

AGENDA

October 16, 2008

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, October 16, 2008** commencing at **4:30 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.

4:30 p.m. Administrative Consent Agenda

Items scheduled for dismissal 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	12th	28593 Special Use <i>Dismissal</i>	Eva Torres, Lessee Request to occupy the premises as a religious assembly hall (main assembly hall in north section of the building, dinner and child care room in south section of the building)	107 W. Mitchell St.
2	15th	29234 Special Use <i>Dismissal</i>	Dennis Witthun, Property Owner Request to occupy the premises as an indoor storage facility	3813 W. Center St.
3	3rd	28820 Special Use <i>Dismissal</i>	Mary Ann Gilpin, Lessee Request to occupy a portion of the premises as a social service facility (counseling / support services / pregnancy tests)	1442 N. Farwell Av. 102

Board of Zoning Appeals, Hearing on Thursday, October 16, 2008

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4:30 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	4th	29118 Special Use <i>Dismissal</i>	SG Properties, LLC, Property Owner	937 N. 14th St.
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Request to occupy the premises as a rooming house for 8 occupants

5	6th	29046 Special Use <i>Dismissal</i>	More Than Conquerors Group Home, Lessee	1017 W. Burleigh St.
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Request to increase the number of occupants from 8 to 10 (for an existing Board approved group home)

6	7th	28686 Special Use/Use Variance/ Dimensional Variance <i>Dismissal</i>	Integrated Mail Industries, Ltd.; Property Owner	4125 N. 35th St.
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Request to occupy the premises as an outdoor storage facility and parking lot for heavy motor vehicles

4:30 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.

7	11th	29252 Dimensional Variance	Clayton Kingan, Property Owner	6502 W. Fremont Pl.
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Request to construct an addition of a carport to the existing detached garage that exceeds the maximum allowed lot coverage (allowed 825 sq.ft. / proposed 902 sq.ft.)

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<p><u>4:30 p.m. Consent Agenda (continued)</u> <u>Items Scheduled for approval on the Consent Agenda</u> <u>No oral testimony will be taken on these items.</u></p>				
<p><i>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.</i></p>				
8	13th	29260 Special Use	Beant Boparai, Property Owner Request to continue occupying the premises as a motor vehicle repair facility	5938 S. 13th St.
9	13th	29194 Use Variance	Kevin Czerwinski, Lessee Request to continue occupying the premises as an indoor recreational facility	4903 S. Howell Av.
10	14th	29251 Use Variance	John's Appliance Service & Sales , Lessee Request to continue occupying a portion of the premises as a second-hand store (used appliance sales and service)	2865 S. Kinnickinnic Av.
11	14th	29171 Special Use	Muriel Pelant, Property Owner Request to continue occupying the premises as a parking lot (temporary parking for customers of the store located on the parcel to the south of the premises, 3860 S. Howell)	3850 S. Howell Av.
12	15th	29137 Special Use	Dana McDonell, Lessee Request to occupy the premises as a motor vehicle repair facility	2246 N. 44th St.
13	15th	29236 Special Use	City of Milwaukee, Property Owner Request to occupy the premises as an accessory use heavy motor vehicle parking lot	1610 N. 14th St.

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4:30 p.m. Consent Agenda (continued)

Items Scheduled for approval on the Consent Agenda

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14	1st	29205 Use Variance	Ruth Varnado	2820 W. Stark St.
			Request to occupy the premises as a community center	
15	1st	29160 Dimensional Variance	Michael Dube, Jr. Property Owner	3916 W. Rochelle Av.
			Request to construct a detached garage that is located in the front yard of a principal building and is over the maximum allowed floor area (allowed 1000 sq. ft. / proposed 1120 sq. ft.)	
16	1st	29170 Use Variance	Community Relations - Social Development Commission Lessee	3712 W. Green Tree Rd. 1
			Request to continue occupying the premises as a day care center (Head Start program) for 65 children (at any time) 3 to 5 years of age, operating Monday - Friday 7:30 a.m. - 5:00 p.m	
17	1st	29243 Special Use	H & K Partners, LLC, Lessee	7242 N. Teutonia Av.
			Request to continue occupying the premises as a fast-food / carry-out restaurant	
18	1st	29255 Use Variance	Steve Wruck, Property Owner	4200 W. Kiehnau Av.
			Request to continue occupying a portion of the premises as an indoor storage facility (this is a new operator)	
19	1st	29256 Use Variance	Steve Wruck, Property Owner	4200 W. Kiehnau Av.
			Request to continue occupying a portion of the premises as an indoor salvage facility	

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4:30 p.m. Consent Agenda (continued)

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| 20 | 1st | 29257
Use Variance | Steve Wruck, Property Owner | 4200 W. Kiehnau Av. |
| | | | Request to continue occupying the premises as a contractor's yard and shop (this use was originally approved in 1986, approval expired in 2001) | |
| 21 | 2nd | 29231
Dimensional Variance | Kaufman Jacobs, Prospective Buyer | 7201 W. Mill Rd. |
| | | | Request to occupy the premises as a ground transportation service facility (permitted) that does not meet the minimum required landscape buffer (required 25 ft. / proposed 9.5 ft.) | |
| 22 | 2nd | 29250
Special Use | Beverly Johnson, Lessee | 4038 N. 51st Bl. |
| | | | Request to increase the hours from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - midnight and to continue occupying the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday (this is a new operator)) | |
| 23 | 4th | 29212
Special Use | William Halper, General Manager, Lessee | 411 E. Wisconsin Av. |
| | | | Request to erect a hanging sign (a sign that is not attached to a flat, opaque wall requires special use approval) | |
| 24 | 4th | 29238
Special Use | Milwaukee and Kilbourn Parking Corp., Lessee | 325 E. Kilbourn Av. |
| | | | Request to continue occupying the premises as a parking lot | |
| 25 | 4th | 29263
Special Use | St. James Estates, LLC; Property Owner | 1720 W. Kilbourn Av. 61 |
| | | | Request to continue occupying the premises as a rooming house for 9 occupants | |

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<p><u>4:30 p.m. Consent Agenda (continued)</u> <u>Items Scheduled for approval on the Consent Agenda</u> <u>No oral testimony will be taken on these items.</u></p> <p><i>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.</i></p>				
26	4th	29099 Special Use	Uihlein Properties, LLC, Property Owner Request to continue occupying the premises as a parking lot	503 N. Broadway .
27	5th	29220 Special Use	Robert Pyles Property Owner Request to continue occupying the premises as a fast-food/carry-out restaurant with arcade games	11313 W. Silver Spring Dr.
28	6th	29140 Dimensional Variance	Heider & Bott Co., Inc. Property Owner Request to allow a decorative metal fence that does not meet the minimum required street setback (required 5 ft. / proposed 3 ft.)	3840 N. Palmer St.
29	6th	29208 Special Use	Sujin Lee-Prabhu Property Owner Request to continue occupying the premises as a general retail establishment	400 E. Burleigh St.
30	7th	29213 Special Use	Robert McDonald Lessee Request to continue occupying the premises as a hand car wash (this is a new operator)	4744 N. Hopkins St.
31	7th	29244 Special Use	H & K Partners, LLC Lessee Request to continue occupying the premises as a fast-food / carry-out restaurant	3411 W. Burleigh St.

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32	8th	29168 Special Use	Council for the Spanish Speaking Property Owner Request to occupy a portion of the premises a general office facility (first floor) and to occupy a portion of the premises as a social service facility (third floor)	1615 S. 22nd St.
33	9th	29261 Use Variance	Joel Breen Lessee Request to continue occupying the premises as a second-hand sales facility (new and used furniture)	8075 N. 76th St.
34	9th	29262 Special Use	Wheaton Franciscan Medical Group, Inc. Lessee Request to occupy a portion of the premises as a health clinic (this is an expansion of a previously permitted medical clinic)	7961 N. 76th St.
35	10th	29230 Special Use	Midwest Rides, LLC Property Owner Request to add a motor vehicle sales facility and to continue operating the premises as a motor vehicle body shop	5401 W. Lisbon Av.
36	10th	29233 Special Use	Educators Credit Union Property Owner Request to expand the existing parking lot and drive-through lanes (razing the residential dwelling on-site) and continue occupying the premises as a bank	7025 W. Appleton Av.
37	10th	29246 Special Use/ Dimensional Variance	Dwayne Toliver Lessee Request to continue occupying the premises as a hand car wash without the minimum required landscaping and screening	2571 N. 55th St.

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4:30 p.m. Consent Agenda (continued)

Items Scheduled for approval on the Consent Agenda

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38	10th	29259 Special Use	I & S Petroleum, Inc. Property Owner	7110 W. Lisbon Av.
Request to increase the hours of operation from 5:00 a.m. - 11:00 p.m. to 5:00 a.m. - midnight for a Board approved motor vehicle filling station, convenience store and car wash				

4:30 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.

39	13th	29057 Special Use	Gina's Trucking Inc., Gina's Brokerage, BMT Air Lessee	241 W. Edgerton Av.
Request to occupy the premises as a truck freight terminal				

40	4th	29089 Dimensional Variance	Rick & Laura Sue Mosier Property Owner	3209 W. Wells St.
Request to erect a freestanding sign that exceeds the maximum allowed display area (allowed 6 sq. ft. / proposed 12 sq. ft.)				

5:00 p.m. Public Hearings

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.

41	11th	29103 Special Use	OOS Investments, LLC Lessee	3450 S. 27th St.
Request to erect an off-premise automatic changeable message sign (a new off-premise automatic changeable message sign located more than 1000 feet from a freeway or the Lake Parkway is only permitted upon the granting of a special use permit from the Board)				

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<u>5:00 p.m. Public Hearings (continued)</u>				
<u>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.</u>				
42	12th	29215 Special Use	Jacob Mashiach, Prospective Buyer Request to occupy the premises as a rooming house for 90 occupants	1527 W. National Av.
43	12th	29155 Special Use	Mickey Govani Property Owner Request to occupy the premises as a motor vehicle body shop	1560 W. National Av.
44	13th	29183 Special Use	Steve Brick Lessee Request to add a motor vehicle sales facility to the permitted limousine service	6100 S. Howell Av.
45	13th	29197 Dimensional Variance/ Special Use	Raymond Kaszuba Property Owner Request to raze the existing garage and construct a second principal building with a gambrel-style roof (detached garage with bathroom) and an additional detached garage with a gambrel-style roof located within the front yard	473 E. Waterford Av.
46	13th	29151 Dimensional Variance	Dr. Thomas Charapata Property Owner Request to construct an addition to the permitted dentist office that does not meet the minimum required front setback (required 42 ft. / 21.77 ft.)	704 E. Layton Av.
47	13th	29038 Special Use	Salim Shelleh Property Owner Request to continue occupying the premises as a motor vehicle sales and repair facility	6206 S. 27th St.

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5:00 p.m. Public Hearings (continued)

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48	14th	29147 Special Use	Allen Bailey Lessee	3074 S. Delaware Av.
			Request to occupy a portion of the premises (first floor) as a religious assembly hall	

49	14th	29179 Dimensional Variance	Brian Maney Property Owner	4048 S. Pine Av.
			Request to raze the existing detached garage and construct a new detached garage that is over the maximum allowed floor area (allowed 1033 ft. / proposed 1305 ft.)	

50	15th	29063 Special Use	Tina Williams Sanford Lessee	2454 W. Lisbon Av.
			Request to occupy a portion of the premises (1st floor) as a day care center for 90 children per shift infant - 12 years of age, operating 6:30 a.m. - midnight Monday - Saturday	

51	1st	29186 Special Use	Dawn Robertson Property Owner	4573 N. 29th St.
			Request to occupy the premises as a group home for 8 occupants (teen males)	

5:45 p.m. Public Hearings

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52	1st	28896 Special Use	Gary Waltho Lessee	7569 N. Teutonia Av.
			Request to add an outdoor light motor vehicle storage facility and to continue occupying the premises as a motor vehicle sales and repair facility	

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<u>5:45 p.m. Public Hearings (continued)</u>				
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53	1st	29084 Special Use	Hassan Saleh, Lessee Request to occupy a portion of the premises as a motor vehicle repair facility (installing auto glass and stereos)	1951 W. Hampton Av.
54	2nd	29026 Dimensional Variance	Joanne Brunetti, Lessee Request to erect an automatic changeable message sign that is over the maximum allowed display area (allowed 50 sq.ft. / proposed 113 sq. ft.) This is replacing the manual reader display of an existing nonconforming freestanding sign	6330 N. 76th St.
55	2nd	29167 Dimensional Variance	Steve Tenley, Property Owner Request to erect a chain link fence with barbed wire that is over the maximum allowed height (allowed 4 ft. / proposed 8 ft.)	9101 W. Silver Spring Dr.
56	2nd	28990 Special Use	Nyishia Brown, Lessee Request to occupy the premises as a group home for 8 occupants (any combination of teen mothers and their children)	6463 W. Leon Tr.
57	2nd	29062 Special Use	Will & Billie Gordon, Lessee Request to occupy a portion of the premises as a day care center for 50 children infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - 9:00 p.m	6046 W. Fond Du Lac Av.
58	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.

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5:45 p.m. Public Hearings (continued)

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59	3rd	29182 Dimensional Variance	Robert Monnat, Property Owner	2609 E. Linnwood Av.
			Request to raze the existing detached garage and construct a new garage that does not meet the minimum required side street setback (required 12.5 ft. / proposed 1 ft.)	
60	3rd	29222 Dimensional Variance	Tracy Weber, Property Owner	1644 N. Marshall St.
			Request to raze the existing building and construct a multi-family dwelling that does not meet the minimum required rear setback (required 15 ft. /proposed 3 ft.) and that exceeds the maximum allowed lot coverage (allowed 2156 sq.ft. /proposed 2255 sq.ft.)	
61	3rd	29200 Dimensional Variance	SRG Investments, LLC; Prospective Buyer	922 E. Brady St.
			Request to construct a parking lot (permitted) that does not meet the required landscaping standards along the street frontage	
62	4th	29195 Dimensional Variance	Matt Steigenga, Prospective Buyer	331 N. Milwaukee St.
			Request to construct a general office facility that is over the maximum allowed floor area (allowed 170,775 sq.ft. / proposed 222,600 sq.ft.)	

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6:30 p.m. Public Hearings

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63	4th	27585 Dimensional Variance	Clear Channel Outdoor aka Eller Media Co.;Property Owner	2455 W. Clybourn St.
			Request to modify the height of this board approved off-premise sign (sign height is 35 ft/proposed modification to 50 ft) and request an exemption from the minimum required setback from the street	
64	4th	29214 Appeal of Determination	Kilbourn Court, LLC.; Property Owner	2448 W. Kilbourn Ave.
			Request to appeal a determination by the Department of City Development that the multi-family dwelling is not permitted	
65	5th	29008 Special Use	Cindy Hamilton, Lessee	3070 N. 79th St.
			Request to occupy a portion of the premises as a day care center for 60 children (30 per shift) infant - 12 years of age, operating Monday - Saturday 6:00 a.m. - 11:00 p.m	
66	5th	28926 Use Variance/ Dimensional Variance	Erik Peterson, Lessee	11927 W. Silver Spring Dr.
			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.)	
67	5th	28528 Special Use	Nick Antzoulatos; Property Owner	8144 W. Appleton Av.
			Request to continue occupying the premises as a used motor vehicle sales facility	

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6:30 p.m. Public Hearings (continued)

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68	6th	29056 Special Use	J & L Child Care Co., Inc.; Prospective Buyer Request to occupy the premises as a day care center for 90 children (30 per shift) infant to 12 years of age, operating 24 hours Monday - Sunday	3240 N. Teutonia Av.
69	6th	29173 Special Use	Terry Shields, Lessee Request to add a motor vehicle repair facility (tire sales and service) to the permitted hand car wash	3210 N. Martin L King Jr Dr.
70	6th	28110 Special Use	Ajit Singh, Property Owner Request to continue occupying the premises as a motor vehicle filling station with a convenience store	1909 W. Hopkins St.
71	6th	29060 Dimensional Variance	Clear Channel Outdoor , Lessee Request to erect an off premises sign that does not meet the minimum required street setback (required 35 ft. / proposed 20 ft.), does not meet the required setback from the freeway (required 500 ft. / proposed 100 ft.), and that is over the maximum allowed display area (allowed 300 sq. ft. / proposed 672 sq. ft.)	2307 N. 7th St.
72	9th	29065 Special Use	Complete Warehouse & Distribution, Lessee Request to occupy the premises as an outdoor wholesale and distribution facility	7655 W. Dean Rd.
73	9th	29141 Special Use	A.R.O. Counseling, Lessee Request to occupy a portion of the premises as a social service facility (offering mental health and drug abuse counseling)	8200 W. Brown Deer Rd.

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74	9th	29081 Special Use	Zubar Arshad, Lessee Request to continue occupying the premises as a motor vehicle filling station and convenience store (this is a new operator)	5990 W. Good Hope Rd.
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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.