

AGENDA

July 10, 2008

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, July 10, 2008**, commencing at **1:00 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.

1:00 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	15th	28371 Special Use/ Dimensional Variance <i>Dismissal</i>	Kenneth Dyess, Lessee Request to occupy the premises as a transitional living facility for no more than seven adult men at any time and to occupy without the minimum required sq. ft. per roomer (200 ft. short/per roomer)	1122 W. Wright St.
2	4th	28955 Use Variance <i>Dismissal</i>	Marshall & Ilsley Corp., Property Owner Request to install a temporary banner (for the use of promoting Summerfest) that exceeds more than one percent of the building facade and that covers windows	770 N. Water St.

Board of Zoning Appeals, Hearing on Thursday, July 10, 2008

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1:00 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	7th	28721 Use Variance <i>Dismissal</i>	Karah Letherwood, Lessee Request to occupy the premises as a day care center (located within 300 ft of a liquor license) operating Monday - Saturday from 6:30A.M. to 12:00A.M. for 70 children ages infant to 12 yrs. of age	3064 N. 27th St.
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4	7th	28831 Use Variance <i>Dismissal</i>	Lecole Kidd, Lessee Request to occupy the premises as a day care center for 16 children (8 per shift) infant to 12 years of age, Monday - Friday 6:00 a.m. - 12:00 a.m. (midnight)	4950 N. 58th St.
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1:00 p.m. Consent Agenda

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5	8th	28961 Special Use	Samuel Perez, Lessee Request to continue occupying the premises as a general retail establishment (grocery store)	3100 W. Mitchell St.
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6	8th	28976 Special Use	Gary Lindsay, Property Owner Request to continue occupying the premises as a light manufacturing facility (meat processing facility)	2209 W. National Av.
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7	8th	28978 Special Use	Raymond Nagy, Lessee Request to continue occupying the premises as an auto repair and body shop (replacement of hoods, fenders, bumpers, grills, head lamps, and doors)	2130 W. National Av.
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1:00 p.m. Consent Agenda (continued)

Items scheduled for approval on the Consent Agenda

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8	9th	28958 Special Use	Robert Pyles and Brenda Ellis Property Owner Request to continue occupying the restaurant as a fast-food / carry-out restaurant with a drive-through facility	8100 W. Brown Deer Rd.
9	9th	28973 Special Use	Peek-A-Boo II, LLC, Lessee Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. operating Monday - Friday to 24 hours operating Monday - Sunday and to increase the number of children from 76 to 96 for an existing Board approved day care center	8842 N. Swan Rd.
10	10th	28935 Special Use	Arthur and Mary, LLC, Property Owner Request to continue occupying the residential dwelling as a 24 hr. day care center for 8 children, infant to 12 yrs of age, operating Monday-Sunday and to continue occupying the second principle dwelling (commercial building) on site as a group day care center for 95 children, infant to 12 yrs. of age, operating on a 24 hr. basis, 7 days per week	2745 N. 58th St. AKA 5836 W Appleton Ave.
11	10th	28939 Special Use	Shalanda Magloire Green, Lessee Request to occupy a portion of the premises (units #118, #206, and #310) as a social service facility (job placement, and job training)	6815 W. Capitol Dr. 310
12	10th	28971 Dimensional Variance	Mount Olive Lutheran Church, Property Owner Request to continue to allow a freestanding sign that is over the maximum permitted display area	5327 W. Washington Bl.

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1:00 p.m. Consent Agenda (continued)

Items scheduled for approval on the Consent Agenda

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13	11th	28996 Special Use	Christine Monty, Lessee	6161 W. Forest Home Av.
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Request to occupy the premises as a day care center for 50 children, infant – 12 yrs. of age, operating Monday - Friday 5:30 a.m. - 10 p.m

14	12th	28992 Special Use	Chris Simko, Property Owner	450 S. 11 th St.
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Request to continue occupying the premises as an outdoor salvage operation (recycled motor vehicle parts)

15	13th	28945 Special Use	Donald and Celia Constantineau Property Owner	5572 S. 27th St.
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Request to occupy the premises as a fast-food/carry-out restaurant with a drive-through facility (The existing canopy had collapsed requiring this operator to pursue Board approval under Code Section 415-2-d.)

16	13th	28984 Special Use	Saul Rosen, Property Owner	5575 S. 27th St.
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Request to raze a portion of the premises and rebuild a motor vehicle showroom. (This is an intensification of a Board approved motor vehicle sales facility)

17	13th	29014 Use Variance	Prince of Peace ELCA Church Property Owner	126 W. Bottsford Av.
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to reconfigure the existing principal use parking lot to alter the existing green space and parking on site (parking lot was previously approved in 1978 for a period of 3 years; the addition of green space works in conjunction with increased parking at 126 W. Bottsford Ave.)

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1:00 p.m. Consent Agenda (continued)

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18	13th	29015 Dimensional Variance	Prince of Peace ELCA Church Property Owner Request to construct a parking lot that is located between the property line and the front facade of the principal building (this appeal works in conjunction with 126 W. Bottsford Ave.)	4419 S. Howell Av.
19	13th	29023 Special Use	Nargis Anis, Lessee Request to continue occupying the premises (new operator) as motor vehicle filling station and convenience store with a fast-food / carry-out restaurant and to continue to allow the additional signage as granted in case #27802	4709 S. Howell Av.
20	15th	28947 Use Variance	Chad Carroll, Lessee Request to continue occupying the premises as a day care center for 75 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 3:00 a.m (located within 300 ft. of a liquor license)	2806 W. Lisbon Av.
21	15th	28957 Special Use	Fernandous Chambers, Property Owner Request to continue occupying the premises as a religious assembly hall	3918 W. Center St.
22	15th	28974 Special Use	Keith Hughes, Lessee Request to occupy a portion of the premises as a second-hand store	2224 W. North Av.
23	15th	28994 Special Use	Genesis Behavioral Services, Inc. Lessee Request to continue occupying the premises as a community living arrangement for 87 occupants	2436 N. 50th St.

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1:00 p.m. Consent Agenda (continued)

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24	15th	28693 Use Variance	David Skwarek, Property Owner	3918 W. Kisslich Pl.
			Request to occupy the premises as an indoor storage facility (personal items)	
25	1st	28940 Special Use	New Greater Love Baptist Church, Lessee	6245 N. Teutonia Av.
			Request to occupy a portion of the premises as a religious assembly hall	
26	1st	28965 Special Use	Kcal Skill and Recreation Development Center Prospective Buyer	4236 N. Teutonia Av.
			Request to occupy the premises as an adult day care center for 24 clients operating Monday - Friday 6:00 a.m. - 12:00 midnight and Saturday 8:00 a.m. - 6:00 p.m	
27	1st	28993 Special Use	Greg and Juanita Brown, Prospective Buyer	4031 W. Kiehnau Av.
			Request to occupy the premises as a day care center for 60 children per shift, infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight	
28	1st	29001 Special Use	Charlene Wilson-Durr, Lessee	1927 W. Hampton Av.
			Request to increase the hours of operation from 6:00 a.m. - 7:00 p.m. to 24 hours and to continue occupying a portion of the premises as a day care center for 8 children, infant to 12 years of age, operating Monday - Friday	

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29	2nd	28963 Special Use	Madan Lal, Property Owner	5170 N. 76th St.
			Request to continue occupying the premises as a motor vehicle filling station and convenience store	
30	3rd	28959 Special Use	Meta House, Inc., Property Owner	2618 N. Bremen St.
			Request to continue occupying the premises as a community living arrangement that offers AODA services for 23 occupants	
31	3rd	28960 Special Use	Meta House, Inc., Property Owner	2626 N. Bremen St.
			Request to continue occupying the premises as a community living arrangement that offers AODA services for 30 occupants	
32	3rd	28982 Special Use	Scotalia, Inc. dba Planet Scooter Lessee	904 E. Center St.
			Request to occupy a portion of the premises as a motor vehicle sales facility (moped sales)	
33	3rd	28983 Special Use	Terry Sisters, LLC, Lessee	2500 N. Holton St.
			Request to continue occupying the premises as a day care center for 45 children, infant to 12 years of age, operating 24 hours Monday - Sunday	

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34	3rd	28846 Use Variance	J & G Foods, Inc., Lessee	1620 N. Water St.
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Request to continue occupying the premises as an outdoor storage facility

35	4th	28956 Special Use	Thanks A-Lot, LLC, Property Owner	843 N. Plankinton Av.
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Request to continue occupying the premises as a principal parking lot

36	4th	28964 Use Variance	St. Michael's Congregation, Property Owner	1445 N. 24th St.
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Request to continue occupying a portion of the premises (second & third floors) as a rooming house for 10 occupants

37	4th	28977 Dimensional Variance	Laurie Pevnick, Property Owner	527 N. 27th St.
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Request to continue to allow a 6 foot high chain link fence with 3 strands of barbed-wire on the north end of the premises

38	4th	28987 Special Use	The Cat Doctors, S.C., Lessee	236 N. Water St. 1
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Request to continue occupying a portion of the premises as an animal hospital / clinic for cats

Board of Zoning Appeals, Hearing on Thursday, July 10, 2008

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39	4th	29005 Special Use	Edwin Sweeney, Lessee	1400 W. Wells St.
			Request to occupy a portion of the premises as a second-hand store (new and used books)	
40	4th	29007 Special Use	Jill Seebantz Prospective Buyer	1234 N. Prospect Av.
			Request to continue occupying the premises as a personal service facility (message therapy)	
41	4th	29009 Special Use	Mental Health America Property Owner	734 N. 4th St.
			to occupy a portion of the premises as a social service facility (mental health services)	
42	4th	29011 Special Use	Marshall & Wells, LLC Property Owner	807 N. Marshall St.
			Request to continue occupying the premises as a parking lot	
43	5th	28999 Special Use	Great Lakes Quick Lube dba Valvoline Instant Oil Lessee	10014 W. Silver Spring Dr.
			Request to continue occupying the premises as a motor vehicle sales facility	
44	5th	29024 Dimensional Variance Fence	Lynn Marie Slichter Property Owner	10800 W. Fairmount Av.
			Request to install a residential fence that is over the maximum allowed height (allowed 4 / proposed 6)	

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45	6th	28950 Special Use	Quincy Johnson, Property Owner	3780 N. 10th St.
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Request to continue occupying the premises as a day care center for 8 children infant to 12 years of age , operating Monday - Friday 6:00 a.m. - Midnight

46	6th	28951 Special Use	Wee Care Day Care, Lessee	3882 N. Teutonia Av.
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Request to occupy a portion of the premises (first floor) as a social service facility (this facility was previously approved in 1994 for a period of five years)

47	6th	28952 Special Use	East Point Residential Facility, LLC Property Owner	608 E. North Av.
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Request to continue occupying the premises as a community based residential facility for 7 ambulatory adults

48	6th	28962 Special Use	Pastor George Marshall, Property Owner	1131 W. Keefe Av.
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Request to continue occupying the premises as a religious assembly hall

49	6th	29012 Special Use	Northcott Neighborhood House, Property Owner	2460 N. 6th St.
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Request to continue occupying the premises as a community center (offering youth programs, Head Start, and literacy training)

Board of Zoning Appeals, Hearing on Thursday, July 10, 2008

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1:00 p.m. Consent Agenda (continued)

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50	6th	29016 Special Use	Anthony Jones, Property Owner	2053 W. Hopkins St.
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Request to continue occupying the premises as a car wash

51	7th	28946 Special Use	Rolanda Cornelius, Lessee	4006 W. Burleigh St.
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Request to continue occupying the premises as a day care center for 50 children (25 children per shift) infant-12 yrs of age, operating Monday-Sunday 6:00 a.m. - Midnight

52	7th	28969 Special Use	David Houle, Property Owner	5426 W. Hampton Av.
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Request to continue occupying the premises as a motor vehicle sales and repair facility

53	7th	28997 Special Use	Gloria Oglesby, Lessee	5613 W. Hampton Av.
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Request to increase the hours of operation for a Board approved day care center from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 9:00 p.m.; to increase the number of children from 75 to 80 per shift, and to continue occupying the premises as a day care center for children ages infant to 12 yrs. of age

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1:00 p.m. Consent Agenda (continued)

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54	7th	29000 Special Use	Higher Love Ministries Outreach Inc. Property Owner	2700 W. Concordia Av.
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Request to continue occupying the premises as a religious assembly hall (new operator)

55	7th	29004 Special Use	Maebell Burrell, Property Owner	4122 W. Fond Du Lac Av.
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Request to continue occupying the premises as a 24 hr. day care center for 50 children per shift, operating Monday - Sunday for children ages infant to 12 yrs. of age

56	7th	29027 Special Use	James Arms, Property Owner	4335 W. Fond Du Lac Av.
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Request to continue occupying the premises as a day care center for 30 children increasing ages from infant to 10 years to infant - 12 yrs of age, operating Monday - Friday 6:00 a.m. - 11:30 p.m

1:00 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.

57	6th	28791 Special Use	Anica Banyard, Lessee	2201 N. Martin L King Jr Dr.
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Request to occupy the premises as an elementary/secondary school for 100 students in grades Kindergarten - 6th grade (Board approved religious assembly facility on site)

58	4th	28710 Use Variance	Kashmir Multani, Lessee	1530 W. State St.
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Request to occupy the premises as a filling station (existing Board approved station which expired in 2005)

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1:15 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.

59	8th	28932 Special Use	Oscar Diaz, Property Owner Request to occupy the premises as a motor vehicle repair and sales facility (installing alarms and stereos)	4129 W. Greenfield Av.
60	8th	28972 Dimensional Variance	Rogers Street School, Property Owner Request to install a freestanding automatic changeable message sign (automatic signs are not permitted in this district)	2430 W. Rogers St.
61	8th	28988 Use Variance	Inocente and Graciela Hernandez Prospective Buyer Request to occupy the premises as a general retail establishment (grocery store)	3911 W. Greenfield Av.
62	8th	28585 Special Use	Salvador Sanchez, Property Owner Request to occupy the premises as an auto sales facility	2606 W. Greenfield Av.
63	8th	28763 Special Use	Pardeep Kaleka, Property Owner Request to construct a filling station and convenience store on site	1900 S. Muskego Av.

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1:15 p.m. – Public Hearing (continued)

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64	9th	28909 Special Use	Community Baptist Church of Greater Milwaukee Property Owner Request to occupy a portion of the proposed religious assembly hall/school (both permitted) as a 24 hr. day care center for 140 children (1st shift) and 75 children (2nd and 3rd shift), infant to 12 yrs. of age, operating Monday - Friday, and that is within 300 ft. of a facility that possesses a liquor license	6850 W. Good Hope Rd.
65	10th	28930 Special Use	Ruby and Melvin Grisby, Property Owner Request to add an elementary school for 15 students, grade K4, operating Monday - Friday 8:00 a.m. - 3:00 p.m. to the existing day care center for 40 children infant to 12 years of age operating Monday - Sunday 6:00 a.m. - 1:00 a.m.	5455 W. Burleigh St.
66	10th	28933 Special Use	Ruby and Melvin Grisby, Property Owner Request to add an elementary school for 25 students grade K5 operating Monday - Friday 8:00 a.m. - 3:30 p.m. and to continue occupying the premises as a day care center for 39 children infant to 12 years of age operating Monday - Sunday 6:00 a.m. - 1:00 a.m.	5301 W. Burleigh St.
67	11th	28876 Dimensional Variance	Thomas Esser, Property Owner Request to use a portion of the front yard (currently existing driveway) for a parking space (driveway initially led to a garage which has been converted into a bedroom)	6315 W. Ohio Av.

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1:15 p.m. – Public Hearing (continued)

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68	12th	28804 Other	Daniel Mora, Property Owner	1501 S. Muskego Av.
			Request to modify condition #4 of case #28325, requiring the erection of a "decorative metal fence along all street frontages"	

69	12th	28934 Special Use	Ahmed Karim, Lessee	1724 W. Mitchell St.
			Request to occupy a portion of the premises as a secondary school for 60 students grades 9 - 12 operating Monday - Friday 7:30 a.m. - 2:30 p.m	

70	12th	28748 Special Use	Abel Santos, Property Owner	1333 W. Greenfield Av.
			Request to add an assembly hall to the existing bar/restaurant (permitted use)	

2:15 p.m. – Public Hearing

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71	14th	28980 Dimensional Variance	Dean LaGrow, Property Owner	2810 S. Clement Av.
			Request to construct a carport / roof-top deck that is over the maximum allowed lot coverage for an accessory structure (allowed 600 sq.ft. / proposed 768 sq.ft.)	

72	14th	28483 Special Use	Adbul Haq, Property Owner	2341 S. Chase Av.
			Request to continue occupying the premises as a motor vehicle filling station and convenience store	

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73	15th	28989 Special Use	Kalim Beg, Property Owner Request to raze and construct a motor vehicle filling station and convenience store utilizing the original pumps and canopy (applicant will be combining two adjacent lots and razing the existing filling station and two residential dwellings)	2624 W. Lisbon Av. Aka 2642 W. Lisbon Av. & 2640 N. 27 th St.
74	15th	29022 Special Use	Midwest Hospitality, LLC, Lessee Request to occupy the premises as a fast-food / carry-out restaurant with a drive-through that is within 150 feet of a residential use (The Board has previously approved the site for this use. The new operator is renovating and intensifying the site)	1635 W. North Av.
75	2nd	28572 Use Variance	Committed to Christ International Ministries Prospective Buyer Request to occupy the premises as a religious assembly hall	10003 W. Carmen Av.
76	2nd	28902 Use Variance	Steve Hentzen, Lessee Request to occupy the premises for the storage of hazardous materials (warehousing for industrial coatings)	7011 - 7029 W. Mill Rd.

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

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77	3rd	28954 Special Use	Gregory Goner, Lessee Request to occupy a portion of the premises (first and second floors) as an elementary and secondary school for 250 students grades K4-12 operating Monday - Friday 7:15 a.m. - 3:30 p.m	924 E. Clarke St.
78	3rd	28986 Use Variance	Harold Schnell, Property Owner Request to occupy the premises as a 4 unit multi-family dwelling (multi-family dwellings that have not been legally established and occupied by 2002 are not permitted in this district)	2582 N. Cramer St.
79	4th	28937 Dimensional Variance	James Bach, Prospective Buyer Request to construct a two-family residential dwelling that is over the maximum allowed front setback (allowed 6 ft. 32 in. / proposed 88 ft. 5 in.)	949 N. 15th St.
80	4th	28953 Special Use	The Young Women's Institute for Global Studies Lessee Request to occupy a portion of the premises as a secondary school for 200 students grades 9-12, operating Monday - Friday 8:30 a.m. - 5:30 p.m	310 W. Wisconsin Av.
81	4th	28966 Dimensional Variance	MacDowell Montessori School, Property Owner Request to install a freestanding automatic changeable message sign (automatic signs are not permitted in this district)	1706 W. Highland Av.

Board of Zoning Appeals, Hearing on Thursday, July 10, 2008

<u>Item No.</u>	<u>Ald Dist.</u>	<u>Case No. Type.</u>	<u>Case Information.</u>	<u>Location.</u>
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2:15 p.m. – Public Hearing (continued)

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

82	4th	28968 Dimensional Variance	Dimitrios or Alexia Jifas, Property Owner	939 N. 17th St.
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Request to raze and construct a 4 unit multi-family dwelling that does not meet the minimum required lot area per unit (required 4800 / proposed 4445)

3:15 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.

83	5th	28926 Use Variance/ Dimensional Variance	Erik Peterson, Lessee	11927 W. Silver Spring Dr.
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Request to construct an addition to a Board approved hazardous material storage facility without the required minimum residential buffer (required 25 ft. / proposed 3 ft.)

84	5th	28948 Special Use	Heritage Reserve Holding, LLC Property Owner	12111 W. Good Hope Rd.
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Request to fill the land, increasing the elevation above the existing finished grade of the land (filling or grading is only permitted upon the granting of a special use permit from the Board)

85	5th	28967 Special Use	Nigerian Community in Milwaukee, Inc. Property Owner	8028 W. Appleton Av.
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Request to occupy the premises as a community center (Nigerian cultural center offering language and culture classes)

Board of Zoning Appeals, Hearing on Thursday, July 10, 2008

<u>Item No.</u>	<u>Ald Dist.</u>	<u>Case No. Type.</u>	<u>Case Information.</u>	<u>Location.</u>
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3:15 p.m. – Public Hearing (continued)

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

86	5th	28893 Special Use	Notkia Delarosa, Lessee	8436 W. Lisbon Av.
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Request to occupy a portion of the premises as an adult day care center for 10 clients operating from 7:00 a.m. to 3:00 p.m (Board approved motor vehicle repair facility operating out of the rear of the building)

87	5th	28802 Special Use	Kai Trimble, Lessee	4542 N. 84th St.
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Request to occupy the premises as a group home facility offering AODA services to 6 females, 13 - 17 yrs. of age

88	6th	28917 Special Use	House of Hope Girls Group Home of Milwaukee Other	123 E. Chambers St.
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Request to occupy the premises as a group home offering AODA services to 5 occupants 13 to 17 years of age

89	6th	28942 Special Use/ Dimensional Variance	Mohammad Ali, Prospective Buyer	3105 N. Holton St.
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Request to renovate and occupy the premises as a filling station and convenience store that is without the minimum required glazing (required 60% / proposed 30%)

Board of Zoning Appeals, Hearing on Thursday, July 10, 2008

<u>Item No.</u>	<u>Ald Dist.</u>	<u>Case No. Type.</u>	<u>Case Information.</u>	<u>Location.</u>
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3:15 p.m. – Public Hearing (continued)

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

90	6th	29002 Dimensional Variance	St. Francis of Assisi Church, Property Owner Request to erect a freestanding automatic changeable message sign that is not permitted in a Two-Family Residential district and that exceeds the maximum allowed display area (allowed 18 sq. ft. / proposed 27 sq. ft.)	1927 N. 4th St.
91	6th	28741 Special Use	Katherine Handy, Lessee Request to occupy the premises as a family day care home operating from 6 am to 12 am, 7 days a week, for 16 children (8 per shift) infant to 12 years of age	2411 N. Richards St.
92	7th	28913 Special Use	Maria's Learning Center, Lessee Request to occupy the premises as a family day care home operating 24 hrs. Monday - Friday for 8 children per shift, infant to 12 yrs. of age	2301 W. Burleigh St.
93	7th	28941 Dimensional Variance	Ellis Baylis, Property Owner Request to occupy the premises as a multi-family dwelling with 6 units that do not meet the minimum required lot area per dwelling (required 4800 ft. / proposed 4440)	3428 W. Burleigh St.

Board of Zoning Appeals, Hearing on Thursday, July 10, 2008

<u>Item No.</u>	<u>Ald Dist.</u>	<u>Case No. Type.</u>	<u>Case Information.</u>	<u>Location.</u>
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4:30 p.m. – Public Hearing (Contested)

Please note that each item scheduled for a public hearing has been scheduled for approximately 30 minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

94	2nd	28906 Special Use	James Harrison, Lessee	8201 W. Silver Spring Dr.
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Request to occupy a portion of the premises as an assembly hall (teen night club)

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.