

## AGENDA

January 22, 2009

**PLEASE TAKE NOTICE THAT** a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, January 22, 2009** commencing at **4:00p.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>Item No.</u>	<u>Ald Dist</u>	<u>Case No. Type</u>	<u>Case Information</u>	<u>Location</u>
1	14th	29054 Special Use <i>Dismissal</i>	Nasreen Azam, Lessee  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	3122 S. 13th St.
2	2nd	29284 Use Variance <i>Dismissal</i>	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.

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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	10th	29246 Special Use/ Dimensional Variance <i>Dismissal</i>	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.
4	10th	29300 Use Variance <i>Dismissal</i>	Jerry Gainer, Property Owner   Request to raze the existing single family residence and erect a mobile home	2944 N. 58th St.
5	10th	29003 Special Use <i>Dismissal</i>	Robin Pitts, Lessee   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.	5916 W. North Av.
6	11th	28876 Dimensional Variance <i>Dismissal</i>	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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**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.*

7	14th	29416 Special Use	Hamdan Cellular, LLC, Lessee  Request to occupy a portion of the premises as a general retail establishment (cell phone sales and service)	2417 S. Howell Ave.
8	15th	29396 Special Use	Selina Cain, Lessee  Request to continue occupying the premises as a 24 hour day care center for 79 children per shift infant to 12 years of age, operating Monday - Friday (this is a new operator)	3826 W. Lisbon Av.
9	15th	29401 Special Use	H & M Auto Service & Transport Inc., Lessee  Request to continue occupying the premises as a motor vehicle repair facility	2424 N. 30th St.
10	1st	29436 Special Use	Nicole Dean, Lessee  Request to continue occupying the premises as a day care center for 50 children infant to 12 years of age, operating Monday - Friday 6:30 a.m. - midnight	3518 W. Silver Spring Dr.
11	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 14 ft. / proposed 20 ft. 7 in.) and exceeds the maximum allowed display area (allowed 32 sq. ft. / proposed 111.22 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>  <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>				
12	1st	29415 Special Use/ Dimensional Variance	Poinciana Sprewell, Lessee  Request to occupy the premises as a religious assembly hall and an adult day care center for 45 clients, operating Monday - Friday 6:00 a.m. - 5:30 p.m that does not meet the minimum required number of parking spaces	5151 N. 35th St.
13	1st	29313 Use Variance/ Special Use	LaBrew Troopers, Inc., Lessee  Request to increase the number of students from 200 to 330 and to continue occupying the premises as a school for students K4 - 8th grade and as a day care center for 50 children 2 to 12 years of age, operating Monday - Friday 6:30 a.m. - 6:30 p.m	4055 N. 34th St.
14	1st	29424 Special Use	Micole Jackson, Lessee  Request to increase the days of operation from Monday - Friday to Monday - Sunday and to continue occupying the premises as a day care center for 55 children per shift infant to 12 years of age, operating 6 a.m - 12 a.m	4363 N. 27th St.
15	2nd	29403 Use Variance	Arthur Arnstein, Property Owner  Request to continue occupying the premises as a material reclamation facility	8520 W. Kaul Av.
16	3rd	29389 Special Use	Velocitel, Inc., Lessee  Request to continue to allow a flagpole transmission tower	1615 E. Locust .

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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.

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17	3rd	29402 Use Variance/ Special Use	William Weslow, Lessee	1652 N. Water St.
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Request to continue occupying the premises as a motor vehicle sales and repair facility (scooter sales and repair)

18	3rd	29206 Special Use	GS Family Limited Partnership #01, Lessee	1729 N. Water St.
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Request to occupy the premises as a motor vehicle repair facility (this is an intensification of a non-conforming use)

19	4th	29388 Special Use	CPS of Wisconsin, Inc., Lessee	751 N. Plankinton Av.
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Request to continue occupying the premises as a parking lot

20	4th	29429 Special Use	Second Property, LLC, Property Owner	413 N. 2nd St. 100
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Request to convert the first floor of the premises into residential units (operator previously approved for residential units on the second through sixth floors)

21	4th	29331 Special Use	Harold Butler, Jr., Lessee	1422 N. 27th St.
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Request to continue occupying the premises as a car wash

22	6th	29338 Special Use	West Hawkins, Lessee	3752 N. Teutonia Av.
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Request to occupy a portion of the premises as a religious assembly hall

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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>				
23	6th	29374 Special Use/ Use Variance	Lori Bauman, Prospective Buyer  Request to occupy the premises as a cultural institution and specialty school (offering art studios, exhibition space, classrooms and a library)	1422 N. 4th St.
24	6th	29393 Special Use	Rev. John Barton, Sr., Property Owner  Request to continue occupying the premises as a religious assembly hall and a social service facility	2947 N. Martin L King Jr Dr.
25	6th	29408 Use Variance	Ajit Singh, Property Owner  Request to continue occupying the premises as a motor vehicle filling station	1545 W. Hopkins St.
26	6th	29426 Special Use	Anthony Sephus, Lessee  Request to occupy the premises as a hand car wash and a second-hand sales facility (new and used tire sales)	925 W. Capitol Dr.
27	6th	29441 Special Use	Doggy Day Care, Inc; Central Bark Doggy Day Care Lessee  Request to occupy the premises as an animal boarding facility	4111 N. Port Washington Av.

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

Items Scheduled for approval on the Consent Agenda

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28	7th	29311 Special Use	Debra Renee Prophet, Property Owner  Request to occupy the premise as a religious assembly hall and a day care center for 25 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m	4856 W. Fond Du Lac Av.
29	7th	29385 Special Use	Gary Cash, Lessee  Request to occupy a portion of the premises as an assembly hall (to be operated in conjunction with the adjacent restaurant)	4610 W. Fond Du Lac Av.
30	7th	29159 Special Use	Advanced Properties and Investments, LLC Lessee  Request to occupy a portion of the premises as a car wash	2715 W. Townsend St.
31	7th	29382 Special Use	New Creatures in Christ Fellowship Church- Outreach Lessee  Request to occupy a portion of the premises as a religious assembly hall and a social service facility	4610 W. Fond Du Lac Av.
32	8th	29428 Special Use/ Dimensional Variance	Max Motors & Body Shop, Inc., Lessee  Request to continue occupying the premises as an outdoor storage facility (motor vehicle storage) without the required landscaping	2550 S. 30th St.

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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>				
33	10th	29380 Special Use	Anica Banyard, Lessee  Request to increase the number of children from 20 to 24 per shift for a Board approved day care center operating Monday - Friday 6:00 a.m. - 10:00 p.m. (this is a new operator)	5315 W. Center St.
34	10th	29407 Special Use	Brenda Luckett, Property Owner  Request to continue occupying the premises as a day care center for 40 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m	5140 W. Lisbon Av.
35	10th	29433 Special Use	Zelda Jackson, Lessee  Request to continue occupying the premises as a 24 hour family day care center for 8 children infant to 12 years of age, operating Monday - Sunday	2969 N. 59th St.
36	10th	29442 Special Use	Victoria Mitchell, Lessee  Request to occupy a portion of the premises as a second-hand store	7153 W. Burleigh St.
37	11th	29437 Special Use	Tapat Properties, LLC; Property Owner  Request to continue occupying the premises as a transitional living facility for 8 occupants	7221 W. Oklahoma Av.
38	12th	29464 Special Use	Jose Lopez, Lessee  Request to continue occupying the premises as a motor vehicle sales and repair facility	2485 S. 13th St.

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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.

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39	12th	29427 Special Use	La casa de Isabelle, LLC; Lessee	1436 W. Mitchell St.
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Request to continue occupying the premises as a 24 hr day care center for 50 children infant to 12yrs of age, operating Monday - Friday (new operator)

40	13th	29457 Special Use	Airport Pizza Roc, Inc., Lessee	4849 S. Howell Av.
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Request to continue occupying the premises as a fast-food/carry-out restaurant

41	13th	29392 Special Use	Yousef Ali, Lessee	4125 S. Howell Av.
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Request to occupy the premises as a fast-food / carry-out restaurant

42	13th	29417 Special Use	Rosen Nissan, Inc., Property Owner	5510 S. 27th St.
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Request to continue occupying the premises as a motor vehicle sales facility (this is a new operator)

**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.

43	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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**4:00 p.m. Administrative Review (continued)**

Item scheduled for consideration and action by the Board in Administrative Review.

No oral testimony will be taken on this item.

44	6th	29291 Special Use	Claude Hill, Property Owner  Request to occupy the premises as a rooming house for 8 occupants	1717 W. Hopkins St.
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45	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.
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**4:30 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.

46	14th	29410 Dimensional Variance	Johnny Rachal, Property Owner  Request to construct an addition to the existing single family dwelling that does not meet the required rear setback (required 10 ft. / proposed 1.5 ft.) and the required eave setback (required 2 ft. / proposed 0.35 ft.)	1426 E. Oklahoma Av.
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47	15th	29063 Special Use	Tina Williams Sanford, Lessee  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 - Sunday	2454 W. Lisbon Av.
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**4:30 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.

48	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.
49	15th	29176 Special Use	Jerome Mason, Lessee  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)	1711 W. Center St.
50	1st	29359 Special Use	Life Skills Academy, Lessee  Request to occupy a portion of the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - 11:00 p.m	2320 W. Capitol Dr.
51	2nd	29216 Special Use	LaSonia Smith, Property Owner  Request to occupy the premises as a day care center for 24 children (8 per shift) infant to 12 years of age, operating 24 hours Monday - Sunday	6625 W. Hope Av.
52	2nd	29235 Special Use	Christopher Ozodi, Prospective Buyer  Request to occupy the premises as a religious assembly hall	6430 W. Fond Du Lac Av.

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**4:30 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.

53	2nd	29322 Special Use/ Dimensional Variance	John Kako, Property Owner	7235 W. Villard Av.
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Request to construct a permitted religious assembly hall that does not meet the required rear street setback (required 63.1 ft. / proposed 3.82 ft.) with parking located between the front facade and street frontage does not meet the required landscaping standards

**5:30 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.

54	2nd	29342 Special Use	Human Development Center, Inc.; Property Owner	5480 N. 92nd St.
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Request to occupy the premises as a group home for 8 occupants, 12 - 17 years of age

55	2nd	29358 Use Variance	Arester Young, Property Owner	7917 W. Winfield Av.
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Request to occupy the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday 8:00 a.m. - 11:00 p.m

56	3rd	29409 Use Variance	Margery Mullett, Property Owner	2841 N. Frederick Av.
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Request to occupy the premises as a 3 unit multi-family dwelling (multi-family dwellings that have not been legally established and occupied by 2002 are not permitted in this district)

57	3rd	29203 Use Variance	Zeta Zeta Chapter of Tau Kappa Epsilon Property Owner	3321 N. Oakland Av.
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Request to continue occupying the premises as a fraternity

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<b><u>5:30 p.m. Public Hearings (continued)</u></b>				
<u>Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes.</u>				
<u>If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.</u>				
58	4th	29119 Special Use	Bill Brachman, Property Owner  Request to occupy the premises as a principal use parking lot	1503 W. Kilbourn Av.
59	4th	29397 Dimensional Variance	Jerome Cohen, Lessee  Request to allow message changes to occur more than once every 60 seconds for an on-site automatic changeable message sign (the display area of an automatic changeable message sign shall not be changed more frequently than once every 60 seconds)	340 W. Kilbourn Av.
60	5th	29432 Special Use	Jaskaran Singh Jeji, Property Owner  Request to add a motor vehicle sales and repair facility to the existing nonconforming motor vehicle filling station	8712 W. Lisbon Av.
61	5th	29241 Special Use	Carrie Williams, Lessee  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	7607 W. Townsend St.
62	6th	29384 Special Use	Bettie Stewart, Lessee  Request to occupy the premises as a religious assembly hall	1937 N. Martin L King Jr Dr.
63	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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**6:30 p.m. Public Hearings**

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64	8th	29265 Dimensional Variance	Saleh Salem, Lessee  Request to allow three wall signs and one projecting sign that exceed the maximum allowed area (allowed wall sign 50 sq.ft.; allowed projecting sign 25 sq.ft.)	2641 W. Lincoln Av.
65	8th	29375 Special Use	Carmen Aiello, Property Owner  Request to occupy the premises as an assembly hall (banquet and conference facility)	2537 W. National Av.
66	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.
67	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.
68	10th	29398 Special Use	LaTronda Jones, Lessee  Request to occupy a portion of the premises as a day care center for 40 children per shift infant to 13 years of age, operating Monday - Sunday 6:00 a.m. - midnight	3928 W. St Paul Av.

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

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69	10th	29421 Special Use	Verlondia Johnson and Tiffany Dean, Lessee  Request to occupy a portion of the premises as a day care center for 80 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 11 p.m	6733 W. Capitol Dr.
70	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.
71	11th	29418 Special Use	Steven Skaleki, Property Owner  Request to allow a transmission tower (flag pole with weather monitoring equipment)	9026 W. Burdick Av.

**7:15 p.m. Public Hearings (contested)**

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.

72	2nd	29094 Special Use	Gena Clark, Property Owner  Request to occupy the premises as a group home for 4 occupants, 12 - 17 years of age	7200 W. Sheridan Av.
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Upon reasonable notice, effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Board of Zoning Appeals at 286-2501, (FAX) 286-2555, (TDD) 286-3245 or by writing the Board of Zoning Appeals, 809 North Broadway, Room 102, Milwaukee, WI 53202.