

AGENDA

November 5, 2009

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, November 5, 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.</u> <u>Type</u>	<u>Case Information</u>	<u>Location</u>
1	10th	29524 Special Use <i>Dismissal</i>	Jacqueline Shellaugh and Patrice Bond Lessee Request to increase the number of children from 90 to 101 children per shift and the hours of operation from Monday - Friday 6:00 a.m. - 6:00 p.m. to Monday - Sunday 6:00 a.m. - 8:00 p.m. and to continue occupying the premises as a day care center for children infant to 12 years of age	2700 N. 54th St.
2	12th	29982 Extension of Time	The Church of Jesus Christ of Latter-Day Saints Property Owner Request for an extension of time to comply with conditions of case No. 28497	1170 W. Windlake Av.
3	13th	29534 Use Variance <i>Dismissal</i>	Joni Sablich Lessee Request to occupy the premises as a hazardous material storage facility	130 W. Edgerton Av.

Board of Zoning Appeals, Hearing on Thursday, November 5, 2009

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<u>4:00 p.m. Administrative Consent Agenda (Continued)</u>				
<u>Items scheduled for approval on the Administrative Consent Agenda</u>				
<u>No oral testimony will be taken on these items.</u>				
4	14th	29969 Special Use <i>Dismissal</i>	Mark Schwebke Property Owner Request to continue occupying the premises as a tavern (outdoor patio)	4035 S. Clement Av.
5	1st	29864 Special Use <i>Dismissal</i>	Kindergarten Plus Lessee 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	6859 N. 43rd St.
6	2nd	29850 Rehearing Request	John Kako Property Owner Request for a rehearing of case #29332	7235 W. Villard Av.
7	4th	29710 Special Use <i>Dismissal</i>	Matthew Schulz Lessee Request to occupy the premises as a car wash and auto detailing facility	554 E. Erie St.
8	4th	29679 Special Use <i>Dismissal</i>	Ruben W. Hopkins Lessee Request to occupy a portion of the premises as a school for 50 students 9th - 12th grades, operating Monday - Friday 7:30 a.m. - 6:00 p.m. and Saturday 9:00 a.m. - noon	3020 W. Vliet St.
9	5th	29753 Special Use <i>Dismissal</i>	Precision Pro Enterprises, LLC Lessee Request to continue occupying a portion of the premises as a motor vehicle repair facility (this is a new operator that will be operating the repair facility previously approved by the Board in case #29432)	8712 W. Lisbon Av.

Board of Zoning Appeals, Hearing on Thursday, November 5, 2009

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4:00 p.m. - Consent Agenda

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10	10th	30014 Dimensional Variance	Joann Perleberg Property Owner	5400 W. Washington Bl.
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Request to continue to allow a sign that exceeds the maximum allowed display area (allowed 27 sq.ft. / proposed 34 sq.ft.)

11	11th	29986 Dimensional Variance	St. Clare Terrace, Inc. Property Owner	3553 S. 41st St.
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Request to continue occupying the premises as an assisted living facility that does not meet the minimum required number of parking spaces (required 40/ proposed 25), with parking located within the front yard, and with a sign that exceeds the maximum allowed display area (allowed 18 sq.ft. / proposed 28 sq.ft.)

12	12th	29861 Special Use	Paul Lavoe Prospective Buyer	1531 S. 1st St.
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Request to occupy the premises as a motor vehicle sales and repair facility (sales and service of motorcycles and accessories)

13	12th	29958 Special Use	20 Below d.b.a "Club Sugar" Lessee	126 E. Mineral St.
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Request to continue occupying a portion of the premises as an assembly hall (dance hall)

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14	12th	29798 Special Use/ Dimensional Variance	Pastor Henry Choconta Property Owner	1304 S. 6th St.
			Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (this is an expansion of a nonconforming religious assembly)	
15	13th	30001 Special Use	Pankaj Patel Lessee	6311 S. 13th St.
			Request to continue occupying a portion of the premises as a fast-food/carry-out restaurant	
16	14th	29952 Special Use	Advance Electrical Property Owner	2901 S. Delaware Av.
			Request to occupy the premises as a contractor's yard	
17	14th	29978 Dimensional Variance	John Lottes Property Owner	3352 S. Griffin Av.
			Request to enclose an existing porch that does not meet the minimum required front setback (required 25 ft. / proposed 20 ft.)	

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18	15th	29968 Special Use	Tautila Russell Lessee	4212 W. Highland Bl.
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Request to continue occupying the premises as a day care center for 120 children infant to 13 years of age, operating Sunday - Saturday 6:00am - 12:00 midnight

19	15th	30005 Special Use	James and Theresa Morton Property Owner	3130 W. Lisbon Av.
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Request to continue occupying the premises as a 24 hour day care center for 99 children per shift infant to 12 years of age, operating Monday - Sunday

20	15th	29831 Special Use	United Methodist Children's Services of Wisconsin Lessee	3832 W. Lisbon Av.
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Request to continue occupying the premises as a social service facility

21	1st	29998 Special Use	Eddie Mae Martin Property Owner	4502 N. Teutonia Av.
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Request to occupy the premises as a day care center for 25 children per shift three - six years of age, operating Monday - Friday 6:00 a.m. - 11:30 p.m

22	2nd	29757 Special Use	Hazim Farah Property Owner	7210 W. Capitol Dr.
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Request to continue occupying the premises as a motor vehicle sales and repair facility

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23	2nd	29845 Special Use	Kim Lewis	9712 W. Flagg Av.
			Request to occupy the premises as a motor vehicle repair facility	
24	2nd	29852 Special Use	Sue Vang, John Vang & Pao Lee Vang Lessee	8715 W. Fond Du Lac Av.
			Request to continue occupying the premises as a 24 hour day care center for 68 children per shift infant to 12 years of age, operating Monday - Sunday	
25	2nd	29915 Special Use	Marvin Robinson Lessee	5216 W. Capitol Dr.
			Request to continue occupying the premises as a fast-food / carry-out restaurant (new operator)	
26	2nd	29956 Special Use	Suhail Rawashdeh Lessee	5827 W. Capitol Dr.
			Request to continue occupying the premises as a motor vehicle repair facility	
27	3rd	29892 Special Use	Martina McCloud Lessee	2650 N. Humboldt Bl.
			Request to occupy the premises as a 24 hour day care center for 43 children per shift infant to 12 years of age, operating Monday - Sunday	
28	3rd	29783 Dimensional Variance	Steve Yahr Property Owner	1222 N. Cass St. 100
			Request to occupy the premises as an apartment building that does not meet the minimum required number of parking spaces (required 6 / proposed 0)	

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29	4th	29957 Dimensional Variance	Richard Notarpole Property Owner	1220 N. 30th St.
			Request to raze and rebuild a detached garage that does not meet the minimum required setback (required 4 ft. / proposed 0.9 ft.)	
30	4th	29987 Special Use	CPS Parking of Wisconsin, Inc. Lessee	319 E. Clybourn St.
			Request to continue occupying the premises as a parking lot	
31	4th	29995 Special Use	System Parking Inc. Lessee	503 N. Plankinton Av.
			Request to continue occupying the premises as a parking lot	
32	4th	29996 Special Use	Exit Strategy LLC Property Owner	500 N. Milwaukee St.
			Request to continue occupying the premises as a parking lot	
33	4th	30013 Special Use	Milwaukee Rescue Mission Property Owner	830 N. 19th St.
			Request to continue occupying the premises as a religious assembly hall, social service facility and emergency residential shelter	

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34	5th	29955	Confidence Driving School Lessee	2877 N. 76th St.
		Use Variance	Request to continue occupying the premises as a specialty school (driving school)	
35	5th	29985	Michael Roginskiy Property Owner	4019 N. 87th St.
		Dimensional Variance	Request to allow a stairway that does not meet the minimum side setback (required 3 ft. / proposed 1 ft. 9 in.)	
36	5th	29828	Georgina Williams Prospective Buyer	4473 N. 76th St.
		Special Use	Request to continue occupying the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 10:30 p.m. (new operator)	
37	6th	29976	Holy Miracle Church Lessee	3064 N. Martin L King Jr Dr.
		Special Use	Request to continue occupying the premises as a religious assembly hall	
38	6th	29977	Kenisha Briggs Lessee	2979 N. Palmer St.
		Special Use	Request to continue occupying the premises as a 24 hour day care center for 22 children per shift infant to 12 years of age, operating Monday - Sunday	

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39	6th	29983 Special Use	National Association for Black Veterans, Inc. Property Owner Request to continue occupying the premises as a social service facility, health clinic and a transitional living facility	2669 N. Martin L King Jr Dr.
40	6th	29991 Special Use	J&M Janitorial LLC Lessee Request to continue occupying the premises as a day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight	2943 N. 11th La.
41	6th	29993 Special Use	Alma Center Lessee Request to occupy the premises as a social service facility	2568 N. Martin L King Jr Dr.
42	6th	29999 Special Use	Sam Buchanan Lessee Request to continue occupying the premises as a motor vehicle repair facility	3048 N. Martin L King Jr Dr.
43	7th	29967 Special Use	Valetha Hunter Lessee Request to continue occupying the premises as a religious assembly hall and a community center	4032 W. Burleigh St.

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44	7th	29974 Special Use	Carmena Thornton Lessee	4406 W. Burleigh St.
			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 24 children per shift infant to 12 years of age, operating 6:00 a.m. - midnight	
45	7th	30004 Special Use	Homer Baylor Property Owner	5854 W. Fond Du Lac Av.
			Request to continue occupying the premises as an outdoor merchandise sales facility	
46	8th	29954 Special Use	Charlie Reyna Property Owner	2427 W. National Av.
			Request to continue occupying the premises as a religious assembly hall	
47	8th	29990 Special Use	Ana Rojas and Socorro Villalobos Property Owner	1732 S. Muskego Av.
			Request to increase the hours of operation from 7:00 a.m. - 6:00 p.m. to 5:00 a.m. - midnight for a Board approved day care center for 28 children infant to 12 years of age, operating Monday - Friday	
48	8th	30006 Special Use	Wadood Ahmad Property Owner	2931 W. Lincoln Av.
			Request to continue occupying the premises as a motor vehicle filling station	

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49	8th	30008 Special Use	Victor Colon, Jr. Lessee	1201 S. 33rd St.
			Request to continue occupying the premises as a general retail establishment (grocery store with food preparation and packaging)	

50	9th	29975 Special Use	John Moras Lessee	7928 W. Clinton Av.
			Request to continue occupying the premises as a motor vehicle sales and repair facility	

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.

51	13th	29746 Appeal of an Order	Integrated Enterprises, Inc. Property Owner	5467 S. 9th St.
			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)	

52	3rd	29759 Special Use	Clear Channel Outdoor Lessee	2017 E. North Av.
			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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4:00 p.m. Administrative Review (Continued)

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No oral testimony will be taken on this item.

53	4th	29214 Other	Kilbourn Court, LLC Property Owner	2448 W. Kilbourn Av.
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Request to appeal a determination by the Department of City Development that the multi-family dwelling is not permitted

54	4th	29368 Special Use	Bernard Saffold Lessee	2455 W. Wisconsin Av.
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Request to continue occupying the premises as a fast-food / carry-out restaurant (parking lot will also be available for parking at special events)

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.

55	10th	29875 Special Use	Beverly Jones Property Owner	2946 N. 57th St.
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Request to occupy the premises as a group home for 8 occupants

56	10th	29898 Special Use	Well-Rounded, LLC Prospective Buyer	411 S. Hawley Rd.
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Request to occupy the premises as a health clinic and second-hand sales facility (maternity center and retail facility including second-hand maternity clothes)

57	10th	29929 Special Use	Shahram Farahbakhsh Prospective Buyer	536 S. 64th St.
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Request to occupy the premises as a motor vehicle repair facility

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4:30 p.m. Public Hearings (Continued)

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58	12th	29834 Dimensional Variance	Francisco Sandino, Jr. Lessee Request to allow a wall sign that exceeds the maximum allowed area (allowed 50 sq.ft. / proposed 330 sq.ft.)	1212 W. Lincoln Av.
59	12th	29934 Dimensional Variance Fence	Juan Mendoza Property Owner Request to allow a fence that exceeds the maximum allowed side yard height (allowed 4 ft. / proposed 6 ft.)	2255 S. 6th St.
60	12th	29778 Special Use	Miguel Arvelo Property Owner Request to occupy the premises as an assembly hall	939 W. National Av.
61	13th	29916 Dimensional Variance	Brian Matte Property Owner Request to raze and rebuild a detached garage that exceeds the maximum allowed lot coverage (allowed 897 sq.ft. / proposed 988 sq.ft.)	2609 W. Mangold Av.
62	14th	29821 Use Variance	Seeds of Health Prospective Buyer Request to occupy the premises as a school for 160 students 5th - 8th grades, operating Monday - Sunday 7:30 a.m. - 9:00 p.m	825 W. Cleveland Av.

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4:30 p.m. Public Hearings (Continued)

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| 63 | 15th | 29866
Special Use | Appleton Angels Christian Preschool, LLC
Lessee

Request to occupy the a portion of the premises as a day care center for 85 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m | 4221 W. North Av. |
| 64 | 15th | 29951
Special Use | Normarstine Pullian
Lessee

Request to occupy the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m | 2600 W. Lisbon Av. |
| 65 | 1st | 29891
Special Use | Jacqueline Williams
Lessee

Request to occupy the premises as a day care center for 25 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight (to be operated in conjunction with the centers at 4369 and 4373-A N. Teutonia) | 4371 N. Teutonia Av. |

5:30 p.m. Public Hearings

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|----|-----|----------------------|--|------------------|
| 66 | 1st | 29613
Special Use | City Transformation
Prospective Buyer

Request to occupy the premises as a rooming house for 16 occupants | 4576 N. 31st St. |
| 67 | 1st | 29742
Special Use | Tasha Walker
Lessee

Request to occupy the premises as a group home for 6 occupants | 5514 N. 35th St. |

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5:30 p.m. Public Hearings (Continued)

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68	2nd	29912 Special Use	Silver View LLC Lessee Request to occupy the premises as a community living arrangement for 23 occupants	9215 W. Silver Spring Dr.
69	2nd	29938 Special Use	Veronica McKelvin Property Owner Request to add a school for 24 children grades K4 - K5, operating Monday - Friday 8:00 a.m. - 3:40 p.m.; to increase the hours of operation from 6:00 a.m. - midnight to 24 hours and to continue occupying the premises as a day care center for 37 children, operating Monday - Sunday (total will not exceed 61 children at any given time)	6324 W. Fond Du Lac Av.
70	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.
71	3rd	29893 Special Use	Timothy McCarthy Property Owner Request to occupy the premises as a bed and breakfast	2530 E. Newberry Bl.
72	4th	29963 Special Use	Community Advocates, Inc. Prospective Buyer Request to occupy the premises as a social service facility	728 N. James Lovell St.
73	4th	29884 Use Variance	Italian Community Center Property Owner Request to occupy a portion of the premises as an outdoor storage facility	132 N. Jackson St.

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5:30 p.m. Public Hearings (Continued)

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74	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.
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75	5th	29788 Dimensional Variance Fence	Clifford Watson Property Owner Request to erect a fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.)	10940 W. Stark St.
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76	5th	29904 Special Use	Reatha Cole Lessee Request to occupy a portion of the premises as a religious assembly hall	3953 N. 76th St.
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77	5th	29924 Special Use	Joan Johnson Lessee Request to occupy a portion of the premises as a religious assembly hall	7905 W. Appleton Av.
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6:30 p.m. Public Hearings

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78	5th	29642 Special Use	Precious Adams Lessee Request to occupy a portion of the premises (second floor unit) as a religious assembly hall	3953 N. 76th St.
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79	5th	29538 Special Use	Pastor Licia Johnson Lessee Request to occupy a portion of the premises (lower level) as a religious assembly hall	3953 N. 76th St.
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80	6th	29871 Special Use/ Dimensional Variance	Milwaukee Area Technical College District Board Property Owner	4200 N. Humboldt Bl.
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Request to occupy a portion of the premises as a power generation plant (solar power plant) with fencing that that exceeds the maximum allowed height (allowed 6 ft./ proposed 7 ft.)

81	6th	29920 Special Use/ Dimensional Variance	Milwaukee Area Technical College District Board Property Owner	4151 N. Humboldt Bl.
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Request to occupy a portion of the premises as a power generation plant (solar power plant) with fencing that that exceeds the maximum allowed height (allowed 6 ft./ proposed 7 ft.)

82	6th	29922 Special Use/ Dimensional Variance	Milwaukee Area Technical College District Board Property Owner	810 E. Capitol Dr.
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Request to occupy a portion of the premises as a power generation plant (solar power plant) with fencing that that exceeds the maximum allowed height (allowed 6 ft./ proposed 7 ft.)

83	6th	29777 Special Use	Aline Sellers Property Owner	3274 N. 15th St.
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Request to occupy the premises as a group home for 8 occupants

84	7th	29950 Special Use	Cynthia Johnson Prospective Buyer	4821 W. Burleigh St.
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Request to occupy the premises as a group home for 8 occupants

Board of Zoning Appeals, Hearing on Thursday, November 5, 2009

<u>Item No.</u>	<u>Ald Dist</u>	<u>Case No.</u> <u>Type</u>	<u>Case Information</u>	<u>Location</u>
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6:30 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.

85	7th	29751 Special Use	Kathie Wilturner Lessee Request to add a school for 100 students K3 - 8th grades, operating 7:45 a.m. - 3:00 p.m. Monday - Friday to the Board approved day care center for 70 children infant - 12 years of age, operating Monday - Saturday 6 a.m. - midnight	3861 N. 35th St.
86	7th	29824 Special Use	Carrie Williams Property Owner Request to continue occupying the premises as a day care center for 49 children per shift infant to 12 years of age, operating Monday - Friday 6 a.m. - 11:30 p.m	4434 W. Capitol Dr.
87	7th	29645 Special Use	New Greater Love Baptist Church Lessee Request to occupy the premises as a religious assembly hall	3029 N. 35th St.
88	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.

Board of Zoning Appeals, Hearing on Thursday, November 5, 2009

<u>Item No.</u>	<u>Ald Dist</u>	<u>Case No.</u> <u>Type</u>	<u>Case Information</u>	<u>Location</u>
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7:30 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.

89	8th	29964 Dimensional Variance	Ronald and Josette Sinclair Property Owner	2813 S. 33rd St.
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Request to construct an addition to the detached garage that exceeds the maximum allowed lot coverage (allowed 540 sq.ft. / proposed 584 sq.ft.)

90	8th	29813 Special Use	Hussein Govani Property Owner	2437 W. National Av.
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Request to continue occupying the premises as a motor vehicle body shop

91	9th	29932 Use Variance	New Life Worship Center, Inc. Lessee	8316 N. Steven Rd.
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Request to occupy a portion of the premises as a religious assembly hall

7:45 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.

92	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)

PLEASE NOTE:

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.

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.