

AGENDA

September 17, 2009

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, September 17, 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.

4:00p.m. Administrative Consent Agenda

Items scheduled for approval/dismissal on the Administrative Consent Agenda

No oral testimony will be taken on these items.

<u>Item No.</u>	<u>Ald Dist</u>	<u>Case No.</u> <u>Type</u>	<u>Case Information</u>	<u>Location</u>
1	8th	29874 Special Use <i>Dismissal</i>	Iglesia de la Comunidad "Casa de Rugio" Lessee Request to occupy the premises as a religious assembly hall	4328 W. Forest Home Av.
2	9th	29836 Dimensional Variance <i>Dismissal</i>	Urban View 2, LLC Property Owner Request to raze the existing garage and construct a second principal building (multiple principal buildings are not permitted on the lot)	9155 N. Jadam La. 101

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4:00p.m. Administrative Consent Agenda (Continued)

Items scheduled for approval/dismissal on the Administrative Consent Agenda

No oral testimony will be taken on these items.

3	12th	29535 Dimensional Variance <i>Dismissal</i>	Miguel Mora Property Owner Request to allow a detached garage that does not meet the minimum required side setback (required 18 in. / proposed 8 in.) and rear setback (required 48 in. / proposed 42 in.)	1021 W. Walker St.
4	1st	29814 Special Use <i>Dismissal</i>	Ceria M. Travis Academy Lessee Request to continue occupy the premises as a conference facility and a day care center for 200 children and school for 200 students infant to 13 years of age, operating 6 a.m. to 10 p.m	6618 N. Teutonia Av.
5	4th	29119 Special Use/ Dimensional Variance <i>Dismissal</i>	Bill Brachman Property Owner Request to occupy the premises as a principal use parking lot that does not meet the minimum required landscaping	1503 W. Kilbourn Av.
6	5th	29825 Special Use <i>Dismissal</i>	Atonement Lutheran Church and School Lessee Request to increase the hours of operation from 7:00 a.m. - 5:30 p.m. to 6:00 a.m. - 6:00 p.m. for a Board approved day care center for 50 children per shift, operating Monday - Friday	4050 N. 95th St.

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4:00p.m. Administrative Consent Agenda (Continued)

Items scheduled for approval/dismissal on the Administrative Consent Agenda

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| 7 | 12th | 29838
Extension of
Time | Emad Oudeh
Property Owner | 1400 W. Mitchell St. |
| Request for an extension of time to comply with the conditions of case #28809 | | | | |
| 8 | 9th | 29853
Extension of
Time | Community Baptist Church of Greater Milwaukee
Property Owner | 6850 W. Good Hope Rd. |
| Request for an extension of time to comply with the conditions of case #28909 | | | | |
| 9 | 6th | 29832
Extension of
Time | Mohammed Mazharuddin
Prospective Buyer | 3105 N. Holton St. |
| Request for an extension of time to comply with the conditions of case #28942 | | | | |
| 10 | 8th | 29867
Other | Waldemar Rivera
Property Owner | 3335 W. National Av. |
| Request to modify condition #8 of case #29360 requiring that "the unused driveway on West National Avenue be restored to curb and gutter" | | | | |

4:00p.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.

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|---|-----|----------------------|-------------------------------|------------------|
| 11 | 9th | 29844
Special Use | AT85 LLC
Prospective Buyer | 8526 W. Mill Rd. |
| Request to occupy the premises as a community living arrangement for 40 occupants | | | | |

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<p>4:00p.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>				
12	9th	29868 Special Use	Tayo & Titilola Salako Property Owner Request to add a day care center for 15 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight to the Board approved elementary school for 120 students	8980 N. 85th St.
13	11th	29820 Special Use	Pass It On Club, Inc. Property Owner Request to continue occupying the premises as an assembly hall (sobriety club)	6229 W. Forest Home Av.
14	12th	29842 Special Use	Iglesia del Dios Vivo Columna y Apoyo de la Verdad Property Owner Request to occupy the premises as a religious assembly hall (to be used in conjunction with the main assembly area located 1316 S. Cesar E Chavez Dr.)	1310 S. Cesar E Chavez Dr.
15	12th	29843 Special Use	Iglesia del Dios Vivo Columna y Apoyo de la Verdad Property Owner Request to occupy the premises as a religious assembly hall (to be used in conjunction with the main religious assembly area located 1316 S. Cesar E Chavez Dr. and 1310 S. Cesar E. Chavez Dr. for meals and socializing after religious services)	1570 W. Greenfield Av.
16	12th	29856 Special Use	Edith & Noel Martin Prospective Buyer Request to continue occupying the premises as a motor vehicle repair facility (to be operated in conjunction with 1501 W. Mitchell St.)	1511 W. Mitchell St.

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

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17	12th	29612 Special Use	Kuldip Inc. Property Owner	1009 S. 1st St.
			Request to continue occupying the premises as a motor vehicle filling station and car wash	
18	12th	29870 Special Use	Marlene's Touch of Class Lessee	805 W. Historic Mitchell St.
			Request to continue occupying a portion of the premises as a second-hand sales store	
19	14th	29774 Dimensional Variance	Yasser Jaber Property Owner	2690 S. Kinnickinnic Av.
			Request to allow a wall sign that exceeds the maximum allowed area (allowed 25 sq.ft. / proposed 96 sq.ft.)	
20	15th	29831 Special Use	United Methodist Children's Services of Wisconsin Lessee	3832 W. Lisbon Av.
			Request to continue occupying the premises as a social service facility	
21	15th	29859 Special Use	Michael White Property Owner	1628 N. 40th St.
			Request to continue occupying a portion of the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight	
22	1st	29781 Special Use	Devon Butler Lessee	6613 N. Teutonia Av.
			Request to occupy the premises as a car wash	

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

Items Scheduled for approval on the Consent Agenda

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23	1st	29801 Use Variance	Eastbrook Church Inc. Property Owner	5409 N. Green Bay Av.
			Request to occupy a portion of the premises as a specialty school (site also contains a Board approved church and social service facility)	
24	1st	29864 Special Use	Kindergarten Plus Lessee	6859 N. 43rd St.
			Request to occupy a portion of the premises as an elementary school for 50 children K4 - 1st grades, operating Monday - Friday 7:30 a.m. - 3:30 p.m	
25	2nd	29823 Special Use	Jean Templer and Sharnitta Templer Lessee	4248 N. 76th St.
			Request to increase the days of operation from Monday - Friday to Monday - Saturday and to continue occupying the premises as a day care center for 65 children per shift infant to 12 years of age, operating 6:00 a.m. - midnight	
26	2nd	29854 Special Use	Verizon Wireless c/o Velocitel Inc. Lessee	5309 W. Fond Du Lac Av.
			Request to continue to allow a transmission tower	
27	2nd	29727 Special Use	Iyad Kaid Property Owner	5653 N. 76th St.
			Request to continue occupying the premises as a fast-food / carry-out restaurant	
28	3rd	29839 Special Use	JCF Holdings, LLC Property Owner	2037 N. Farwell Av.
			Request to continue occupying the premises as a motor vehicle sales and repair facility	

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<u>4:00p.m. Consent Agenda (Continued)</u>				
<u>Items Scheduled for approval on the Consent Agenda</u>				
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29	3rd	29841 Special Use	Pathfinders, Inc. Property Owner Request to continue occupying the premises as a group home for 8 occupants	1612 E. Kane Pl.
30	3rd	29860 Dimensional Variance	George Dimitropoulos Lessee Request to continue to allow a wall sign that exceeds the maximum allowed area (allowed 300 sq.ft. / proposed 1008 sq.ft.)	2403 N. Maryland Av.
31	4th	29888 Special Use	Outlook University; Willie Killins Jr. Lessee Request to add an elementary and secondary school to the Board approved specialty school	161 W. Wisconsin Ave.
32	5th	29851 Special Use	The Word Center, Inc. Property Owner Request to continue occupying the premises as a religious assembly hall	4713 N. 76th St.
33	6th	29818 Special Use	Rebecca Clayton Lessee Request to occupy the premises as a day care center for 20 children per shift infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - midnight	3565 N. Martin L King Jr Dr.

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

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34	7th	29824 Special Use	Carrie Williams Property Owner	4434 W. Capitol Dr.
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Request to increase the days of operation from Monday - Friday to Monday - Saturday and to continue occupying the premises as a day care center for 27 children per shift infant to 12 years of age, operating 6 a.m. - 11:30 p.m

35	7th	29826 Special Use	Linda K. Griffin Property Owner	4612 N. Hopkins St.
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Request to continue occupying the premises as a day care center for 26 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m (new operator)

36	7th	29848 Special Use	Home 4 The Heart Property Owner	3160 N. 40th St.
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Request to continue occupying the premises as a group home for five occupants

37	7th	29719 Special Use	Saleh Saed Lessee	5735 W. Hampton Av.
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Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator)

38	10th	29863 Special Use	Calvary Christian Academy; Shelina Harvey Lessee	5330 W. Lisbon Ave.
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Request to increase the number of students from 49 to 75 and the grades K4-K5 to K4-3rd and to continue occupying the premises as an elementary school operating Monday - Friday 8:00 a.m. - 3:00 p.m.; to increase the number of children from 25 per shift to 49 per shift and to continue operating a day care center for children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. (Board approved religious assembly also on site)

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4:00 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.

39	15th	29712 Special Use	Boys Into Men; Kaylan Nwonye Lessee	1557 W. Hadley St.
			Request to occupy the premises as a group home for 8 occupants	

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.

40	9th	29658 Dimensional Variance	Mark Halbman Property Owner	7000 N. 76th St.
			Request to occupy the premises as a permitted garden supply / landscaping center that does not meet the minimum required landscape buffer (required 15 ft. / proposed 5 ft.)	

41	10th	29800 Special Use	Wilson Wright Prospective Buyer	5301 W. Lisbon Av.
			Request to continue occupying the premises as a motor vehicle repair facility	

42	10th	29481 Special Use	Scrub Appleton LLC Property Owner	7315 W. Appleton Av.
			Request to continue occupying the premises as a car wash facility	

43	12th	29758 Other	Ramiro and Efren Gonzalez Property Owner	1308 W. Windlake Av.
			Request to modify condition #7 from case #29107 requiring that "the number of vehicles on-site does not exceed four as proposed on the applicant's site plan." (applicant is proposing 9 motor vehicles on site)	

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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.

44	12th	29764 Special Use	Hector Selinas Request to occupy a portion of the premises as an assembly hall	807 W. Historic Mitchell St.
45	12th	29776 Special Use	Oliver Gardipee Lessee Request to add a motor vehicle sales facility to the permitted indoor salvage facility	212 E. Washington St.
46	12th	29784 Special Use	Tracy Haynes Lessee Request to occupy the premises as a day care center for 35 children per shift infant to 12 years of age, operating Monday - Saturday 5 a.m. - midnight	977 W. Lincoln Av.
47	12th	29840 Special Use	Daniel Mora, Jr. Property Owner Request to occupy the premises as a motor vehicle repair facility	1371 W. Windlake Av.
48	13th	29718 Special Use	Daisy Caban Lessee Request to occupy the premises as a day care center for 20 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m	1720 W. Lincoln Av.

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5:15 p.m. Public Hearings

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49	14th	29651 Special Use	Nestor Rodriguez Lessee Request to continue occupying the premises as a car wash and motor vehicle sales facility	2509 E. Oklahoma Av.
50	15th	29763 Special Use	Butterflies Home for Teen Girls, LLC Lessee Request to occupy the premises as a group home for 8 occupants	3212 W. Walnut St.
51	15th	29795 Dimensional Variance	Arokia M. Sebastian Lessee Request to allow a wall sign that exceeds the maximum allowed area (allowed 25 sq.ft./ proposed 60 sq.ft.)	2309 N. 49th St.
52	15th	29578 Special Use	Jessica Key Lessee Request to occupy the premises as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Monday - Saturday	2229 N. 47th St.
53	2nd	29765 Special Use	Jameson & Terska Beasley Lessee Request to occupy the premises as a 24 hour day care center for 75 children per shift infant to 13 years of age, operating Monday - Sunday	8758 W. Fond Du Lac Av.
54	2nd	29768 Special Use	Kevin Thao Prospective Buyer Request to occupy the premises as a day care center for 20 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 1:00 a.m	6001 N. 77th St.

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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.

55	2nd	29691 Special Use/ Dimensional Variance	Bashar Albana Property Owner Request to construct an addition to the existing building that does not meet the minimum required building height (required 18 ft. / proposed 16.8 ft.), minimum required glazing (required 60% / proposed 47.5%) and to occupy the premises as a hand car wash	6212 W. Capitol Dr.
56	3rd	29783 Special Use	Steve Yahr Property Owner Request to occupy a portion of the premises as a parking lot	1222 N. Cass St. 100
57	3rd	29815 Dimensional Variance	Maksim Tuzhilkov Property Owner Request to construct a second principal residential structure (permitted) that does not meet the minimum required rear setback (required 15 ft. / proposed 3.9 ft.), the minimum facade width (required 85 ft. / proposed 69 ft.), and without the front door orientation facing the street	1124 E. Lyon St.
58	4th	29368 Special Use	Bernard Saffold Lessee Request to continue occupying the premises as a fast-food / carry-out restaurant (parking lot will also be available for parking at special events)	2455 W. Wisconsin Av.

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<u>Item No.</u>	<u>Ald Dist</u>	<u>Case No. Type</u>	<u>Case Information</u>	<u>Location</u>
6:15 p.m. Public Hearings				
<u>Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.</u>				
59	5th	29748 Special Use	Jay Shambeau Property Owner Request to continue occupying the premises as a motor vehicle sales and repair facility	8522 W. Hampton Av.
60	5th	29467 Dimensional Variance	Delores Lingelbach Property Owner Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.)	6700 N. 107th St.
61	6th	29495 Special Use	Pedro Montero Lessee Request to occupy the premises as a motor vehicle repair facility	3002 N. Martin L King Jr Dr.
62	6th	29777 Special Use	Aline Sellers Property Owner Request to occupy the premises as a group home for 8 occupants	3274 N. 15th St.
63	7th	29694 Special Use	Megan Martin Property Owner Request to occupy the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight	3311 N. 24th St.
64	7th	29769 Special Use	Brenda Pittman Lessee Request to occupy the premises as a day care center for 37 children per shift infant to 12 years of age, Monday - Friday 6:30 a.m to midnight and Saturday 7 a.m. to 5 p.m	3700 N. 27th St.

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6:15 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.

65	7th	29790 Special Use	Kcal Skill and Recreational Development Center Property Owner	4353 W. Fond Du Lac Av.
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Request to occupy the premises as an adult day care center for 25 clients, operating Monday - Friday 6 a.m. - midnight

66	7th	29792 Special Use	Latrece Shelton Lessee	3049 N. 28th St.
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Request to occupy the premises as a group home for 8 occupants

7:00p.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.

67	3rd	29872 Other	DV Residential LLC Property Owner	1679 N. Humboldt Av.
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Request to accept the modified design plans dated August 10, 2009

7:30 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.

68	3rd	29759 Special Use	ClearChannel Outdoor Lessee	2017 E. North Ave.
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Request to replace the existing sign with a digital changeable message sign (No person may erect a new off-premise automatic changeable message sign, or convert an existing off-premises sign with a static display area to an off-premise automatic changeable, without first obtaining a Special Use permit from the Board if the new or existing sign will be or is located more than 1,000 feet from a freeway or the Lake Parkway)

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8:00 p.m. Public Hearings (Contested)

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69	4th	29214 Other	Kilbourn Court, LLC Property Owner Request to appeal a determination by the Department of City Development that the multi-family dwelling is not permitted	2448 W. Kilbourn 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.