

## AGENDA

November 13, 2008

**PLEASE TAKE NOTICE THAT** a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, November 13, 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.

<u>Ald</u>	<u>Case</u>	<u>No.</u>	<u>Case Information</u>	<u>Location</u>
<u>Dist</u>	<u>Type</u>			
1	1st	29283	Disabilities Unlimited, Inc.; Lessee	3808 W. Elm St.
		Special Use		
		<i>Dismissal</i>		
			Request to add an assembly hall to the Board approved adult day care center	
2	4th	29199	Deron Coleman, Property Owner	1331 N. 23rd St.
		Special Use		
		<i>Dismissal</i>		
			Request to occupy the premises as a day care center for 25 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m	
3	4th	25017	Gregory Stebbins, Property Owner	925 N. 29th St.
		Special Use		
		<i>Dismissal</i>		
			Request to occupy the premises as a personal service facility(massage therapy)	

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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	6th	24413 Use Variance <i>Dismissal</i>	Mian's Oil Corporation Inc. Riaz Mian; Property Owner	3105 N. Holton St.
			Request to construct and occupy the premises as a motor vehicle pumping station and convenience store with accessory retail	

5	12th	29247 Extension of Time	The Church of Jesus Christ of Latter-Day Saints Property Owner	1170 W. Windlake Av.
			Request for an extension of time to comply with conditions of case No. 28497	

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

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6	12th	29312 Special Use	Daniel and Celia Mora, Property Owner	2001 S. 6th St.
			Request to continue occupying the premises as a motor vehicle sales facility	

7	12th	29314 Special Use	Lupe Martinez, Property Owner	1644 S. 9th St.
			Request to continue occupying the premises as a social service facility (W-2 Work Force Development programs)	

8	12th	29320 Special Use	Robert Smith, Property Owner	906 S. Barclay St.
			Request to continue occupying the premises as a tavern with an outdoor patio	

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<p><b>4:00 p.m. - Consent Agenda (continued)</b>  <u>Items Scheduled for approval on the Consent Agenda</u>  <u>No oral testimony will be taken on these items.</u>  <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>				
9	12th	29107 Special Use	Ramiro and Fren Gonzales, Property Owner  Request to continue occupying the premises as a motor vehicle sales facility	1308 W. Windlake Ave.
10	12th	29333 Special Use	The Pregnancy Help Center, Lessee  Request to occupy a portion of the premises as a social service facility (counseling / support services / pregnancy tests)	1225 W. Historic Mitchell St.
11	13th	29269 Special Use	JM Auto Care, LLC; Jeffery A. Mattice Lessee  Request to continue occupying a portion of the premises as a 24 hour ambulance service facility	5044 S. 27th St.
12	13th	29328 Use Variance	Prince of Peace ELCA Church, Property Owner  Request 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.)	125 W. Martin La.
13	14th	29276 Special Use	Abhinav Sekhri, Lessee  Request to continue occupying the premises as a motor vehicle filling station and convenience store	575 W. Becher St.
14	14th	29318 Dimensional Variance	George Hansen III, Property Owner  Request to allow parking in the front yard of the premises	3920 S. Whitnall Av.

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<p><b>4:00 p.m. - Consent Agenda (continued)</b>  <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>				
15	15th	29266 Special Use/ Dimensional Variance	Mohammad Rafiq, Lessee  Request to continue occupying the premises as a fast-food / carry-out restaurant without the required landscaping	2635 W. Fond Du Lac Av.
16	15th	29296 Special Use	Tonya Neal, Lessee  Request to continue occupying a portion of the premises as a day care center for 100 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight	1862 W. Fond Du Lac Av.
17	15th	29321 Dimensional Variance	Milwaukee Pentecostal Outreach Ministries, Inc. Property Owner  Request to continue occupying the premises as a permitted religious assembly hall without the minimum required number of parking spaces (required 17 / proposed 0)	2401 N. 36th St.
18	1st	29112 Dimensional Variance	Milwaukee Cycle, Property Owner  Request to continue to allow an on-premise sign that is over the maximum allowed height (allowed 5 ft. / proposed 20 ft. 7 in.) and exceeds the maximum allowed display area (allowed 40 sq. ft. / proposed 240 sq. ft.)	5754 N. Teutonia Av.

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<p><b>4:00 p.m. - Consent Agenda (continued)</b>  <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>				
19	1st	29209 Special Use	James Williams, Lessee  Request to increase the number of children from 25 to 45 per shift and increase the hours of operation 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 children infant to 12 years of age, operating Monday - Sunday	4893 N. Green Bay Av.
20	1st	29271 Special Use	Lakesha Young-Cooper, Lessee  Request to increase the number of children per shift from 8 to 12 and the hours of operation from 6:30 a.m. - 6:30 p.m Monday - Friday, 6:30 a.m. - 3:30 p.m Saturday to 6:30 a.m. - midnight Monday - Saturday for a Board approved day care center	7557 N. Teutonia Av.
21	1st	29277 Special Use	Latanya Jones, Lessee  Request to continue occupying a portion of the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight	6003 N. Teutonia .
22	1st	29303 Special Use	Hadeer Matloub, Property Owner  Request to continue occupying the premises as a motor vehicle sales and repair facility (including tire sales)	4979 N. Teutonia 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.

*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*

23	1st	29305 Dimensional Variance	Housing Authority of the City of Milwaukee Property Owner	4629 W. Stark St.
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Request to raze the existing duplex and detached garage and construct a single family dwelling that does not meet the minimum required east side setback (required 6 / proposed 4), combined side setback (required 12 / proposed 9) and does not meet the minimum required lot width (required 40 ft. / proposed 31 ft.)

24	1st	29308 Dimensional Variance	Housing Authority of the City of Milwaukee Property Owner	4631 W. Stark St.
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Request to raze the existing duplex and detached garage and construct a single family dwelling that does not meet the minimum required east side setback (required 6 ft. / proposed 4.5 ft.), combined side setback (required 12 ft. / 9013 ft.) and does not meet the minimum required lot width (required 40 ft. / proposed 31.15 ft.). (This project is in conjunction with 4629 W. Stark)

25	1st	29160 Dimensional Variance	Michael Dube, Jr., Property Owner	3916 W. Rochelle Av.
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Request to construct a detached garage that does not meet the minimum side setback (required 6 ft. / proposed 3.6 ft.)

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<p><b>4:00 p.m. - Consent Agenda (continued)</b>  <u>Items Scheduled for approval on the Consent Agenda</u>  <u>No oral testimony will be taken on these items.</u>  <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	2nd	29272 Special Use	Alisa Gilchrist, Property Owner  Request to continue occupying the premises as a day care center for 68 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight. (The site currently has a Board approved school, approved to 2012)	6915 W. Fond Du Lac Av.
27	2nd	29334 Special Use	Julie Alonzo-Calteaux, Property Owner  Request to continue occupying the premises as a social service facility (counseling / support services / pregnancy tests)	6234 W. Capitol Dr.
28	3rd	29116 Special Use	N and J United Group, LLC, Lessee  Request to occupy the premises as a fast-food / carry-out restaurant	2860 N. Holton St.
29	3rd	29206 Special Use	GS Family Limited Partnership #01, Lessee  Request to occupy the premises as a motor vehicle repair facility (this is an intensification of a non-conforming use)	1729 N. Water St.
30	3rd	29280 Special Use	Rethreads, LLC, Lessee  Request to occupy a portion of the premises as a second-hand store	2999 N. Humboldt Bl.

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31	4th	29219 Special Use	Yes Men, Inc., Lessee  Request to occupy the premises as a multi-family dwelling with 5 or more units (multi-family dwellings with units located in the street level area require Board approval)	305 N. Plankinton Av.
32	4th	29289 Special Use	Patricia McManus, Lessee  Request to occupy a portion of the premises as a social service facility	3020 W. Vliet St.
33	4th	29310 Special Use	Milwaukee City Center, LLC; Property Owner  Request to continue occupying the premises as a parking structure	509 W. Wisconsin Av.
34	4th	29316 Special Use	CPS Parking of Wisconsin, Inc., Lessee  Request to continue occupying the premises as a parking lot	232 N. Jackson St.
35	4th	29327 Use Variance	Center for Veterans Affairs, Ltd., Property Owner  Request to continue occupying the premises as a general office facility	3312 W. Wells St.
36	4th	29329 Special Use	Center for Veterans Issues, Ltd., Property Owner  Request to continue occupying the premises as a social service facility, a rooming house for 14 occupants, and a transitional living facility for 72 occupants	3330 W. Wells St.

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37	4th	29330 Special Use	Center for Veterans Issues, Ltd., Property Owner  Request to continue occupying the premises as a parking lot	3402 W. Wells St.
38	4th	29331 Special Use	Harold Butler, Jr., Lessee  Request to continue occupying the premises as a car wash	1422 N. 27th St.
39	4th	29263 Special Use	St. James Estates, LLC, Property Owner  Request to continue occupying the premises as a rooming house for 36 occupants	1720 W. Kilbourn Av. 61
40	5th	29180 Special Use	Bishop Charles Dickens, Property Owner  Request to occupy the premises as a religious assembly hall	8310 W. Appleton Ave.
41	6th	29211 Special Use	Cliff Davis, Property Owner  Request to occupy a portion of the premises as a currency exchange facility	401 E. Capitol Dr.
42	6th	29275 Special Use	Israel Nunez Cruz, Property Owner  Request to continue occupying the premises as a rooming house for 6 occupants	423 E. Garfield Av.

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43	6th	29285 Special Use	Kenisha Briggs, Lessee	2979 N. Palmer St.
			Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. Monday - Friday to 24 hours Monday - Sunday for a day care center for 50 children per shift, infant to 12 years of age	
44	7th	29240 Special Use	Ulysses Dugger, Lessee	3823 W. Fond Du Lac Av.
			Request to occupy the premises as a motor vehicle/motorcycle repair facility and car wash	
45	7th	29306 Special Use	Harriet & Cleorars Conway, Property Owner	4313 W. Fond Du Lac Av.
			Request to continue occupying the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m	
46	7th	29317 Use Variance	Carrie Palmer, Property Owner	3272 N. 30th St.
			Request to continue occupying the premises as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Monday - Sunday	
47	7th	29332 Special Use	Genesis Behavioral Services, Inc., Lessee	5427 W. Villard Av.
			Request to continue occupying the premises as a community living arrangement for 25 occupants	

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48	8th	29302 Special Use/ Dimensional Variance	Iglesia Crisitana Palabra de Vida, Property Owner  Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (required 50 / proposed 30)	3232 W. Lincoln Av.
49	9th	29319 Special Use	Bell Therapy/Belwood Ltd., Property Owner  Request to continue occupying the premises as a community living arrangement for 46 occupants	5151 W. Silver Spring Dr.
50	9th	29337 Special Use	Barbara Rose, Property Owner  Request to continue occupying the premises as a family day care home for 8 children per shift infant to 12 years of age, operating 24 hours Monday - Sunday	9222 W. Joleno La.
51	10th	29278 Use Variance	Didacus Udeoji, Property Owner  Request to continue occupying the premises as a general retail establishment (home medical supplies)	6633 W. Burleigh St.
52	11th	29286 Special Use	Ruth A. Hau, Property Owner  Request to occupy a portion of the premises as an adult day care center for 60 individuals, operating Monday - Friday 7 a.m. - 6 p.m	6251 W. Forest Home Av.
53	11th	29298 Use Variance	Gerald Poborsky, Property Owner  Request to continue occupying the premises as a personal service facility (barber shop)	5601 W. Oklahoma Av.

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**4:15 p.m. Administrative Review**

Item scheduled for consideration and action by the Board in Administrative Review.  
No oral testimony will be taken on this item.

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| 54 | 2nd | 28990<br>Special Use  | Nyishia Brown, Lessee<br><br>Request to occupy the premises as a group home for 8 occupants (any combination of teen mothers and their children)   | 6463 W. Leon Tr.        |
| 55 | 2nd | 29062<br>Special Use  | Will & Billie Gordon, Lessee<br><br>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. |
| 56 | 4th | 28710<br>Use Variance | Kashmir Multani, Lessee<br><br>Request to occupy the premises as a filling station (existing Board approved station which expired in 2005)   | 1530 W. State St.       |

**4:30 p.m. Public Hearing**

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- |    |      |                       |  |                     |
|----|------|-----------------------|--|---------------------|
| 57 | 12th | 29282<br>Use Variance | Joseph Wikrent, Bruce Marne & David Hase<br>Prospective Buyer<br><br>Request to construct a school for 160 students 5th - 8th grades, operating Monday - Friday 7:30 a.m. - 5:00 p.m | 1278 S. Barclay St. |
|----|------|-----------------------|--|---------------------|

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**4:30 p.m. Public Hearing (continued)**

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58	13th	29117 Appeal of an Order	Integrated Enterprises, Inc., Property Owner  Request to appeal an order from the Department of Neighborhood Services determining that the appellant is not compliant with Code Section 295-803-2-n, stating that a heavy motor vehicle repair facility located within 150 feet of a residential district shall be totally enclosed within a building and shall not operate between the hours of 7 p.m. and 7 a.m. (This is a revocation order)	5467 S. 9th St.
59	13th	29226 Use Variance	Patrick A. Brosseau, Lessee  Request to occupy the premises as a hazardous material storage facility (wholesale and distribution of propane gas)	6050 S. Howell Av.
60	13th	29023 Special Use	Nargis Anis, Lessee  Request to continue occupying the premises 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 (this is a new operator)	4709 S. Howell Av.
61	13th	29105 Special Use	Corne' Hanssen, Property Owner  Request to continue occupying the premises as an outdoor recreation facility (volleyball courts)	5356 S. 13th St.
62	13th	29157 Special Use	Zubair Arshad, Property Owner  Request to continue occupying the premises as a motor vehicle filling station (this is a new operator)	2009 W. College Av.

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**4:30 p.m. Public Hearing (continued)**

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63	13th	29197 Special Use/ Dimensional Variance	Raymond Kaszuba, Property Owner	473 E. Waterford Av.
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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

64	14th	29054 Special Use	Nasreen Azam, Lessee	3122 S. 13th St.
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Request to occupy the premises as a day care center for 35 children infant - 13 years of age, operating Monday - Friday 6:00 a.m. - 6:30 p.m

65	15th	29166 Special Use	Angela Jackson, Lessee	2746 N. 38th St.
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Request to occupy the premises as a group home for up to 8 occupants (including any combination of at-risk youth, teen mothers, and their children)

**5:30 p.m. Public Hearing**

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66	15th	29176 Special Use	Jerome Mason, Lessee	1711 W. Center St.
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Request to occupy a portion of the premises as a motor vehicle sales facility (this facility will be operated independent from the existing motor vehicle repair facility)

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**5:30 p.m. Public Hearing**

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67	15th	29228 Special Use/ Dimensional Variance	Balwinder Singh, Lessee  Request to occupy the premises as a general retail establishment with a projecting sign that is over the maximum allowed display area (allowed 12 sq.ft. / proposed 17 sq.ft.). (This is an expansion of a non-conforming use)	2101 N. 38th St.
68	15th	29010 Special Use	Alphaomega, LLC, Property Owner  Request to occupy the premises as a social service facility (providing family services and community outreach)	3412 W. Center St.
69	1st	29268 Special Use	Sherri Bond, Prospective Buyer  Request to occupy the premises as a transitional living facility for 16 occupants	5927 N. Teutonia Av.
70	1st	29104 Special Use	Veronica McKelvin, Prospective Buyer  Request to increase the hours of operation from 6 a.m - 6 p.m. Monday - Friday to 24 hours Monday - Sunday for a Board approved daycare for 85 children (45 children per shift) infant to 12 years of age	5250 N. 35th St.
71	1st	29186 Special Use	Dawn Robertson, Property Owner  Request to occupy the premises as a group home for 8 occupants (teen males)	4573 N. 29th St.

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**5:30 p.m. Public Hearing (continued)**

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72	3rd	29025 Dimensional Variance	Thomas Schlicht, Property Owner	833 E. Wright St.
			Request to occupy the premises as a 4 unit multi-family dwelling that does not meet the minimum required lot area per dwelling unit (required 3200 sq. ft./ proposed 1550 sq. ft.)	

73	5th	29241 Special Use	Carrie Williams, Lessee	7607 W. Townsend St.
			Request to occupy the premises as a day care center for 95 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 11:30 p.m	

74	6th	29123 Special Use	Henry Brown, Lessee	2479 N. 5th St.
			Request to occupy the premises as a tavern	

75	6th	29253 Dimensional Variance	Ola Alexander, Property Owner	3907 N. 12th St.
			Request to allow a fence that exceeds the maximum allowed height for a rear-yard fence and the maximum allowed height for an opaque fence (allowed 6 ft., 4 ft. opaque / proposed 7.5 ft., 6 ft. opaque)	

76	7th	29169 Special Use	Investing In You, Inc., Property Owner	4532 N. 44th St.
			Request to occupy the premises as a group home for eight occupants (any combination of teen mothers and their children)	

77	7th	29175 Special Use	Enduring Truth Fellowship, Inc., Lessee	5331 W. Hampton Av.
			Request to occupy the premises as a religious assembly hall	

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**6:30 p.m. Public Hearing**

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78	7th	29184 Special Use	Altha Grant, Lessee  Request to occupy the premises as a group home for 8 occupants (any combination of teen mothers and children)	2921 N. 26th St.
79	7th	29185 Special Use	Selena Green, Property Owner  Request to occupy the premises as a group home for 8 occupants (serving teen males with AODA services)	4678 N. 57th St.
80	7th	29267 Special Use	Shaun Weathers, Lessee  Request to occupy the premises as a group home for 8 occupants (teen males)	4714 W. Medford Av.
81	7th	28913 Special Use	Maria's Learning Center, Lessee  Request to occupy the premises as a 24 hr. day care center operating 24 hrs. Monday - Friday for 8 children per shift, infant to 12 yrs. of age	2301 W. Burleigh St.
82	8th	29178 Dimensional Variance	John Thiel, Property Owner  Request to allow a structure (for the use of indoor storage) that does not meet the minimum required building height (required 18 ft. / proposed 15 ft. 4 in.) and that has a metal wall facade within 100 ft. of a street	2737 S. 34th St.
83	8th	29227 Special Use	Tammy Ward, Lessee  Request to occupy the premises as a religious assembly hall	2201 W. Grant St.

**Board of Zoning Appeals, Hearing on Thursday, November 13, 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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**6:30 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.

84	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.
85	9th	29181 Special Use	Risen Savior Evangelical Lutheran Church Prospective Buyer  Request to occupy the premises as a social service facility, health clinic and secondhand sales facility	9505 W. Brown Deer Rd.
86	9th	29204 Use Variance	William Richardson, Jr., Lessee  Request to occupy a portion of the premises as a religious assembly hall	5225 W. Mill Rd.
87	9th	29242 Dimensional Variance	KAK Enterprises, LLC, Property Owner  Request to allow landscaping that does not meet the required landscaping standards for a permitted heavy motor vehicle parking lot. (This site also contains a Board approved heavy motor vehicle repair facility)	10801 W. County Line Rd.
88	9th	29133 Special Use	Brentwood C.O.C. Day Care Center, Lessee  Request to add a day care center for 50 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. to the Board approved religious assembly hall	6425 N. 60th St.
89	9th	28943 Special Use	Michael Tsirlin, Property Owner  Request to add a motor vehicle sales facility to the existing Board approved motor vehicle repair facility (permitted driving school on site)	5200 W. Mill Rd.

**Board of Zoning Appeals, Hearing on Thursday, November 13, 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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**6:30 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	10th	29003 Special Use	Robin Pitts, Lessee	5916 W. North Av.
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Request to occupy the premises as a day care center for 49 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:30 p.m. and Saturday 6:00 a.m. - 5:00 p.m.

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.