

AGENDA

December 11, 2008

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, December 11, 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 No.</u>	<u>Case Information</u>	<u>Location</u>
<u>Dist</u>	<u>Type</u>		
1	15th 29377 Special Use <i>Dismissal</i>	Mary Sims, CEO; Property Owner Request to continue occupying the premises as an adult family home for 4 occupants	2802 N. 40th St.
2	1st 28826 Dimensional Variance <i>Dismissal</i>	Osie Tatum, Jr., Property Owner Request to continue occupying the premises as a religious assembly hall without the minimum number of required parking spaces (required 173 / proposed 136)	6090 N. 35th St.

Board of Zoning Appeals, Hearing on Thursday, December 11, 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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4:00 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	1st	29305 Dimensional Variance <i>Dismissal</i>	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.)

4	1st	29308 Dimensional Variance <i>Dismissal</i>	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)

5	6th	29125 Use Variance <i>Dismissal</i>	Wanda Davenport, Lessee	129 W. Keefe Av.
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Request to occupy the premises as a day care center for 16 children (8 children per shift) infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight (located within 300 ft. of a liquor license)

6	7th	29345 Special Use <i>Dismissal</i>	Adriane Wade, Property Owner	3144 N. 47th St.
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Request to continue occupying the premises as a community living arrangement for 8 occupants

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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.

7	7th	29184 Special Use Dismissal	Altha Grant, Lessee	2921 N. 26th St.
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Request to occupy the premises as a group home for 8 occupants (any combination of teen mothers and children)

8	9th	29297 Special Use Dismissal	David L. Ryan, Property Owner	11000 W. Heather Av.
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Request to occupy a portion of the premises as an indoor recreation facility (batting cages)

9	10th	29254 Special Use Dismissal	Princess Brewer, Lessee	2701 N. 51st St. 2
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Request to occupy a portion of the premises as a day care center for 5 children per shift infant to 13 years of age, operating Monday - Sunday 6:00 a.m. - midnight

4:00 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.

10	15th	29229 Special Use	Sher and Youa Vang, Lessee	1115 N. 35th St.
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Request to continue occupying the premises as a daycare center for 20 children 2 to 13 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m

11	15th	29346 Special Use	Danario Kilgore, Lessee	1721 N. 24th St.
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Request to continue occupying the premises as a car wash

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

Items Scheduled for approval on the Consent Agenda

No oral testimony will be taken on these items.

If there are any objections to these approvals, please make them known to the Board office in writing and at least 24 hours prior to the time of the hearing. If written objections to these approvals are received, the item will not be approved and will be held for a public hearing to allow additional testimony.

12	15th	29348 Special Use	Joe Flippin, Property Owner Request to continue occupying the premises as a religious assembly hall	1811 W. Center St.
13	15th	28974 Special Use	Keith Hughes, Lessee Request to occupy a portion of the premises as a second-hand store	2224 W. North Av.
14	1st	29324 Special Use	Marilyn Laster, Lessee Request to continue occupying the premises as a day care center for 100 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight and Saturday 8:00 a.m. - 8:00 p.m.	3008 W. Capitol Dr.
15	1st	29341 Special Use	George Harris, Property Owner Request to continue occupying the premises as a contractor's yard	4630 N. Teutonia Av.
16	1st	29350 Special Use	Clifton Smith, Property Owner Request to continue occupying the premises as a fast-food / carry-out restaurant	2729 W. Atkinson Av.
17	2nd	29347 Special Use	Karl Tatum, Lessee Request to continue occupying the premises as a currency exchange facility	5500 W. Fond Du Lac Av.

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

Items Scheduled for approval on the Consent Agenda

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18	4th	29368 Special Use	Bernard Saffold, Lessee	2455 W. Wisconsin Av.
			Request to continue occupying the premises as a fast-food / carry-out restaurant (parking lot will also be available for parking at special events)	
19	4th	29370 Special Use	Patriacia A. Hilliard, Lessee	3410 W. Mc Kinley Bl.
			Request to continue occupying the premises as a day care center for 50 children infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight	
20	5th	29335 Special Use	Diane and Charles Dupar, Property Owner	10135 W. Hampton Av.
			Request to add a community living arrangement for 20 occupants and to continue occupying the premises as a day care center for 93 children infant to 12 years of age, operating Monday - Friday 6:30 a.m. - 11:00 p.m	
21	5th	29349 Special Use	Roettgers Company, Inc., Lessee	5501 N. Lovers Lane Rd.
			Request to continue occupying the premises as a motor vehicle filling station and convenience store	
22	6th	29098 Special Use	Dewayne Ross, Property Owner	245 E. Keefe Av.
			Request to continue occupying the premises as a motor vehicle repair facility	
23	6th	29113 Special Use	New Horizon Center, Inc., Property Owner	3790 N. 12th St.
			Request to continue occupying the premises as a group home for 8 occupants	

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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.

24	7th	29343 Special Use	Kathie Williams-Wiltturner, Prospective Buyer	3861 N. 35th St.
			Request to occupy the premises as a day care center for 70 children infant - 12 years of age, operating Monday - Saturday 6 a.m. - midnight	
25	7th	29381 Special Use	Tina Williams, Property Owner	4710 N. 42nd St.
			Request to continue occupying the premises as a 24 hour family day care home for 8 children infant to 12 years of age, operating Monday - Sunday	
26	7th	29386 Special Use	Mike Riley, Lessee	3431 W. Fond Du Lac Av.
			Request to continue occupying the premises as a fast-food / carry-out restaurant	
27	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	
28	8th	29344 Special Use/ Dimensional Variance	Daystar, Inc., Prospective Buyer	1123 S. 25th St.
			Request to continue occupying the premises as social service facility and a rooming house for 10 occupants that does not meet the minimum required number of on-site parking spaces (required 3 / proposed 1)	

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<p>4:00 p.m. Consent Agenda (continued) <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>				
29	8th	29379 Special Use	Louise Chappell, Lessee Request to continue occupying the premises as a 24 hour day care center for 100 children per shift infant to 12 years of age, operating Monday - Sunday	3616 W. National Av.
30	9th	29304 Special Use	Kurt Bechthold, Property Owner Request to continue occupying the premises as a facility engaged in the processing and recycling of mined materials (stockpiling and crushing of concrete and asphalt)	7460 N. 60th St.
31	10th	29387 Special Use	Mike Riley, Property Owner Request to continue occupying the premises as a fast-food / carry-out restaurant	7525 W. Capitol Dr.
32	12th	29340 Special Use	John Bartkowski, Property Owner Request to occupy a portion of the premises as a health clinic	1032 S. Cesar Chavez .
33	12th	29357 Special Use	Karl Tatum, Lessee Request to continue occupying a portion of the premises as a currency exchange facility	801 W. Historic Mitchell St.
34	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 Av.

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4:00 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.

35	6th	29123	Henry L. Brown, Lessee	2479 N. 5 th St.
			Request to occupy the premises as a tavern	

36	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)	

4:15 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.

37	12th	29292 UseVariance/ Dimensional Variance	Francisco Sanchez, Property Owner	1663 S. Muskego Ave.
			Request to construct a mixed use commercial and 12 unit residential building that does not meet the minimum required front, rear, and side street set back (multi-family dwellings with more than 4 units and general retail establishments not legally established and occupied by 2002 are not permitted)	

38	13th	29293 Special Use	Francisco Sanchez, Property Owner	1701 W. Lincoln Ave.
			Request to occupy the premises as an assembly hall	

39	13th	29237 Dimensional Variance	Barbara and Les Kostera, Property Owner	5568 S. 14th St.
			Request to allow a residential accessory structure (detached garage) that is over the maximum allowed height (allowed 17 ft. / proposed 21 ft.)	

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4:15 p.m. Public Hearings (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.

40	13th	29117 Appeal of an Order	Integrated Enterprises, Inc., Property Owner	5467 S. 9th St.
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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)

41	13th	29023 Special Use	Nargis Anis, Lessee	4709 S. Howell Av.
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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)

42	14th	29365 Use Variance	Adam Murawski, Lessee	2948 S. 9th St.
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Request to occupy a portion of the premises as a motor vehicle repair facility

43	15th	29290 Use Variance	Tameka Lockett, Property Owner	4715 W. Center St.
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Request to occupy the premises as a day care center (located within 300 ft. of a liquor license) for 60 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight

44	15th	29063 Special Use	Tina Williams Sanford, Lessee	2454 W. Lisbon Av.
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Request to occupy a portion of the premises (1st floor) as a 24 hour day care center for 90 children per shift infant - 12 years of age, Monday - Saturday

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4:15 p.m. Public Hearings (continued)

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| 45 | 1st | 29303
Special Use | Hadeer Matloub, Property Owner

Request to continue occupying the premises as a motor vehicle and tire sales and repair facility | 4979 N. Teutonia Av. |
| 46 | 2nd | 29245
Special Use | Tammy's Tots Child Care Center, Lessee

Request to increase the number of children from 70 per shift to 102 per shift and the hours of operation from 6:00 a.m. - midnight to 24 hours Monday - Sunday for a Board approved day care center for children infant to 12 years of age | 7633 W. Fond Du Lac Av. |

5:15 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.

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| 47 | 2nd | 29284
Use Variance | Ella Griffin, Lessee

Request to occupy a portion of the premises as a day care center for 75 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m. (located within 300 ft. of a liquor license) | 7434 W. Capitol Dr. |
| 48 | 2nd | 29352
Dimensional Variance | Steve Tenley, Property Owner

Request to erect an ornamental fence that is over the maximum allowed height (allowed 6 ft. / proposed 8 ft.) | 9101 W. Silver Spring Dr. |
| 49 | 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. |

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5:15 p.m. Public Hearings (continued)

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If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

50	4th	29273 Special Use	DX Detail, Inc., Lessee	1418 W. St Paul Av.
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Request to occupy the premises as a car wash

51	4th	29274 Special Use	2029 LLC, Prospective Buyer	2102 W. Michigan St.
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Request to occupy the premises as a principal use parking lot

52	4th	28473 Special Use/ Dimensional Variance	St. James Estates LLC, Property Owner	914 N. 18th St.
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Request to occupy the premises as a rooming house for eight occupants that does not meet the minimum required lot area per dwelling unit (required 4800 sq.ft. / 3175 sq.ft.)

53	6th	29217 Special Use	Brew City Automotive Industries, Inc., Lessee	933 W. Somers St.
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Request to occupy the premises as a motor vehicle body shop, repair, sales and an indoor salvage facility

54	6th	29291 Special Use	Claude Hill, Property Owner	1717 W. Hopkins St.
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Request to occupy the premises as a rooming house for 8 occupants

55	6th	29295 Special Use	Mike Olsen, Property Owner	3707 N. Richards St.
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Request to occupy the premises as a medical service facility

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5:15 p.m. Public Hearings (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.

56	6th	29339 Special Use	Ashley Glen, Lessee	4045 N. Port Washington Av.
			Request to occupy the premises as a day care center for 8 children per shift infant to 13 years of age, operating Monday - Sunday 6:00 a.m. - midnight	

6:15 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.

57	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)	

58	7th	29185 Special Use	Selena Green, Property Owner	4678 N. 57 th St.
			Request to occupy the premises as a group home for 8 occupants (serving teen males)	

59	8th	29302 Special Use/ Dimensional Variance	Iglesia Crisitana Palabra de Vida, Property Owner	3232 W. Lincoln Av.
			Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (required 50 / proposed 30)	

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6:15 p.m. Public Hearings

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60	8th	29227 Special Use/ Dimensional Variance	Tammy Ward, Lessee Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (required 6 / proposed 0)	2201 W. Grant St.
61	9th	28981 Use Variance	AJA Enterprise, LLC, Property Owner Request to occupy the premises as a social service facility (mental health services and counseling). (This site was previously approved by the Board in 2004 as a group home, however the applicant is no longer pursuing that use)	8726 W. Mill Rd.
62	9th	29221 Use Variance	Badger Investment Reality, LLC, Prospective Buyer Request to occupy the premises as a hazardous material storage facility (this facility will be operated along with the Board approved hazardous material storage facility located adjacent to the site)	5621 W. Hemlock St.
63	9th	29287 Special Use	Laurence Trimble, Lessee Request to occupy the premises as a group home for 6 occupants, 13 - 17 years of age	8803 W. Cheyenne St.
64	10th	29281 Special Use	Pastor Margaret Stone , Prospective Buyer Request to occupy the premises as a community center and religious assembly hall	5306 W. Center St.

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6:15 p.m. Public Hearings

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65	10th	29309 Special Use	Jay & Cee Holdings, LLC, Prospective Buyer	6610 W. Lisbon Av.
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Request to occupy the premises as a day care center for 90 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight

66	10th	29233 Special Use	Educators Credit Union, Property Owner	7025 W. Appleton Av.
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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

67	10th	29259 Special Use	I & S Petroleum, Inc., Property Owner	7110 W. Lisbon Av.
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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

7:00 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.

68	3rd	28823 Special Use	The Chateau LLC, Property Owner	2535 N. Farwell Av.
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Request to continue occupying the premises as a rooming house for 54 tenants

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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.