

## AGENDA

October 8, 2009

**PLEASE TAKE NOTICE THAT** a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, October 8, 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.

<b><u>Item No.</u></b>	<b><u>Ald Dist</u></b>	<b><u>Case No. Type</u></b>	<b><u>Case Information</u></b>	<b><u>Location</u></b>
1	10th	29731 Special Use <i>Dismissal</i>	Heather Anderson, Lessee  Request to occupy the premises as day care center for 50 children per shift, operating Monday - Friday 6:30 a.m. - midnight	7251 W. Appleton Av. 1
2	15th	29903 Special Use <i>Dismissal</i>	Mt. Vernon Baptist Church, Property Owner  Request to continue occupying the premises as a day care center for 37 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m	2345 N. 18th St.
3	15th	29497 Special Use <i>Dismissal</i>	Inspiring Young Men, Lessee  Request to occupy the premises as a group home for 6 occupants	2309 N. 39th St.

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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	2nd	29743 Special Use <i>Dismissal</i>	Berdie Cowser; Birdhouse Family Services, Inc. Property Owner	7502 W. Congress St.
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Request to occupy the premises as a group home for 8 occupants

**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.*

5	9th	29882 Special Use	Matt Sisson, Property Owner	8805 N. 107th St.
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Request to continue occupying the premises as a car wash

6	9th	29910 Special Use	Rob Settecase, Property Owner	7320 W. Good Hope Rd.
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Request to occupy the premises as a second-hand sales facility (used CDs, videos and DVDs)

7	9th	29921 Special Use	Arkadiy Tsirlin, Property Owner	5200 W. Mill Rd.
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Request to continue occupying the premises as a motor vehicle repair and sales facility

8	9th	29953 Special Use	Alnita Allen, Property Owner	6537 W. Spokane St.
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Request to continue occupying the premises as a group home for 5 occupants

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

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9	10th	29817 Special Use	City Kids Learning Academy, Lessee	921 N. 49th St.
			Request to occupy a portion of the premises as a day care center for 60 children per shift 2 - 12 years of age, operating Monday - Saturday 7:00 a.m. - 6:00 p.m	
10	10th	29945 Use Variance	Charles Homa, Lessee	6317 W. Fairview Av.
			Request to continue occupying the premises as a ground transportation service	
11	12th	29798 Special Use	Pastor Henry Choconta, Property Owner	1304 S. 6th St.
			Request to occupy the premises as a religious assembly hall(this is an expansion of a nonconforming religious assembly)	
12	12th	29889 Special Use	Fr. David Shields, S.J., Property Owner	423 W. Bruce St.
			Request to continue occupying the premises as a social service facility	
13	12th	29927 Special Use	Henry Choconta, Property Owner	1317 S. 5th St.
			Request to occupy the premises as a parking lot (to be used in conjunction with the church at 1304 S. 6th St.)	

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

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14	13th	29911 Special Use	Toor Auto Services, Inc., Property Owner  Request to continue occupying the premises as a motor vehicle repair facility	4161 S. Howell Av. 1
15	13th	29925 Special Use	Buetow Automotive Group, LLC, Lessee  Request to continue occupying the premises as motor vehicle repair facility	6112 S. 27th St.
16	14th	29897 Use Variance	Sheryl Dix, Lessee  Request to continue occupying the premises as a general retail establishment (flower shop)	319 E. Howard Av.
17	14th	29939 Special Use	Jeanette Barquet, Property Owner  Request to continue occupying the premises as a day care center for 70 children infant to 12 years of age, operating Monday - Friday 7:00 a.m. - 6:00 p.m	1202 W. Oklahoma Av.
18	15th	29878 Use Variance	Jon Frey, Lessee  Request to continue occupying the premises as a light manufacturing facility (custom furniture, cabinet & home bar manufacturing)	3916 W. Kisslich Pl.
19	15th	29880 Special Use	Taleka Saffold-Gordon, Lessee  Request to occupy the premises as a day care center for 23 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight and Saturday - Sunday 6:00 a.m. - 6:00 p.m	2101 N. 48th St.

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

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20	15th	29895 Special Use	Dalal Alalawneh, Lessee	2801 N. 20th St.
			Request to continue occupying the premises a general retail establishment (convenience/grocery store)	
21	15th	29914 Special Use/ Dimensional Variance	Greater New Birth Baptist Church, Property Owner	2207 W. Center St.
			Request to continue occupying the premises as a religious assembly hall without the minimum required number of parking spaces (required 134 / proposed 23)	
22	15th	29941 Special Use	New Testament Church of Milwaukee Property Owner	2324 W. Center St.
			Request to continue occupying the premises as a parking lot	
23	15th	29942 Special Use	New Testament Church of Milwaukee Property Owner	2400 W. Center St.
			Request to continue occupying the premises as a religious assembly hall	
24	1st	29890 Special Use	Marilyn Brooks, Lessee	4260 N. 27th St.
			Request to continue occupying the premises as a day care center for 35 children first shift and 20 children second shift, infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight	

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

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25	1st	29948 Special Use	Syed Rizvi, Lessee	4057 N. Green Bay Av.
			Request to continue occupying the premises as a filling station and convenience store	
26	2nd	29877 Special Use	Lakesha Spears, Lessee	4700 N. 76th St.
			Request to increase the number of children from 25 per shift to 37 per shift and the hours of operation from 6:00 a.m. - 9:00 p.m. to 6:00 a.m. - midnight for a Board approved day care center operating Monday - Friday	
27	2nd	29887 Special Use/ Dimensional Variance	Liberty and Truth Ministries, Property Owner	6119 W. Fond Du Lac Av.
			Request to continue occupying the premises as a religious assembly hall that does not meet the minimum parking requirement (required 46 / proposed 24)	
28	2nd	29894 Special Use	Joseph LoRe, Property Owner	5250 N. 76th St.
			Request to continue occupying the premises as a motor vehicle sales and rental facility	
29	2nd	29900 Special Use	Roshelle Rutledge, Property Owner	5629 N. 91st St.
			Request to increase the hours of operation from 24 hours Monday - Friday, 6:00 a.m. - 5:00 p.m. Saturday, and 10:00 p.m. - 6:00 a.m. Sunday to 24 hours Monday - Sunday and to continue occupying the premises as a day care center for 51 children per shift infant to 12 years of age	

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30	2nd	29902 Special Use	Jack L. Marcus Co., Property Owner	5300 W. Fond Du Lac Av.
			Request to continue occupying the premises as an indoor storage facility	
31	2nd	29946 Special Use	Thomas A. Roberts, Lessee	7540 W. Fond Du Lac Av.
			Request to occupy the premises as a hand car wash	
32	3rd	29892 Special Use	Martina McCloud, Lessee	2650 N. Humboldt Bl.
			Request to occupy the premises as a 24 hour day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday	
33	3rd	29896 Special Use	Mazen Muna, Lessee	1510 N. Van Buren St.
			Request to occupy the premises as a hand car wash facility	
34	3rd	29907 Special Use	Little Caesar Enterprises, Inc., Property Owner	2831 N. Oakland Av.
			Request to continue occupying the premises as a fast-food/carry-out restaurant	
35	4th	29830 Special Use	Denise Beverly-Davis, Property Owner	3314 W. Vliet St.
			Request to occupy the premises as a day care center for 45 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 9:00 p.m. and Saturday 8:00 a.m. - 4:00 p.m	

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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>				
36	4th	29923 Special Use	200 Wisconsin LLC, Property Owner  Request to occupy the premises as a general office facility (internet-based sales of beauty supplies)	208 W. Wisconsin Av.
37	4th	29940 Special Use	Larry Lococo, Property Owner  Request to continue occupying the premises as a parking lot	300 N. Van Buren St.
38	5th	29828 Special Use	Georgina Williams, Prospective Buyer  Request to continue occupying the premises as a day care center for 68 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight (new operator)	4473 N. 76th St.
39	5th	29883 Special Use	SBA Towers II, LLC, Lessee  Request to continue to allow a transmission tower	9411 W. Fond Du Lac Av.
40	6th	29827 Special Use	John Zangerle, Lessee  Request to continue occupying the premises as a motor vehicle repair facility	3008 N. Martin L King Jr Dr.
41	6th	29885 Special Use	Nevada Enterprises DBA McDonald's, Lessee  Request to continue occupying the premises as a fast-food / carry-out restaurant	420 E. Capitol Dr.

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42	6th	29905 Special Use	Captain Install, Lessee	2231 N. Humboldt Av.
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Request to occupy the premises as a motor vehicle repair facility

43	6th	29935 Special Use	Helen Scaife, Property Owner	531 E. Burleigh St.
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Request to continue occupying the premises as a day care center for 82 children per shift infant to 12 years of age, operating Monday - Saturday 5:30 a.m. - midnight

44	7th	29937 Use Variance	Cabrie McElrath, Lessee	3911 N. 27th St.
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Request to continue occupying the premises as a personal service facility (beauty and barber shop)

45	8th	29862 Special Use	Steven Blaskowski, Lessee	1623 S. 38th St.
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Request to occupy a portion of the premises as an outdoor salvage operation

46	8th	29933 Dimensional Variance	Jerry Karczewski, Property Owner	1901 W. Canal St.
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Request to construct two accessory structures (guard shacks) that do not meet the required setback (required 15 ft. / proposed 4 ft.)

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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.

47	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

48	3rd	29759 Special Use	Clear Channel Outdoor, Lessee	2017 E. North Av.
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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)

**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.

49	9th	29809 Special Use	Mary Jones, Lessee	8365 N. 76th St.
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Request to occupy the premises as a school for 220 students K4 - 12th grades, operating Monday - Friday 8:00 a.m. - 3:30 p.m

50	10th	29807 Special Use	Angela Brown, Lessee	5100 W. Center St.
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Request to occupy the premises as a day care center for 100 children infant to 13 years of age, operating Monday - Sunday 6:00 a.m. - midnight

51	10th	29849 Special Use	Daryl Brumfield, Lessee	5319 W. Center St.
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Request to occupy the premises as an assembly hall

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**4:15 p.m. Public Hearings (Continued)**

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52	10th	29754 Special Use	Current Initiatives Counseling Services, LLC Lessee  Request to occupy a portion of the premises as a social service facility	6815 W. Capitol Dr.
53	11th	29847 Dimensional Variance	Joe Balisteri, Property Owner  Request to allow a detached garage that exceeds the maximum allowed height (allowed 15 ft. 6 in. / proposed 17 ft.)	3575 S. 86th St.
54	12th	29778 Special Use	Miguel Arvelo, Property Owner  Request to occupy the premises as an assembly hall	939 W. National Av.
55	12th	29846 Special Use	Latisha Hickson and Wayne Hickson Prospective Buyer  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. - 1:00 a.m	2400 S. 9th Pl.
56	13th	29913 Dimensional Variance	Clear Channel Outdoor , Other  Request to relocate the existing off premise sign (minimum distance between off premise signs 500 ft. / proposed 415 ft.)	4350 S. 13th St.
57	14th	29855 Use Variance	Fahim Mahmoud, Property Owner  Request to occupy the premises as a motor vehicle sales facility	829 W. Arthur Av.

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- |    |      |                               |                                                                                                                                                 |                          |
|----|------|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 58 | 14th | 29879<br>Use Variance         | Vivian Munoz, Property Owner<br><br>Request to occupy the premises as a general retail establishment                                            | 2904 S. 9th Pl.          |
| 59 | 14th | 29774<br>Dimensional Variance | Yasser Jaber, Property Owner<br><br>Request to allow a wall sign that exceeds the maximum allowed area (allowed 25 sq.ft. / proposed 96 sq.ft.) | 2690 S. Kinnickinnic 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.

- |    |      |                      |                                                                                                     |                  |
|----|------|----------------------|-----------------------------------------------------------------------------------------------------|------------------|
| 60 | 15th | 29835<br>Special Use | Joshua Thomas, Lessee<br><br>Request to occupy the premises as a group home for 8 occupants         | 2518 N. 19th St. |
| 61 | 15th | 29899<br>Special Use | Lisa Harris, Lessee<br><br>Request to occupy the premises as a group home for 5 occupants           | 2321 N. 47th St. |
| 62 | 1st  | 29742<br>Special Use | Tasha Walker, Lessee<br><br>Request to occupy the premises as a group home for 6 occupants          | 5514 N. 35th St. |
| 63 | 1st  | 29901<br>Special Use | Linda Anthony, Property Owner<br><br>Request to occupy the premises as a group home for 5 occupants | 4585 N. 23rd St. |

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**5:15 p.m. Public Hearings**

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64	1st	29756 Special Use	The Giving Tree, Lessee  Request to increase the number of students from 90 to 180 for a Board approved school for K4 - 8th grades, operating Monday - Friday 7:30 a.m. - 5:00 p.m	5151 N. 35th St.
65	3rd	29893 Special Use	Timothy McCarthy, Property Owner  Request to occupy the premises as a bed and breakfast	2530 E. Newberry Bl.
66	3rd	29585 Special Use	ShaLeatha Love, Lessee  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	832 E. Meinecke Av.
67	4th	29865 Special Use/ Dimensional Variance	Richard A. Geyer & Robert F. Seefeld Property Owner  Request to replace the existing wall sign and the display areas of the two existing freestanding signs with automatic changeable message signs that change more frequently than once every 60 seconds	500 W. Kilbourn Av.
68	5th	29793 Special Use	Joe Fleming, Lessee  Request to occupy the premises as a day care center 55 children per shift infant to 13 years of age, operating Monday - Sunday 6:00 a.m. - midnight	8106 W. Appleton Av.

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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.

69	5th	29873 Special Use/ Dimensional Variance	Robert & Mildred Jensen, Property Owner	10712 W. Hampton Av.
			Request to raze the existing building and construct a motor vehicle sales and repair facility that does not meet the minimum required landscape width (required 5 ft. / proposed 4ft.)	

**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.

70	6th	29687 Special Use	Earl Grunwald, Property Owner	4105 N. Richards St.
			Request to occupy the premises as a motor vehicle repair facility	

71	6th	29705 Special Use	Earl Grunwald, Property Owner	4117 N. Richards St.
			Request to occupy the premises as an outdoor salvage operation	

72	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	

73	7th	29752 Special Use	Joseph Clayton, Lessee	3042 N. 36th St.
			Request to occupy the premises as a group home for 5 occupants	

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**6:15 p.m. Public Hearings (Continued)**

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74	7th	29514 Special Use	Pilgrim Rest Missionary Baptist Church Property Owner	4427 W. Fond Du Lac Av.
Request to add a day care center for 15 children first shift and 25 children second shift infant to 12 years of age, operating Monday - Friday 5:30 a.m. - midnight and Saturday 6:00 a.m. - 9:00 p.m. to the Board approved community center				

**6:45 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.

75	4th	29214 Other	Kilbourn Court, LLC, Property Owner	2448 W. Kilbourn Av.
Request to appeal a determination by the Department of City Development that the multi-family dwelling is not permitted				

**7:15 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.

76	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)				

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**7:45 p.m. Public Hearings (Contested)**

Please note that each item scheduled for a public hearing has been scheduled for approximately 30 minutes.

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77	13th	29746 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 stating that the premises is being occupied as a truck freight terminal and outdoor storage facility (295-803-1) without the required landscaping and residential buffer (295-401-c, 295-803-4-d)

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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.