

AGENDA

April 30, 2009

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, April 30, 2009** 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>Item No.</u>	<u>Ald Dist</u>	<u>Case No. Type</u>	<u>Case Information</u>	<u>Location</u>
1	6th	29426 Special Use <i>Dismissal</i>	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.
2	7th	29544 Use Variance <i>Dismissal</i>	Beglendiar Fields, Lessee Request to occupy the premises as an adult day care center for 6 clients per shift, operating 6:30 a.m. - 11:30 p.m. Monday - Friday and Saturday 8:00 a.m. - 5:00 p.m	3862 N. Sherman Bl.
3	8th	29227 Special Use/ Dimensional Variance <i>Dismissal</i>	Tammy Ward, Lessee Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (required 2 / proposed 0)	2201 W. Grant St.

Board of Zoning Appeals, Hearing on Thursday, April 30, 2009

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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>				
4	3rd	29570 Special Use	Linda A. Wilhelms & Daniel P. Wilhelms Property Owner Request to continue occupying the premises as a general office facility	1201 N. Prospect Av.
5	3rd	29574 Special Use	Shana Miyoko Mill, Lessee Request to occupy the premises as an assembly hall (AA meeting place)	933 E. Center St.
6	3rd	29600 Special Use	Meta House Inc., Lessee Request to occupy the premises as a social service facility (AODA services)	924 E. Clarke St.
7	3rd	29605 Special Use	TATA Petroleum Inc., Property Owner Request to continue occupying the premises as a motor vehicle filling station, car wash, and convenience store	1030 E. North Av.
8	4th	29630 Special Use	Progeny Capitol Partners LLC; Property Owner Request to continue occupying the premises as a parking lot	215 W. Wells St.
9	4th	29633 Special Use	Downtown Books, Lessee Request to continue occupying the premises as a second-hand sales facility (used book store)	327 E. Wisconsin Av.

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10	4th	29586 Special Use	WHPC McKinley Gardens, LLC; Property Owner Request to construct an addition to connect the multi-family residences and to occupy premises as a community center	1349 N. 22 nd St. 1
11	4th	29638 Special Use	AT&T Services, Inc.; Property Owner Request to construct an addition to the existing telecommunications facility to house a stand-by generator.(An enlargement of an area devoted to a non-residential use that is located within a structure constructed prior to October 2007 which was intended to be occupied either in whole or in part by a non-residential use requires Special Use approval)	918 N. 26th St.
12	5th	29596 Special Use	Intelligence Inc., Lessee Request to continue occupying the premises as a day care center for 54 children per shift infant to 12 years of age, operating Monday - Friday 6:30 a.m. - 6:00 p.m	8500 W. Capitol Dr.
13	5th	29621 Special Use	AT&T, Other Request to continue occupying the premises as an outdoor equipment substation / distribution facility that is within 25 feet of a street lot line	10701 W. Florist Av.
14	5th	29637 Special Use	Lisa Ashley, Property Owner Request to continue occupying the premises as a day care center for 50 children infant to 12 years of age, operating Monday - Firday 6:00 a.m. - 6:00 p.m	9111 W. Lisbon Av.

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15	6th	29563 Special Use	April Juett, Lessee	907 W. Atkinson Av.
			Request to continue occupying the premises as a day care center for 25 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight and Saturdays 6 a.m. - 5 p.m	
16	6th	29569 Special Use	John G. Vidal, Property Owner	3811 N. Port Washington Av.
			Request to occupy a portion of the premises as a motor vehicle repair facility	
17	6th	29588 Special Use	Burger King Corp., Property Owner	2862 N. Martin L King Jr Dr.
			Request to continue occupying the premises as a fast-food / carry-out restaurant (including internal renovation)	
18	6th	29615 Special Use	Wisconsin Community Services Inc.; Lessee	1914 N. 6th St.
			Request to continue occupying the premises as a community based residential facility for 26 occupants	
19	6th	29618 Special Use	Duane and Shontina Gladney, Lessee	2044 N. Martin L King Jr Dr.
			Request to add a school for 36 students K4-K5 grades, operating Monday - Friday 7:35 a.m. - 2:45 p.m. to the Board approved day care center operating from 6:00 a.m. to 11:00 p.m. Monday - Friday (day care center was approved for 72 children, the 36 students will be part of that total)	

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20	6th	29620 Special Use	Sondra Jordan, Lessee Request to continue occupying the premises as a day care center for 8 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m	3453 N. 15th St.
21	7th	29550 Special Use	Jacqueline White, Lessee Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 11:00 p.m. and the ages of children from infant to infant - 12 years of age and to continue occupying the premises as a day care center for 8 children per shift, operating Monday - Friday	4006 N. 42nd St.
22	7th	29552 Special Use	Jacqueline White, Lessee Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. to 6:00 a.m. - 11:00 p.m., the number of children from 20 to 31 per shift, and the ages from infant - 11 to infant - 12 years of age and to continue occupying a portion of the premises as a day care center operating Monday - Friday	4008 N. 42nd St.
23	8th	29547 Use Variance	Melanie Sobelman, Property Owner Request to occupy a portion of the premises as a dwelling unit (per MCO section 295-417: for nonconforming residential uses, the building permit for reconstruction shall be obtained within 18 months of the date of the fire that destroyed the previous structure)	1900 W. St Paul 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

24	8th	29566 Special Use	Bouathong Vangsoulatda, Property Owner Request to continue occupying a portion of the premises as a religious assembly hall	2316 W. National Av.
25	8th	29571 Special Use	School Sisters of St. Francis - St. Joseph Convent Lessee Request to continue occupy a portion of the premises as an adult day care center	1545 S. Layton Bl.
26	8th	29604 Special Use	Moras Auto Uno LLC, Property Owner Request to continue occupying the premises as a motor vehicle sales and repair facility	3120 W. Burnham St.
27	8th	29622 Special Use	Jesus Sanchez, Property Owner Request to continue occupying the premises as a motor vehicle repair facility	2236 W. Forest Home Av.
28	9th	29564 Special Use	Janice Turcotte, Lessee Request to occupy a portion of the premises as an animal boarding facility with an outdoor run (dog day care)	8048 N. 76th St.
29	9th	29565 Special Use	Global Signal Acquisitions II, LLC; Lessee Request to continue to allow a transmission tower (a transmission tower that exceeds a height of 85 feet requires Board approval)	8530 W. Calumet Rd.

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

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30	9th	29598 Special Use	Mt. Zion Assembly of the Apostolic Faith, Inc. Property Owner	7132 W. Good Hope Rd.
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Request to add a day care center for 150 children infant to 12 years of age, operating Monday - Friday 6 a.m. - 6 p.m. to a Board approved school

31	9th	29619 Special Use	Love To Care Child Center Inc.; Lessee	9171 N. 76th St.
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Request to continue occupying the premises as a day care center for 80 children per shift infant to 13 years of age, operating Monday - Sunday 5:30 a.m. - midnight

32	10th	29559 Special Use	Anica Banyard, Lessee	5317 W. Center St.
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Request to increase the number of children from 24 to 28 per shift for a Board approved day care center operating Monday - Friday 6:00 a.m. - 10:00 p.m

33	10th	29573 Special Use	Ernesto Silva, Lessee	7202 W. Appleton Av.
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Request to continue occupying the premises as a motor vehicle body shop

34	10th	29589 Special Use	McDonald's Corporation, Property Owner	6409 W. Blue Mound Rd.
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Request to continue occupying the premises as a fast-food/carry-out restaurant

35	10th	29599 Special Use	Robert Knoop, Lessee	6815 W. Capitol Dr.
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Request to continue occupying a portion of the premises as a social service facility (mental health and AODA services)

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

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36	10th	29614 Special Use	Platinum Motors LLC, Property Owner Request to continue occupying the premises as a motor vehicle sales and repair facility and a body shop	4902 W. State St.
37	10th	29629 Special Use	AK65 LLC, Property Owner Request to continue occupying the premises as a community based residential facility for 33 occupants	6526 W. Blue Mound Rd.
38	12th	29616 Special Use	Hugo Alarcon, Property Owner Request to occupy a portion of the premises as a general office facility (tax and accounting services)	938 W. Lapham Bl.
39	12th	29567 Special Use	Jon Petrie, Lessee Request to continue occupying the premises as a car wash	1825 S. Kinnickinnic Av.
40	12th	29576 Special Use	Manuel Cornejo, Lessee Request to continues occupying the premises as an assembly hall (AA meeting place)	1551 W. Mitchell St.

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41	12th	29577 Special Use	Fifth Street Investments, LLC; Property Owner Request to continue occupying a portion of the premises as a rooming house for 8 occupants	711 S. 5th St.
42	13th	29575 Use Variance/ Dimensional Variance	Central Ready Mixed L.P., Property Owner Request to construct a new building that does not meet the minimum required setback (required 25 ft. / proposed 15 ft.) and a fence that does not meet the minimum required buffer depth (required 15 ft. / proposed 5 ft.) and exceeds the maximum allowed height (allowed 6 ft. / proposed 8 ft.) and to continue occupying the premises as a concrete batch plant	4350 S. 13th St.
43	14th	29541 Special Use	Rutilio Ramirez, Property Owner Request to occupy a portion of the premises as a general retail establishment	2420 S. 6th St.
44	14th	29591 Special Use/ Dimensional Variance	Jet Intermodal, Inc., Lessee Request to continue occupying the premises as a truck freight terminal that does not meet the minimum required landscape buffer	550 W. Oklahoma Av.

Board of Zoning Appeals, Hearing on Thursday, April 30, 2009

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

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45	15th	29562 Special Use	Willie Davis, Lessee	2901 W. North Av.
			Request to add an elementary school for 30 students K4 - 3rd grades, operating Monday - Friday 7:00 a.m. - 5:00 p.m. to a Board approved 24 hour day care center for 25 children per shift infant to 12 years of age, operating Monday - Sunday	
46	15th	29587 Special Use	Jeff Brown, Lessee	1819 W. North Av.
			Request to continue occupying a portion of the premises as a second-hand sales facility (used auto parts)	
47	15th	29608 Special Use	John Sims, Property Owner	2419 W. Fond Du Lac Av.
			Request to continue occupying the premises as a motor vehicle repair facility	
48	15th	29610 Special Use	Horizons, Inc., Property Owner	2511 W. Vine St.
			Request to continue occupying the premises as a social service facility and a community based residential facility for 20 occupants	

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49	15th	29632 Special Use/ Use Variance	Next Door Foundation , Property Owner	2545 N. 29th St.
			Request to continue occupying the premises as a community center, social service facility and health clinic (day care on-site is permitted per MCO 295-503-1-i)	
50	15th	29635 Special Use	KP Petro Inc., Lessee	2514 N. 27th St.
			Request to continue occupying the premises as a motor vehicle filling station	
51	1st	29628 Special Use	David Soika, Property Owner	5754 N. Teutonia Av.
			Request to continue occupying the premises as a motor vehicle sales and repair facility	
52	2nd	29551 Special Use	Stacey McKay, Property Owner	6342 W. Fond Du Lac Av.
			Request to continue occupying the premises as a day care center for 25 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight	

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 this item.

53	5th	29454 Special Use	Shala Epps, Lessee	3401 N. 76th St.
			Request to continue occupying the premises as a day care center for 60 children per shift infant to 12 years of age, operating 6:00 a.m. - 11:00 p.m. Monday - Sunday	

Board of Zoning Appeals, Hearing on Thursday, April 30, 2009

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4:30 p.m. Administrative Review (continued)

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

No oral testimony will be taken on this item.

54	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				

55	10th	29504 Special Use	Cheryl Meeks, Lessee	5512 W. Center St.
Request to occupy the premises as a day care center for 32 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m				

4:45 p.m. Public Hearing

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes.

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

56	3rd	29585 Special Use	Joseph Deutsch, Lessee	832 E. Meinecke Av.
Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - midnight				

57	4th	29449 Use Variance	Steven Haas, Lessee	1418 W. St Paul Av.
Request to occupy a portion of the premises as a general retail establishment (sales, service and rental of instruments)				

58	4th	29459 Special Use	Lance Lichter , Property Owner	316 W. State St.
Request to continue occupying the premises as a parking lot				

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4:45 p.m. Public Hearing (continued)

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59	6th	29512 Special Use	Helen Wilson and Jamila Boyd, Lessee	2825 N. Buffum St.
			Request to occupy the premises as a group home for 8 occupants	
60	6th	29532 Special Use	Virginia Pratt, Prospective Buyer	220 W. Auer Av.
			Request to occupy the premises as a group home for 6 occupants	
61	6th	29568 Special Use	Vernon Townsend, Property Owner	2452 N. Martin L King Jr Dr.
			Request to occupy the premises as a motor vehicle repair facility	
62	8th	29376 Special Use	Feras Rahman and Emad H. Oudeh, Property Owner	2300 W. Lincoln Av.
			Request to add motor vehicle sales and to continue occupying the premises as a motor vehicle repair facility	
63	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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4:45 p.m. Public Hearing (continued)

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64	8th	29584 Dimensional Variance	Nicholas & JoAnne Anton, and Vivian Limberutes Lessee	1610 W. St Paul Av.
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Request to allow an off-premise sign that is within 1000 feet of another located on the same side of the freeway and does not meet the minimum required setback from a freeway right-of-way (required 75 ft. / proposed 33 ft.)

5:45 p.m. Public Hearing

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

65	12th	29583 Dimensional Variance	Nicholas & JoAnne Anton, and Vivian Limberutes Lessee	816 W. National Av. 1
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Request to allow an off-premise sign that is within 1000 feet of another located on the same side of the freeway and within 1000 feet of the High Rise Bridge area (along I-94 & I-42, between W. St. Paul and National)

66	10th	29523 Special Use	Auto Plus LLC; Lessee	5004 W. Center St.
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Request to continue occupying the premises as a motor vehicle repair facility (including installation of alarms and stereos)

67	10th	29398 Special Use	LaTronda Jones, Lessee	3928 W. St Paul Av.
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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

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

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68	14th	29410 Dimensional Variance	Johnny Rachal, Property Owner	1426 E. Oklahoma Av.
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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.)

69	1st	29602 Special Use	The Giving Tree, Lessee	5151 N. 35th St.
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Request to occupy the premises as an elementary school for 90 students 6th - 8th grades, operating Monday - Friday 7:30 a.m. - 5:00 p.m

70	1st	29353 Special Use	Detra Callahan, Lessee	7245 N. Teutonia Av.
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Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Saturday 5 a.m. - midnight

71	1st	29468 Special Use	Bently Kienbaum, Property Owner	3460 W. Mill Rd.
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Request to occupy the premises as an outdoor salvage operation (to be utilized in conjunction with the Board approved facility at 3800 W. Mill Rd.)

72	2nd	29540 Special Use	Team Discovery , Lessee	3957 N. 64th St.
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Request to occupy the premises as a group home for 7 occupants (teenage mothers and their children)

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

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73	2nd	29362 Special Use/ Dimensional Variance	Pastor Romingo McQuay, Lessee	6715 W. Villard Av.
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Request to occupy the premises as a religious assembly hall that does not meet the minimum required number of parking spaces (required 10.5 / proposed 0)

6:30 p.m. Public Hearings (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.

74	4th	29506 Special Use	Community Advocates, Inc., Prospective Buyer	836 N. 20th St. 1
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Request to occupy the premises as a transitional living facility for 24 occupants

7:00 p.m. Public Hearings (Contested)

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75	9th	29287 Special Use	Laurence Trimble, Lessee	8803 W. Cheyenne St.
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Request to occupy the premises as a group home for 6 occupants, 13 - 17 years of age

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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.