

AGENDA

March 19, 2009

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, March 19, 2009** commencing at **4:00 p.m.** in the Common Council Committee Rooms, **Room 301-B**, City Hall, Third Floor, 200 East Wells Street, Milwaukee, Wisconsin, affecting the following premises. Please note that most items have been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

4:00 p.m. Administrative Consent Agenda

Items scheduled for approval on the Administrative Consent Agenda

No oral testimony will be taken on these items.

<u>Item No.</u>	<u>Ald Dist</u>	<u>Case No. Type</u>	<u>Case Information</u>	<u>Location</u>
1	5th	29487 Special Use <i>Dismissal</i>	Joe Lee Turner, Property Owner	7764 W. Potomac Av.
			Request to continue occupying the premises as a community living arrangement for 8 occupants	
2	6th	29422 Special Use <i>Dismissal</i>	Virginia Pratt, Prospective Buyer	220 W. Auer Av.
			Request to occupy the premises as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Sunday - Saturday	
3	12th	29511 Special Use <i>Dismissal</i>	Walker's Point Youth and Family Center, Property Owner	730 S. 21st St.
			Request to continue occupying the premises as a group home for 8 occupants	

Board of Zoning Appeals, Hearing on Thursday, March 19, 2009

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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	4th	29438 Dimensional Variance <i>Dismissal</i>	James Bach, Property Owner	501 N. 20th St.
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Request to raze the existng structures and construct a permitted multi-family dwelling that does not meet the minimum required lot area per dwlling unit (required 28,800 sq.ft. / proposed 16,290 sq.ft.)

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	2nd	29490 Special Use	Bridgeman Foods II, Inc., Property Owner	6223 W. Capitol Dr.
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Request to continue to occupy the premise as a fast-food / carry-out restaurant with a drive-through facility

6	2nd	29509 Special Use	Wells Fargo Bank, Property Owner	7600 W. Hampton Av.
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Request to continue occupying the premises as a bank with a drive through within 150 feet of a residential use (this is a new operator)

7	3rd	29519 Dimensional Variance	University Bible Fellowship, Property Owner	2976 N. Farwell Av.
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Request to continue occupying the premises as a religious assembly hall (permitted) without the minimum required parking (required 7 / proposed 4)

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<u>4:00 p.m. Consent Agenda (continued)</u>				
<u>Items Scheduled for approval on the Consent Agenda</u>				
<u>No oral testimony will be taken on these items.</u>				
<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>				
8	4th	29500 Use Variance	Mohammed Abdellatif, Property Owner	1556 N. 33rd St.
			Request to continue occupying the premises as a general retail establishment (grocery store)	
9	4th	29513 Special Use	Iowa College Acquisition Corp.; Kaplan University Lessee	201 W. Wisconsin Av.
			Request to occupy a portion of the premises as a university	
10	4th	29521 Special Use	Omar Barkhadle, Property Owner	2715 W. Clybourn St.
			Request to continue occupying the premises as a motor vehicle repair facility	
<u>4:00 p.m. Consent Agenda (continued)</u>				
<u>Items Scheduled for approval on the Consent Agenda</u>				
<u>No oral testimony will be taken on these items.</u>				
<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>				
11	4th	29526 Special Use	Chahal Corp., Lessee	3308 W. Vliet St.
			Request to continue occupying the premises as a motor vehicle filling station	
12	5th	29518 Special Use	Carisch Brothers , Property Owner	11231 W. Silver Spring Dr.
			Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through	

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

Items Scheduled for approval on the Consent Agenda

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13	5th	29522 Special Use	Pavittar Singh, Lessee Request to continue occupying the premises as a motor vehicle filling station	7646 W. Appleton Av.
14	6th	29533 Special Use	Caprice Hill, Lessee Request to continue occupying the premises as a group home for 8 occupants	3730 N. 6th St.
15	6th	29536 Special Use	Comprehensive Health Education, Lessee Request to occupy a portion of the premises as a social service facility (HIV prevention and treatment)	2821 N. 4th .
16	6th	29543 Special Use	Elzora Collins, Lessee Request to occupy a portion of the premises as a social service facility (mental health and AODA services)	2821 N. 4th .
17	7th	29502 Special Use	Jamon Hamilton, Property Owner Request to continue occupying the premises as a motor vehicle repair facility	5614 W. Hampton Av.
18	7th	29531 Special Use	Leonard Dziubla, Property Owner Request to continue occupying the premises as an adult day care center	4065 N. 35th St.

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

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19	7th	29542 Special Use	LaQuanda Gray, Property Owner	2434 W. Hadley St.
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Request to occupy the premises (first floor only) as a 24 hour day care center for 40 children pre shift infant to 12 years of age, operating Monday - Sunday

20	10th	29496 Special Use	Sherry Williams, Lessee	5402 W. Vliet St.
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Request to increase the hours of operation from 6:00 a.m. - 6:00 p.m. Monday - Friday to 6:00 a.m. - midnight Monday - Sunday for a Board approved day care center for 51 children infant to 12 years of age

21	10th	29524 Special Use	Jacqueline Shellaugh and Patrice Bond, Lessee	2700 N. 54th St.
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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

22	10th	29525 Special Use	Nancy Jablonski, Property Owner	5310 W. North Av.
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Request to increase the hours of operation from 6:30 a.m. - 6:00 p.m. to 6:00 - midnight for a Board approved day care center for 200 children infant to 12 years of age, operating Monday - Friday

23	10th	29529 Special Use	Lewis Poberezny, Property Owner	7515 W. Lisbon Av.
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Request to continue occupying the premises as a motor vehicle sales and repair facility

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<u>4:00 p.m. Consent Agenda (continued)</u>				
<u>Items Scheduled for approval on the Consent Agenda</u>				
<u>No oral testimony will be taken on these items.</u>				
<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>				
24	11th	29546 Special Use	United Seniors of Wisconsin Inc., Property Owner Request to continue occupying the premises as a community center	4415 W. Forest Home Av.
25	12th	29491 Use Variance	Shorty's Catering & Restaurant, Property Owner Request to continue occupying the premises as an assembly hall	2075 S. 13th St.
26	12th	29515 Special Use	Right Turn II Inc., Property Owner Request to continue occupying the premises as a group home for 8 occupants	2479 S. 11th St.
27	12th	29530 Special Use	Michael Sanfelippo, Property Owner Request to continue occupying the premises as a ground transportation	646 S. 2nd St.
28	12th	29545 Special Use	Juan Sanchez, Property Owner Request to continue occupying the premises as a currency exchange	827 S. Cesar Chavez Dr.
29	13th	29392 Special Use	Yousef Ali, Lessee Request to occupy the premises as a fast-food / carry-out restaurant	4125 S. Howell Av.

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30	14th	29492 Special Use	Guarding Your Angels Inc., Property Owner	2340 S. 6th St.
			Request to continue occupying the premises as a day care center for 72 children infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight	
31	14th	29516 Use Variance	Angel Garcia, Lessee	206 E. Lincoln Av.
			Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator)	
32	15th	29517 Special Use	Elmo Wilson, Property Owner	2354 N. Teutonia Av.
			Request to continue occupying the premises as a motor vehicle repair facility	
33	1st	29510 Special Use	New Life Academy of Learning, Property Owner	3410 W. Silver Spring Dr.
			Request to occupy a portion of the premises as a day care center for 72 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. (to be operated in conjunction with the existing nonconforming church)	
34	1st	29439 Special Use	Michael Hutchinson, Property Owner	5226 W. Hampton Av.
			Request to continue occupying the premises as an elementary and secondary school for 175 students and a day care center for 50 children infant to 12 years of ages, operating Monday - Friday 6 a.m. - 10 p.m	

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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.

35	6th	29217 Special Use	Brew City Automotive Industries, Inc., Lessee Request to occupy the premises as a motor vehicle body shop, repair, sales and an indoor salvage facility	933 W. Somers St.
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4:15 p.m. Public Hearing

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

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

36	2nd	29235 Special Use	Christopher Ozodi, Prospective Buyer Request to occupy the premises as a religious assembly hall	6430 W. Fond Du Lac Av.
37	2nd	29358 Use Variance	Arester Young, 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 - Friday 8:00 a.m. - 11:00 p.m	7917 W. Winfield Av.
38	3rd	29116 Special Use	N and J United Group, LLC, Lessee Request to occupy the premises as a fast-food / carry-out restaurant	2860 N. Holton St.

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<u>4:15 p.m. Public Hearing (continued)</u>				
<u>Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes.</u>				
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39	6th	29211 Use Variance	Cliff Davis, Property Owner Request to occupy a portion of the premises as a currency exchange, payday loan or title loan facility	401 E. Capitol Dr.
40	6th	29423 Dimensional Variance	CTC Supplies, Property Owner Request to occupy the premises as a mixed-waste processing facility (rag distribution center) that does not meet the required landscaping along the street frontage. (The mixed-waste processing facility is permitted as it meets the limited use standard that operations shall be totally enclosed within a building and not operate between the hours of 7 p.m. and 7 a.m.)	3845 N. Bremen St.
41	6th	29461 Special Use	Joseph Fix, Property Owner Request to occupy the premises as an outdoor salvage operation (temporary storage of operable and inoperable vehicles)	3695 N. Richards St.
42	6th	29475 Special Use	Michael Coakley, Property Owner Request to occupy a portion of the premises as an outdoor storage facility (storing portable storage containers)	2212 N. 4th St.
43	6th	29494 Special Use	Ladiama Johnson, Property Owner Request to occupy the premises as a day care center for 8 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 11:00 p.m	3313 N. 10th St.

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<u>4:15 p.m. Public Hearing (continued)</u>				
<u>Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes.</u>				
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44	6th	29253 Dimensional Variance	Ola Alexander, Property Owner Request to allow a fence that exceeds the maximum allowed height for a rear-yard fence and the maximum allowed height for an opaque fence (allowed 6 ft., 4 ft. opaque / proposed 7.5 ft., 6 ft. opaque)	3907 N. 12th St.
<u>5:15 p.m. Public Hearing</u>				
<u>Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes.</u>				
<u>If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date</u>				
45	7th	29419 Special Use/ Dimensional Variance	McDonald's Corp., Prospective Buyer Request to raze the existing structure and construct a fast-food/carry-out restaurant with a drive-through located within 150 ft. of a residential use that does not meet the minimum required glazing percentage (required 60% / proposed 17%) and that exceeds the maximum allowed number of parking spaces (allowed 15 / proposed 41)	4925 W. Hampton Av.
46	7th	29425 Special Use	Susie Anders, Property Owner Request to occupy the premises as a group home for 8 occupants, 10 - 17 years of age	3359 N. 25th St.
47	7th	29462 Special Use	Tamara Collins, Lessee Request to occupy the premises as a day care center for 25 children per shift infant to 12 years of age, operating Monday - Sunday 7 a.m. - midnight	4235 W. Fond Du Lac Av.

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5:15 p.m. Public Hearing (continued)

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

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48	8th	29376 Special Use	Feras Rahman and Emad H. Oudeh, Property Owner Request to add motor vehicle sales and to continue occupying the premises as a motor vehicle repair facility	2300 W. Lincoln Av.
49	8th	29435 Special Use	J. Trinidad Martin, Property Owner Request to occupy the premises as an outdoor motor vehicle storage facility and a motor vehicle body shop	3715 W. National Av.
50	8th	29479 Special Use	Dan Walz, Lessee Request to occupy a portion of the premises as a motor vehicle sales facility	1623 S. 38th St.
51	8th	29227 Special Use/ Dimensional Variance	Tammy Ward, Lessee Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (required 2 / proposed 0)	2201 W. Grant St.
52	9th	29414 Special Use	Stephanie Thomas, Lessee Request to occupy the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Sunday 5 a.m. - 12 a.m.	5510 W. Clinton Av.

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5:15 p.m. Public Hearing (continued)

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

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53	9th	29445 Use Variance	Credit Corp Of Wisconsin, LLC; Check Into Cash Lessee	6816 W. Brown Deer Rd.
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Request to occupy a portion of the premises as a currency exchange, payday loan, and title loan agency (this is an intensification of a nonconforming payday loan agency)

54	10th	29444 Use Variance	Credit Corp of Wisconsin LLC; Check Into Cash Lessee	3906 N. 76th St.
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Request to occupy a portion of the premises as a currency exchange, payday loan and title loan agency (this is an intensification of a nonconforming payday loan agency)

55	10th	29504 Special Use	Cheryl Meeks, Lessee	5512 W. Center St.
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Request to occupy the premises as a day care center for 40 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight

6:15 p.m. Public Hearing

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

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56	10th	29421 Special Use	Verlondia Johnson and Tiffany Dean, Lessee	6733 W. Capitol Dr.
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Request to occupy a portion of the premises as a day care center for 40 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - 11 p.m

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<u>6:15 p.m. Public Hearing (continued)</u>				
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57	11th	29413 Dimensional Variance	OOS Investments, LLC, Lessee Request to allow a Board approved changeable message sign that does not meet the minimum required setback (required 34.66 ft. / proposed 18.91 ft.)	3450 S. 27th St.
58	11th	29463 Dimensional Variance	616 University LLC, Property Owner Request to erect a freestanding sign that exceeds the maximum allowed display area (allowed 100% / proposed 155%)	3432 S. 27th St.
59	11th	29493 Special Use	Ruth A. Hau, Property Owner Request to occupy a portion of the premises as a religious assembly hall	6251 W. Forest Home Av.
60	11th	29286 Special Use	Ruth A. Hau, Property Owner Request to occupy a portion of the premises as an adult day care center for 60 elderly individuals, operating Monday - Friday 7 a.m. - 6 p.m	6251 W. Forest Home Av.
61	12th	29356 Use Variance	Rosaura Sanchez, Lessee Request to occupy the premises as a currency exchange facility	541 W. Historic Mitchell St.

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6:15 p.m. Public Hearing (continued)

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62	12th	29292 Use Variance/ Dimensional Variance	Francisco Sanchez, Property Owner	1663 S. Muskego Av.
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Request to construct a mixed use commercial and 12 unit residential building that does not meet the minimum required front, rear, and side street set back (multi-family dwellings with more than 4 units and general retail establishments not legally established and occupied by 2002 are not permitted)

63	13th	29483 Dimensional Variance	S&JP Hospitality Group Inc., Property Owner	6541 S. 13th St.
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Request to modify the display area of an existing freestanding sign which exceeds the maximum allowed display area (allowed 50 sq.ft. / proposed 195 sq.ft.) and the maximum allowed height (allowed 14 ft. / proposed 40 ft. height was previously nonconforming)

64	14th	29443 Use Variance	Monte Financial Services, Lessee	2873 S. 13th St.
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Request to occupy the premises as a currency exchange facility (this use will be added to the permitted tax preparation facility)

65	14th	29456 Dimensional Variance	Eric Hartung, Property Owner	3396 S. Chase Av.
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Request to allow a residential accessory structure (detached garage) that exceeds the maximum allowed height (allowed 18 ft. / proposed 21 ft.)

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66	15th	29266 Special Use/ Dimensional Variance	Mohammad Rafiq, Lessee Request to continue occupying the premises as a fast-food / carry-out restaurant without the required landscaping	2635 W. Fond Du Lac Av.
67	5th	29489 Special Use	Jerome Mason, Lessee Request to occupy a portion of the premises as a motor vehicle sales facility	7924 W. Appleton Av.
68	5th	29454 Special Use	Shala Epps, Lessee Request to continue occupying the premises as a day care center for 60 children per shift infant to 12 years of age, operating 6:00 a.m. - 11:00 p.m. Monday - Sunday	3401 N. 76 th St.

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.

69	5th	29241 Special Use	Carrie Williams Lessee Request to occupy the premises as a day care center for 95 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 11:30 p.m	7607 W. Townsend St.
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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.