

## AGENDA

April 17, 2008

**PLEASE TAKE NOTICE THAT** a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, April 17, 2008**, 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	8th	28578 Special Use <i>Dismissal</i>	Osamah Al Shelleh, Lessee  Request to construct a new office and car washing facility on site (to be used in conjunction with the existing non-conforming motor vehicle sales facility)	3210 W. Lincoln Av.
2	8th	28585 Special Use <i>Dismissal</i>	Salvador Sanchez, Property Owner  Request to occupy the premises as an auto sales facility	2606 W. Greenfield Av.
3	15th	28564 Use Variance <i>Dismissal</i>	Kenmikiiya Terry, Lessee  Request to occupy the premises as a day care center (that is within 300 ft. of a liquor establishment) for 100 children (per shift), ages 4 wks. to 12 yrs., operating 24-hours a day, 7 days a week	2014 W. North Av.

Board of Zoning Appeals, Hearing on Thursday, April 17, 2008

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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.

4	15th	28565 Dimensional Variance <i>Dismissal</i>	JSB Investment Group, LLC, Prospective Buyer	1003 W. North Av.
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Request to replace the existing billboard with a billboard 65 ft. in height, 14' x 48' in size on the premises (proposed billboard is digital)

5	2nd	28321 Special Use <i>Dismissal</i>	Shartavia Adams, Lessee	6627 W. Capitol Dr.
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Request to increase the number of children from 68 to 90 and continue occupying the premises as a 24 hr. day care center for children infant to 12 yrs. of age, operating Monday through Friday

**4:00 p.m. - Consent Agenda**

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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.

6	5th	28852 Special Use	Al-Karimi Corporation, Property Owner	7609 W. Capitol Dr.
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Request to continue occupying the premises as a motor vehicle filling station, convenience store and car wash

7	5th	28880 Special Use	Cynthia Black, Lessee	8320 W. Lisbon Av.
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Request to increase the day care center hours of operation from 7:00 a.m. - 6:00 p.m. Monday through Friday to 6:00 a.m. - 12:00 midnight Monday through Sunday for 30 children per shift infant to 12 yrs. of age

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

Items Scheduled for approval on the Consent Agenda

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8	5th	28883 Special Use	PH Hospitality Group, LLC, Property Owner	7604 W. Burleigh St.
			Request to continue occupying the premises as a fast-food / carry-out restaurant	
9	6th	28857 Use Variance	Larry Gamble, Lessee	101 W. Capitol Dr.
			Request to continue occupying the premises as a general retail establishment(scuba store)	
10	6th	28862 Special Use	Neher Electric Supply, Inc., Property Owner	3718 N. Teutonia Av.
			Request to continue occupying the premises as an indoor storage facility	
11	6th	28872 Special Use	Deondria Owens, Property Owner	3567 N. Martin L King Jr. Dr.
			Request to increase the hours of operation for the existing day care from 5:00 a.m. - 10:00 p.m. Monday - Friday, to 5:00 a.m. - 12:00 midnight Monday - Sunday for 30 children per shift, infant to 12 yrs. of age	

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

Items Scheduled for approval on the Consent Agenda

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|----|-----|----------------------|--|----------------------|
| 12 | 6th | 28874<br>Special Use | Danae Davis, Lessee  | 2100 N. Palmer St.   |
|    |     |                      | Request to continue occupying the premises as a social service facility (central office for youth service agency)  |                      |
| 13 | 6th | 28875<br>Special Use | Nyishia Brown, Lessee  | 3278 N. Richards St. |
|    |     |                      | Request to continue occupying the premises as a group home for a maximum of 8 teenage females (teen mothers with children or pregnant) 12 to 17 yrs. of age                                    |                      |
| 14 | 6th | 28787<br>Special Use | Rev. Richard Bush, Property Owner  | 3416 N. Teutonia Av. |
|    |     |                      | Request to continue occupying the premises as a general retail establishment (grocery store)   |                      |
| 15 | 7th | 28855<br>Special Use | Anna Tormes, Lessee  | 3213 N. 35th St.     |
|    |     |                      | Request to continue occupying the premises as a 24 hr. day care facility for 8 children ages infant - 12yrs., operating Monday - Friday (24 hrs.), and Saturday - Sunday 6:00 a.m. - 6:00 p.m. |                      |

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

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16	9th	28867 Special Use	CK Properties, Inc., Property Owner	7720 W. Good Hope Rd.
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Request to construct a general office building (permitted) and occupy a portion of the premises as a health clinic

17	12th	28814 Special Use	Demetrius L. Cooper, Lessee	1724 W. Mitchell St.
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Request to occupy the premises as a religious assembly hall (site was previously approved by the Board as a religious assembly hall)

18	12th	28845 Special Use	Guy Rehorst, Lessee	616 W. Virginia St.
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Request to occupy a portion of the premises as a heavy manufacturing facility (distillery)

19	13th	28789 Special Use	Kolee Yang, Property Owner	1801 W. Becher St.
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Request to occupy a portion of the premises as a day care center for 25 children per shift infant to 12 years of age, Monday - Friday 5:00 a.m. - 11:00 p.m.

20	13th	28853 Special Use	YMCA of Metro Milwaukee Lessee	3720 S. 27th St.
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Request to continue occupying the premises as a community center (YMCA)

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

Items Scheduled for approval on the Consent Agenda

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21	13th	28861 Special Use	Suzy Rodriguez, Lessee	4939 S. Howell Av.
			Request to occupy the premises as a fast-food/carry-out restaurant with a drive-through facility (previously approved as carry-out restaurant)	
22	14th	28882 Special Use	PH Green Bay, LLC, Property Owner	3131 S. Kinnickinnic Av.
			Request to continue occupying the premises as a fast-food / carry-out restaurant	
23	15th	28889 Special Use	Marcel Green-Minter, Lessee	4727 W. Center St.
			Request to continue occupying a portion of the premises as a second-hand sales facility (furniture sales)	
24	1st	28840 Use Variance	Katherine Handy, Lessee	4641 N. 28th St.
			Request to increase the hours of operation from Monday - Sunday 6:00 a.m. - 10:00 p.m. to Monday - Sunday 6:00 a.m. - 12:00 a.m., and continue occupying the premises as a day care center for 8 children infant to 12 yrs. of age	

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

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25	1st	28871 Special Use	Shirley Howard, Property Owner	4911 W. Good Hope Rd.
			Request to continue occupying the premises as a day care center for 98 children infant to 13 years of age, operating Monday- Sunday 5:30 a.m. - 9:00 p.m.	
26	2nd	28838 Special Use	Kevin & Kenyatta Johnson, Property Owner	6107 W. Leon Tr.
			Request to increase the hours of operation from 6:30 a.m. - 5:30 p.m. to 6:30 a.m. - 11:00 p.m. Monday through Friday and to continue occupying the premises as a day care center for 50 children infant to 12 yrs. of age	
27	2nd	28849 Special Use	Robin Bennett, Lessee	8749 W. Fond Du Lac Av.
			Request to continue occupying the premises as a day care center for 90 children per shift infant to 12 years of age, operating 24 hours Monday - Sunday	
28	3rd	28846 Use Variance	J & G Foods, Inc., Lessee	1620 N. Water St.
			Request to continue occupying the premises as an outdoor storage facility	

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

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29	4th	28860 Special Use	Marilyn Simms, Lessee	2939 W. Kilbourn 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. - 8:00 p.m. and to continue occupying the premises as a day care center for 80 children per shift, infant to 12 yrs of age, Monday - Sunday

30	4th	28868 Special Use	Venner Alston, Property Owner	2605 W. Vliet St.
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Request to continue occupying the premises as a religious assembly hall

31	4th	28869 Special Use	Venner Alston, Property Owner	2605 W. Vliet St.
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Request to increase the hours of the existing Board approved day care center from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 12:00 midnight, Monday - Friday, for 50 children infant - 12 yrs of age

**4:00 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.

32	2nd	28290 Use Variance	Rueben M. Katz, Property Owner	8300 W. Florist Av.
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Request to continue occupying the premises as a metal processing and recycling facility with outdoor storage

33	4th	28863 Resubmission Request	Natasha Bishop, Lessee	1801 W. Galena St.
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Request a resubmission hearing to occupy the premises as a day care center for 6 children per shift, ages infant to 12 years, operating Monday through Friday from 6:00 a.m. to 10:00 p.m.

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**4:15 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.

34	5th	28557 Special Use	Thomas Manske, Lessee	7808 W. Congress St.
			Request to continue occupying the premises as a motor vehicle sales and repair facility	

35	5th	28803 Special Use/ Dimensional Variance	St. Anne's Home for the Elderly; Milwaukee, Inc. Property Owner	3800 N. 92nd St.
			Request to continue occupying the premises as a Community Living Arrangement (CLA) and construct an addition for 48 new elderly residents that is over the maximum allowed lot coverage (excess of 645 sq. ft.) *Previous Variances and Special Use approved for the existing home for the elderly/ assisted living facility	

36	5th	28854 Use Variance	Patricia Fondren, Lessee	3515 N. 76th St.
			Request to occupy the premises as a family day care home for 8 children per shift infant to 12 years of age, operating 24 hours Monday - Saturday	

37	5th	28707 Special Use	Alphabet Street Learning Center Property Owner	4473 N. 76th St.
			Request to continue occupying the premises as a day care center for 71 children, ages infant to 12 years operating 5:30 a.m. to midnight, Monday - Sunday	

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

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38	6th	28836 Special Use / Dimensional Variance	Mark Lake, Prospective Buyer	2826 N. Martin L King Jr. Dr.
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Request to raze the existing building and construct a retail establishment with a drive-through facility that is within 150 ft. of a residential district, and that does not meet the required distance of interior wall parallel to glazing location (required 6 ft. / proposed 3 ft.), and that exceeds the maximum required height of free-standing sign (maximum 14 ft. / proposed 20 ft. 4 in.)

39	7th	28801 Special Use	Murtaza Sajan, Lessee	3380 N. 35th St.
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Request to occupy the premises as a day care center for 60 children per shift, infant - 12 yrs. of age, operating Monday - Sunday 6:00 a.m. - 12:00 a.m.

40	7th	28739 Special Use	J & L Child Care Company, Inc. Prospective Buyer	3343 N. 35th St.
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Request to occupy the premises as a day care center operating 24 hours a day, 7 days a week, for 50 children per shift, infant to 12 years of age (Board approved a day care center for this site in 2001 for 10 years)

41	8th	27424 Use Variance	Patti Jump, Property Owner	2100 04 S. 32nd St.
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Request to expand the existing multi-family (4 unit) residential dwelling into a 5 unit multi-family residential dwelling

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

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42	8th	28684 Special Use	Edwin Aviles, Lessee	1948 S. 30th St.
Request to occupy the premises as a day care center for 8 children (2 shifts), ages infant to 12 years, operating Monday through Friday from 6:00 a.m. to 1:00 a.m.				

43	9th	28753 Use Variance	Young Minds Preparatory School, Lessee	8324 N. Steven Rd.
Request to occupy a portion of the premises as a school (pre-school - 8th grade) for 225 children operating from 6:00 a.m. to 6:00 p.m., Monday - Friday				

**5:15 p.m. – Public Hearing**

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44	9th	28784 Other	Kurt Bechthold, Property Owner	7460 N. 60th St.
Request to modify and or delete condition #6 from case #27975 stating that "all trucks (and loads) entering and exiting the site be covered in some manner"				

45	9th	28822 Use Variance	Michael C. Vilione, Sr., Lessee	8111 W. Bradley Rd.
Request to occupy the premises as a storage facility for hazardous materials				

46	9th	28833 Special Use/ Dimensional Variance	Burger King Corporation, Property Owner	6544 N. 76th St.
Request to raze and rebuild a fast-food / carry-out restaurant with a drive through that is within 150 ft. of a residential use, that does not meet the minimum required front setback (required 40.08 ft. / proposed 21.40 ft), and the minimum required glazing (required 435.3 sq. ft. / proposed 142 sq. ft.)				

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

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47	10th	28661 Special Use	Shawneen Newell, Other  Request to occupy the premises as a day care center for 40 children, ages 6 weeks to 12 years, operating Monday through Friday from 6:00 a.m. to midnight	2778 N. 59th St.
48	13th	28714 Special Use	James Baker, Lessee  Request to occupy a portion of the premises as an ambulance service facility operating 24 hrs (ambulance service is an addition to a permitted contractor's shop)	5044 S. 27th St.
49	14th	28483 Special Use	Adbul Haq, Property Owner  Request to continue occupying the premises as a 24-hour motor vehicle filling station and convenience store	2341 S. Chase Av.
50	14th	28796 Use Variance	Robert and Leonor Montemayor Property Owner  Request to occupy the premises as a currency exchange facility within 150 ft. of a two family residential district	2873 S. 13th St.
51	15th	28818 Special Use	William Smith, Property Owner  Request to occupy the premises as a contractor's yard and shop	2812 W. Fond Du Lac Av.
52	15th	28825 Special Use	Tiffany Dean, Lessee  Request to occupy the premises as a family day care home for 8 children per shift infant to 12 years of age, Monday - Saturday 6:00 a.m. - 6:00 p.m. and Sunday 9:00 a.m. - 5:00 p.m.	2659 N. 24th St.

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**6:15 p.m. – Public Hearing**

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53	15th	28693 Use Variance	David Skwarek, Property Owner	3918 W. Kisslich Pl.
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Request to occupy the premises as an indoor storage facility (personal items)

54	1st	28834 Use Variance	Hampton Real Estate, LLC, Property Owner	1957 W. Hampton Av.
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Request to occupy the premises as a day care center for 20 children per shift, operating Monday through Friday, from 7:00 a.m. - 6:00 p.m. (within 300 ft. of a facility that possesses a liquor license)

55	1st	28839 Use Variance	Ricardo Brooks, Lessee	5150 N. 32nd St.
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Request to occupy a portion of the premises as a secondary school for 400 students in grades 9-12 operating Monday - Friday from 6:00 a.m. - 6:00 p.m. and Saturday and Sunday from 8:00 a.m. - 5:00 p.m.

56	1st	28844 Special Use	LifeStyle Ministries, Lessee	2320 W. Capitol Dr.
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Request to occupy the premises as an elementary or secondary school for 120 students ages 4 - 12 yrs operating Monday - Friday 7:00 a.m. - 6:00 p.m.

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**6:15 p.m. – Public Hearing (continued)**

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57	2nd	28598 Special Use	Hazim Farah, Property Owner  Request to continue occupying the premises as a car sales and repair facility	7210 W. Capitol Dr.
58	4th	28856 Dimensional Variance/ Special Use	The Scion Group, LLC, Property Owner  Request to construct 100 new (permitted) apartment units that do not meet the minimum required lot area per dwelling/roomer (required 116,400 sq. ft. / 97,445 sq. ft), to expand a nonconforming parking lot located between the street facade of the principal building and the street lot line, that is without the minimum number of parking spaces required (required 234 / proposed 188) and over the maximum allowed area of metal panels (permitted 15% / proposed 21%)	2040 W. Wisconsin Av.

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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.