 6:00AM - Midnight	
39	15th	27826 Special Use	Lisa Batemon, Property Owner	2531 N. 36th St.
			Request to continue occupying the premises as a 24hr family day care home 8 per shift (3 shifts total) infant to 12yrs of age, operating 24hrs Monday-Friday, Saturday midnight - 7:30a.m. and beginning at 10:00 p.m. on Sunday	
40	15th	27797 Special Use	Ann Eagans, Lessee	2901 W. North Av.
			Request to occupy the premises as a 24hr day care center for 25 children per shift (3 shifts) infant to 12yrs of age, operating Monday-Sunday	

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

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41	15th	27840 Special Use	Azie Bonds, Lessee	2720 N. 36th St.
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Request to occupy a portion of the premises a day care center for a maximum of 100 children infant to 12 yrs. of age, operating Monday - Friday 6:00 a.m. to 6:00 p.m

42	15th	27867 Special Use	Joye Peterson, Property Owner	3922 W. Vliet St.
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Request to occupy the premises as a day care center for 48 children infant to 12yrs of age, operating 6:00AM-Midnight Monday-Friday

43	15th	27744 Dimensional Variance	AT&T, Property Owner	801 N. 35th St.
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Request to replace the existing chain link and barbed wire fence with a decorative metal fence that is over the maximum allowed height (allowed 6 ft. proposed 8ft.)

44	1st	27803 Use Variance	Linda Anthony, Property Owner	4585 N. 23rd St.
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Request to continue occupying the premises as a day care center for 20 children infant to 12yrs of age, Monday - Friday 6:30a.m. - Midnight

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

Items Scheduled for approval on the Consent Agenda

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45	2nd	27851 Special Use	Cingular Wireless, Lessee	5310 W. Capitol Dr.
			Request to raze the existing transmission tower (flag pole) and erect a new transmission tower (106ft.) on the premises	
46	2nd	27832 Special Use	Angela Phipps, Lessee	4851 N. 76th St.
			Request to continue occupying the premises as a 24 hrs. day care center for 99 children infant to 12 yrs. of age, operating Monday - Sunday	
47	3rd	27885 Special Use	Renaissance Child Development Center Inc. Lessee	1300 N. Jackson St.
			Request to occupy a portion of the premises as a day care center for 16 children infant to 24mos. of age, operating 7:00AM-6:30PM Monday-Friday	
48	3rd	27888 Special Use	Lincoln Fowler, Lessee	3009 N. Humboldt Bl.
			Request to occupy the premises as a principal use parking lot (parking lot will be used for the business located at 2999 N. Humboldt Bl. which is across the street)	

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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.

49	8th	27706 Special Use/ Dimensional Variance	Omar Ortiz, Property Owner	3232 W. Lincoln Av.
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Request to occupy the premises as a religious assembly hall without the minimum required number of off street parking spaces

50	12th	27406 Special Use	Waldemar Rivera, Prospective Buyer	630 W. National Av.
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Request to occupy the premises as a motor vehicle repair facility (with towing)

51	1st	27534 Special Use	Nina M. Evans, Property Owner	5515 N. 32nd St.
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Request to occupy the premises as a group home for 8 girls 12 to 17yrs. of age

**4:15 p.m. – Public Hearing**

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52	4th	27585 Dimensional Variance	Clear Channel Outdoor aka Eller Media Co.;Property Owner	2455 W. Clybourn St.
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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) and without the minimum required setback from the street

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

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53	4th	27750 Special Use	Michelle Griffin, Lessee  Request to continue occupying the premises as a bed and breakfast with 5 guest rooms	743 N. 25th St.
54	6th	27709 Special Use	Earl Grunwald, Property Owner  Request to occupy the premises as a motor vehicle repair facility	4105 N. Richards St.
55	6th	27471 Special Use	Geneka Walton, Lessee  Request to occupy the premises as a 24 hrs. day care center for 8 children (per shift) infant to 12 yrs. of age, Monday - Saturday	3244 N. 7th St.
56	7th	27494 Use Variance	Theodora McQueen, Lessee  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	2607 W. Auer Av.
57	8th	27697 Special Use	Rafael & Yhimy Lopez, Property Owner  Request to modify the existing limited wholesale facility to be a motor vehicle sales facility (includes car wash & detailing of cars to be sold as per previous approval)	2934 W. Burnham St.

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

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58	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.
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59	9th	27806 Dimensional Variance	Nicolas Gamero, Property Owner  Request to construct a second detached garage (30ft x 33ft) that has sidewalls over the maximum allowed sidewall height (existing 18.8ft x 22.9ft garage to remain)	6942 W. Bradley Rd.
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60	10th	27719 Special Use	Lonell & Daisy Burton, Property Owner  Request to continue occupying the premises as a day care center for 80 children, infant to 12yrs of age, operating from 6 a.m. to 12 a.m. Monday through Sunday	5932 W. Appleton Av.
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**5:00 p.m. – Public Hearing**

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61	10th	27728 Special Use	Deborah Robinson, Property Owner  Request to occupy the premises as a 24 hrs. family day care home for 8 children infant to 12 yrs. of age, operating Monday - Sunday	2937 N. 50th St.
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62	10th	27754 Special Use	Lisa Reed, Property Owner  Request to occupy the premises as a 24hr family day care home for 8 children infant to 12yrs of age, operating Monday-Sunday (currently operating until Midnight as a permitted family day care home increasing hours)	3619 N. 63rd St.
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**5:00 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.

63	11th	27725 Special Use	Dwight MacKinney, Lessee  Request to construct a drive through facility to the existing fast-food/carryout restaurant (restaurant is permitted)	3161 S. 76th St.
64	12th	27766 Special Use	Maritime Savings Bank, Lessee  Request to construct a drive-through facility for the proposed permitted bank on the premises	140 S. 1st St.
65	12th	27647 Special Use	Daniel Mora, Property Owner  Request to occupy the premises as a motor vehicle sales facility (includes hand washing, detailing, & minor repairs for vehicles being sold only)	2690 S. 16th St.
66	13th	27818 Dimensional Variance	Michael Meyer, Property Owner  Request to construct a detached garage over the maximum allowed height	412 W. Uncas Av.
67	13th	27778 Dimensional Variance	Nora Jeson, Property Owner  Request to erect a fence that is over the maximum height along the side street property line	3476 S. 16th St.

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

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68	14th	27821 Dimensional Variance	Vetter Denk Architecture, Other	2254 S. Allis St.
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Request to construct a multi-family Residential Dwelling (53 units) with ground floor retail over maximum allowed number of units per the given lot area

69	15th	27793 Use Variance	Lamaris Mays, Property Owner	2481 N. Teutonia Av.
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Request to add a motor vehicle sales facility to the existing non-conforming motor vehicle repair facility (includes body painting), retail sales of pagers, and car wash facility

70	15th	27779 Use Variance	Mary Albritton, Prospective Buyer	3333 W. Highland Bl.
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Request to occupy the premises as multi-family residential (apartments), assembly hall (banquet hall), and a residential hotel (10 rooms reserved for emergency temporary rooming i.e. surgery, business, etc.)

**5:45 p.m. – Public Hearing**

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71	15th	27734 Special Use/ Dimensional Variance	Auto Parts Service, Inc., Lessee	1832 W. North Av.
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Request to occupy the premises as a parking lot and allow a razor wire fence over the maximum allowed height

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**5:45 p.m. – Public Hearing (continued)**

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72	15th	27650 Special Use/ Dimensional Variance	Cloyee & Deborah Atkins, Property Owner  Request to occupy the premises as a rooming house for 7 residents	1128 W. Wright St.
73	15th	27637 Special Use	Isha Enterprises Inc., d/b/a Vliet Shell; Lessee  Request to continue occupying the premises as a motor vehicle filling station with a convenience store	1361 N. 36th St.
74	15th	27662 Special Use	Tonya Neal, Lessee  Request to occupy a portion of the premises as a day care center for 75-100 children per shift infant to 12yrs of age, operating Monday-Sunday 6:00AM - Midnight	1862 W. Fond Du Lac Av.
75	15th	27687 Special Use	Betty J. Dills, Property Owner  Request to occupy the premises as a 24 hrs. day care center for 8 children infant to 12 yrs. of age, operating Monday - Sunday	2542 N. 29th St.
76	1st	27721 Special Use	Irena Moore, Lessee  Request to occupy the premises as a day care center for 170 children (85 children per shift) infant to 12yrs of age, operating 5:30AM - 12:30AM Monday-Sunday	3712 W. Lancaster Av.

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**5:45 p.m. – Public Hearing (continued)**

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77	1st	27759 Special Use/ Dimensional Variance	Jerusalem Baptist Church, Property Owner	2505 W. Cornell St.
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Request to construct a religious assembly hall without the minimum required primary street glazing, number of parking spaces, and over the maximum allowed side street setback (previously board approved, but the permits were not obtained within one year)

78	2nd	27790 Special Use	Hazim Farah, Lessee	7210 W. Capitol Dr.
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Request to occupy the premises as a motor vehicle repair (no installation of after market rims, alarms, or stereos) and sales facility

79	3rd	27752 Special Use	Seidel Tanning Corporation, Property Owner	1306 E. Meinecke Av.
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Request to construct an addition to the north side of the building for the existing heavy manufacturing facility (leather drying, dyeing and finishing facility)

**6:45 p.m. – Public Hearing (Contested)**

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

80	1st	27593 Special Use	Ben Kienbaum, Property Owner	3800 W. Mill Rd.
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Request to continue occupying the premises as an outdoor salvage yard (junk yard)

**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.

Board of Zoning Appeals, Hearing on Thursday, November 16, 2006

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