

AGENDA

December 3, 2009

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, December 3, 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	1st	29829 Use Variance <i>Dismissal</i>	Carolyn Scott Lessee	6064 N. 37th St.
			Request to occupy 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. - 10 p.m	
2	2nd	29822 Special Use <i>Dismissal</i>	I.K.O. Motors LLC Lessee	5750 W. Fond Du Lac Av.
			Request to occupy the premises as a motor vehicle sales facility	
3	2nd	29765 Special Use <i>Dismissal</i>	Jameson & Terska Beasley Lessee	8758 W. Fond Du Lac Av.
			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	

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

Items scheduled for approval on the Administrative Consent Agenda

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4	6th	29816 Special Use/ Dimensional Variance <i>Dismissal</i>	Timmie Fox Lessee	2715 N. Martin L King Dr.
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Request to occupy the premises as a religious assembly hall that does not meet the minimum parking requirement (required 34/ proposed 0)

4:00 p.m. - Consent Agenda

Items Scheduled for approval on the Consent Agenda

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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	10th	30018 Special Use	James Tyler Property Owner	5701 W. North Av.
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Request to continue occupying the premises as a secondhand sales facility (appliance sales and service)

6	10th	30041 Special Use	Margaret Ann's Place Lessee	912 N. Hawley Rd.
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Request to occupy a portion of the premises as a social service facility

7	10th	30042 Use Variance	Office for the Blind and Visually Impaired Lessee	912 N. Hawley Rd.
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Request to occupy a portion of the premises as a government office

8	10th	30043 Special Use	Adonai Employment Lessee	912 N. Hawley Rd.
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Request to occupy a portion of the premises as a social service facility (job training and employment services)

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

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9	10th	30044 Special Use	Vital Voices for Mental Health Lessee Request to occupy a portion of the premises as a social service facility (mental health services)	912 N. Hawley Rd.
10	10th	30046 Special Use	Milwaukee Center for Independence Lessee Request to occupy a portion of the premises as a social service facility	912 N. Hawley Rd.
11	11th	29965 Special Use	Max Zepeda Lessee Request to continue occupying the premises as a motor vehicle sales facility	4440 W. Forest Home Av.
12	11th	29966 Special Use	Denise Elwing Lessee Request to continue occupying the premises as a motor vehicle repair facility	4440 W. Forest Home Av.
13	11th	30021 Special Use	Miller Compressing Company Lessee Request to continue occupying the premises as an outdoor salvage operation	4025 W. Lincoln Ave.
14	11th	30045 Special Use	Tapat Properties, LLC Property Owner Request to continue occupying the premises as a transitional living facility for 8 occupants	6929 W. Tripoli Av.

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

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15	12th	30024 Special Use	Ramon Arteaga Property Owner Request to continue occupying the premises as a motor vehicle repair facility	1601 W. Becher St.
16	12th	30034 Special Use	Ruben Sanchez and Gustavo Sanchez Property Owner Request to continue occupying the premises as a motor vehicle sales facility	502 W. Greenfield Av.
17	12th	30057 Special Use	Daniel Mora Sr. and Celia Mora Property Owner Request to continue occupying the premises as a motor vehicle sales facility (includes hand washing, detailing, & minor repairs for vehicles being sold only)	2690 S. 16th St.
18	13th	29970 Use Variance	CenterPoint Wisconsin, LLC Property Owner Request to occupy the premises as an indoor recreation facility	4905 S. Howell Av.
19	13th	30015 Special Use	Salim Shelleh Property Owner Request to continue occupying the premises as a motor vehicle sales and repair facility	6206 S. 27th St.
20	13th	30030 Special Use	Performance Freight Systems; FoxMar Properties, LLC Property Owner Request to continue occupying the premises as a truck freight terminal	2040 W. Oklahoma Av.

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21	13th	29911 Special Use	Toor Auto Services, Inc. Property Owner Request to continue occupying the premises as a motor vehicle sales, body shop and repair facility	4161 S. Howell Av. 1
22	14th	30017 Special Use	Carisch Brothers LP Property Owner Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility	115 W. Oklahoma Av.
23	14th	30036 Special Use	KK Real Estate Ventures, LLC Property Owner Request to continue occupying the premises as a motor vehicle filling station, convenience store and car wash	2023 S. Kinnickinnic Av.
24	14th	30049 Use Variance	Sean Maroney Property Owner Request to continue occupying the premises as a light manufacturing facility (dental laboratory)	2602 E. Oklahoma Av.
25	14th	30070 Special Use	William Pelant Property Owner Request to continue occupying the premises as a parking lot (temporary parking for customers of the store located on the parcel to the south of the premises, 3860 S. Howell)	3850 S. Howell Av.
26	15th	30025 Special Use	Hector Morales Lessee Request to continue occupying the premises as a motor vehicle sales and repair facility	3230 W. Lisbon Av.

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27	15th	30037 Dimensional Variance	Johnson's Park Development LLC Lessee	2001 W. Garfield Av.
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Request to occupy the premises as a permitted community garden that exceeds the maximum allowed number of accessory structures (allowed 2 / proposed 4) and with a fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.)

28	15th	30058 Special Use/ Dimensional Variance	Alicia Modjeska, COO Property Owner	3522 W. Lisbon Av.
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Request to raze the existing building and construct a health clinic that exceeds the maximum allowed side street setback (allowed 5 ft. / proposed 66)

29	15th	30067 Special Use	Emmaus Evangelical Lutheran Church Property Owner	2210 W. Hadley St.
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Request to continue occupying the premises as a day care center for 138 children infant to 12 years of age, operating Monday - Friday 5:30 a.m. - 8 p.m

30	1st	30029 Special Use	Multicultural Community Services, Inc. Property Owner	5161 N. Hopkins St.
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Request to continue occupying the premises as a day care center for 80 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight

31	1st	30061 Special Use	Robert Pyles; MacPyles Corporation Property Owner	7170 N. Teutonia Av.
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Request to continue occupying the premises as a fast-food / carry-out restaurant

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32	1st	30068 Special Use	Marla Lockridge Lessee	4730 N. Teutonia Av.
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Request to continue occupying the premises as a day care center for 36 children per shift, operating Monday - Saturday 6:00 a.m. - 10 p.m

33	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 - twelve years of age, operating Monday - Friday 6:00 a.m. - 11:30 p.m

34	1st	29997 Special Use	Caprice Hill Lessee	3727 W. Villard Av.
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Request to continue occupying the premises as a school for 37 students grades K3-K5, operating Monday - Friday 8:00 a.m. - 3:00 p.m. and as a day care center for 40 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m

35	2nd	30035 Use Variance	Community Opportunity Club Lessee	3950 N. 56th St.
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Request to continue occupying the premises as a social service facility

36	2nd	30050 Special Use	Appleton & Grantosa, LLC Property Owner	8340 W. Appleton Av.
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Request to continue occupying the premises as a drive-through that is within 150 feet of a residential district

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37	2nd	30055 Special Use	Marcella Adkins Lessee	5401 N. 76th St.
			Request to occupy a portion of the premises as a social service facility (mental health & AODA counseling)	
38	4th	30026 Special Use	Burgess Car and Truck, Inc. Property Owner	2440 W. Clybourn St.
			Request to continue occupying the premises as a motor vehicle sales and repair facility	
39	4th	30074 Use Variance	Clear Channel Outdoor Property Owner	1701 W. State St.
			Request to continue to allow an off-premises billboard	
40	6th	29962 Special Use/ Dimensional Variance	Reliable Money Orders Lessee	311 W. Locust St.
			Request to continue to allow a freestanding sign that exceeds the maximum allowed height (allowed 14 ft. / proposed 21 ft.) and area (allowed 32 sq.ft. / proposed 45 sq.ft.) and to continue occupying the premises as a currency exchange facility (permitted grocery store also on site)	
41	6th	30019 Special Use	Health Care for the Homeless Property Owner	711 W. Capitol Dr.
			Request to construct an addition to the existing general office facility (any enlargement of a structure or area devoted to a non-residential use shall require special use approval by the Board)	

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42	6th	30033 Special Use	Sajin Lee Property Owner	2477 N. Holton St.
			Request to occupy the premises as a motor vehicle repair facility (including tire sales and service)	
43	6th	30073 Special Use	Dream Bikes, Inc. Lessee	2025 N. Martin L King Jr Dr.
			Request to occupy the premises as a second-hand sales facility (bicycle sales and repair)	
44	7th	29992 Dimensional Variance	Lawarrell & Carolyn Annholt Cain Property Owner	3369 N. 46th St.
			Request to construct an addition that does not meet the minimum required side setback (required 9 ft. / proposed 4.25 ft.)	
45	7th	30028 Special Use	Nequilia Earnest Property Owner	4532 N. 44th St.
			Request to continue occupying the premises as a group home for 5 occupants	
46	7th	30069 Special Use	Shelia Staten Lessee	3124 N. 27th St.
			Request to increase the number of children from 32 to 36 and the hours of operation from 6:30 a.m. - 5:30 p.m. to 6:30 a.m. - 11:00 p.m. and to continue occupying the premises as a day care center operating Monday - Friday (this is a new operator)	

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47	8th	29981 Special Use/ Dimensional Variance	McDonald's Corp.; Rich Neubauer Prospective Owner	2520 W. National Ave.
			Request to raze and rebuild a fast-food / carry-out restaurant with a drive through that is within 150 ft. of a residential use, that does not meet the minimum front setback (required 0 ft. / proposed 36.7 ft.), and the minimum side street setback (required 5 ft. / proposed 156 ft.)	
48	8th	29961 Special Use/ Dimensional Variance	Wisconsin District of the Wesleyan Church Prospective Buyer	2935 W. Greenfield Av.
			Request to continue occupying the premises as a religious assembly hall that does not meet the minimum parking requirement (this is a new operator)	
49	9th	30040 Special Use	Michael Miller Lessee	7655 W. Dean Rd.
			Request to continue occupying the premises as an outdoor wholesale and distribution facility	
50	9th	30054 Special Use	Patrice Bond Lessee	8842 N. Swan Rd.
			Request to occupy the premises as a day care center for 100 children per shift, infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - 11:00 p.m (new operator)	

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4:00 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.

51	10th	29863 Special Use	Calvary's Christian Academy Property Owner 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)	5330 W. Lisbon Av.
52	10th	29259 Special Use	I & S Petroleum, Inc. Property Owner Request to increase the hours of operation from 5:00 a.m. - 11:00 p.m. to 5:00 a.m. - midnight for a Board approved motor vehicle filling station, convenience store and car wash	7110 W. Lisbon Av.
53	10th	29849 Special Use	Daryl Brumfield Lessee Request to occupy the premises as an assembly hall	5319 W. Center St.
54	11th	29857 Special Use	Jeffrey Weigel Property Owner Request to continue occupying the premises as a motor vehicle sales facility	6315 W. Forest Home Av.
55	11th	29886 Dimensional Variance	Daniel Vail Property Owner Request to allow a detached garage that exceeds the maximum allowed height (allowed 15 ft. 9 in. / proposed 22 ft. 9 in.)	3835 S. 55th St.

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4:00 p.m. Public Hearings (Continued)

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56	12th	30053 Use Variance	JNA Investment Properties, LLC Prospective Buyer Request to occupy the premises as a business service facility (employment agency)	530 S. 11th St.
57	12th	30078 Special Use	Empowerment Village National LLC Property Owner Request to occupy a portion of the premises as a social service facility	1527 W. National Av.
58	12th	29798 Special Use/ Dimensional Variance	Pastor Henry Choconta Property Owner 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)	1304 S. 6th St.
59	12th	29846 Special Use	Latisha Hickson and Wayne Hickson Prospective Buyer Request to occupy the premises as a day care center for 29 children per shift infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - 1:00 a.m	2400 S. 9th Pl.
60	13th	29928 Special Use	The Peltz Group, LLC d/b/a WM Recycle America Lessee Request to continue occupying the premises as a heavy motor vehicle repair facility (site also contains a permitted recycling collection facility and an accessory heavy motor vehicle parking lot)	2020 W. Morgan Av.
61	13th	29947 Special Use	The Peltz Group, LLC d.b.a. WM Recycle America Lessee Request to continue occupying the premises as a mixed-waste processing facility	2101 W. Morgan Av.

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4:00 p.m. Public Hearings (Continued)

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62	13th	30009 Dimensional Variance Fence	Rhonda Zarate Property Owner	3760 S. 23rd St.
Request to allow an opaque side yard fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 5.5 ft.)				

5:00 p.m. Public Hearings

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63	13th	30031 Dimensional Variance Fence	Marilyn Smith Property Owner	4368 S. Howell Av.
Request to allow an opaque side yard fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.)				

64	14th	29980 Use Variance	Steve Ignasiak Lessee	2640 S. 5th St.
Request to occupy the premises as an outdoor heavy motor vehicle storage and salvage facility				

65	15th	29919 Special Use	DeShawn Peterson, Sr. Lessee	2539 N. 44th St.
Request to occupy the premises as a 24 hour day care center for 8 children per shift, operating Monday - Sunday				

66	15th	30023 Special Use	Multicultural Church Outreach Lessee	4733 W. North Av.
Request to occupy the premises as a social service facility				

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67	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.
68	15th	29835 Special Use	Joshua Thomas Lessee Request to occupy the premises as a group home for 8 occupants	2518 N. 19th St.
69	1st	29984 Use Variance	Pastor William Ojo Prospective Buyer Request to occupy the premises as a religious assembly hall	5112 N. 37th St.
70	1st	29948 Special Use	Syed Rizvi Lessee Request to continue occupying the premises as a filling station and convenience store	4057 N. Green Bay Av.
71	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.
72	1st	29613 Special Use	City Transformation Prospective Buyer Request to occupy the premises as a rooming house for 16 occupants	4576 N. 31st St.

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73	3rd	29959 Dimensional Variance/ Use Variance	Mitchel Heinrichs Property Owner	1838 N. Humboldt Av.
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Request to occupy the premises as a 5 unit multi-family dwelling that does not meet the minimum required lot area per dwelling unit (required 6000 sq.ft. / proposed 5560 sq.ft.)

74	3rd	29907 Special Use	Little Caesar Enterprises, Inc. Property Owner	2831 N. Oakland Av.
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Request to continue occupying the premises as a fast-food/carry-out restaurant

6:00 p.m. Public Hearings

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75	3rd	29815 Dimensional Variance	Maksim Tuzhilkov Property Owner	1124 E. Lyon St.
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Request to construct a second principal residential structure (permitted) that does not meet the minimum facade width (required 85.3 ft. / proposed 69.6 ft.)

76	4th	29918 Appeal of an Order	Systems Parking Inc. Other	401 N. 3rd St.
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Request to appeal an order from the Department of Neighborhood Services determining that an occupancy permit for a principal use parking lot be obtained and the landscaping standards meet the requirements for principal use parking as set forth in the zoning code

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77	4th	30000 Use Variance	Jacquelyn Boyd and Paige Thomas Property Owner	3012 W. Juneau Av.
			Request to occupy the premises as a transitional living facility for 6 occupants	

78	4th	30002 Use Variance	Jacquelyn Boyd and Paige H. Thomas Property Owner	3001 W. Juneau Av.
			Request to occupy the premises as a transitional living facility for 6 occupants	

79	5th	29917 Special Use	Mary Mitchell Lessee	6730 N. 107th St.
			Request to occupy the premises as a group home for 8 occupants	

80	6th	30056 Special Use	McKinley Avenue, LLC Property Owner	1311 N. 6th St.
			Request to occupy the premises as a college	

81	7th	29858 Special Use	Steven Anders Property Owner	3410 W. Burleigh St.
			Request to increase the number of children from 12 to 60 per shift and the hours of operation from Monday - Friday 6:00 a.m. - 6:00 p.m to Monday - Friday 6:00 a.m. - 10 p.m. and Saturday 7:00 a.m. - 3:00 p.m. for a Board approved day care center and religious assembly hall	

82	7th	29926 Special Use	Victorious Living, LLC Lessee	3065 N. 28th St.
			Request to occupy the premises as a group home for 8 occupants	

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83	7th	29751 Special Use	Kathie Wilturner Lessee Request to add a school for 25 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.
84	7th	29824 Special Use	Carrie Williams Property Owner Request to continue occupying the premises as a day care center for 27 children per shift infant to 12 years of age, operating Monday - Saturday 6 a.m. - 11:30 p.m	4434 W. Capitol Dr.
85	8th	29971 Special Use	Verizon Wireless Lessee Request to erect a transmission tower	1800 W. Becher St. 1001
86	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.
87	9th	29953 Special Use	Alnita Allen Property Owner Request to continue occupying the premises as a group home for 5 occupants	6537 W. Spokane St.

Board of Zoning Appeals, Hearing on Thursday, December 3, 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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7:00 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.

88	3rd	30076 Other	DV Residential LLC Property Owner Request to accept the modified design plans dated October 27, 2009	1679 N. Humboldt Av.
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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.

89	9th	29287 Special Use	Laurence Trimble Lessee Request to occupy the premises as a group home for 6 occupants, 13 - 17 years of age	8803 W. Cheyenne St.
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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.