

AGENDA

February 11, 2010

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, February 11, 2010** 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	15th	29979 Special Use <i>Dismissal</i>	Leighton Liburd & Johnnie Ashley, Lessee Request to occupy the premises as a day care center for 100 children per shift infant to 12 years of age, operating 24 hours Monday - Friday	2025 W. Fond Du Lac Av.
2	4th	29923 Special Use <i>Dismissal</i>	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.
3	6th	29976 Special Use <i>Dismissal</i>	Holy Miracle Church, Lessee Request to continue occupying the premises as a religious assembly hall	3064 N. Martin L King Jr Dr.

Board of Zoning Appeals, Hearing on Thursday, February 11, 2010

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

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4	6th	29999 Special Use <i>Dismissal</i>	Sam Buchanan, Lessee	3048 N. Martin L King Jr Dr.
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Request to continue occupying the premises as a motor vehicle repair facility

5	9th	29780 Use Variance <i>Dismissal</i>	Tangible Word Church c/o The Distribution Center Lessee	8687 N. 107th St.
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Request to occupy a portion of the premises as a religious assembly hall

6	10th	29949 Special Use <i>Dismissal</i>	Jonella Hewing, Lessee	5321 W. Lisbon Av.
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Request to occupy the premises as a day care center for 27 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 10:00 p.m

4:00 p.m. - Consent Agenda

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7	12th	30066 Use Variance	Rev. Obed Pena, Property Owner	524 W. Madison St.
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Request to continue occupying the premises as a religious assembly hall

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8	12th	30092 Special Use	Boguslaw Mosio, Property Owner Request to continue occupying the premises as a motor vehicle body shop and sales facility	2251 S. 13th St.
9	12th	30168 Special Use	Assembly of Pentecostal Church of Jesus Christ Inc Property Owner Request to continue occupying the premises as a religious assembly hall	2335 S. 13th St.
10	12th	30176 Special Use	Southeastern Investments, LLC, Property Owner Request to continue occupying the premises as a motor vehicle filling station and convenience store	1400 S. 6th St.
11	12th	30197 Special Use	Guadalupe Coronado, Lessee Request to continue occupying the premises as a second-hand sales facility	1651 S. 11th St.
12	12th	30217 Use Variance	Community Warehouse, Inc., Property Owner Request to continue occupying the premises as a home improvement center	521 S. 9th St.
13	13th	30169 Special Use	Balhair Dulai, Property Owner Request to continue occupying the premises as a motor vehicle filling station and car wash	4866 S. 27th St.

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14	13th	30188 Special Use	Marcia's Second Time Around, Inc., Property Owner Request to continue occupying the premises as a second-hand sales facility	5928 S. 27th St.
15	13th	30208 Dimensional Variance	Acuity Investments; Rattan Soni, Member Property Owner Request to continue to allow a freestanding sign that exceeds the maximum allowed height (allowed 14 ft. / proposed 60 ft.)	6331 S. 13th St.
16	13th	29837 Special Use	Peter O'Mally, Property Owner Request to continue occupying the premises as a truck freight terminal	5282 S. 13th St.
17	15th	30157 Special Use	Only God Can House of Peace, Lessee Request to continue occupying the premises as a group home for 8 occupants	2035 N. 39th St.
18	15th	30179 Special Use	Sean Brewster and Donyale Holmes-Brewster Other Request to continue occupying the premises as a religious assembly hall (this is a new operator)	4025 W. North Av.
19	15th	30195 Special Use	Virginia Davis, Lessee Request to continue occupying a portion of the premises as a 24 hour day care center for 20 children per shift infant to 12 years of age, operating Monday - Sunday	2901 W. North Av.

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20	15th	30199 Special Use	Bill Nicholson, Property Owner	4931 W. Center St.
			Request to continue occupying the premises as a religious assembly hall (this is a new operator)	
21	15th	30204 Special Use	Khaled Omar, Lessee	4509 W. North Av.
			Request to continue occupying a portion of the premises as a the premises (lower level) as a motor vehicle repair facility	
22	15th	30205 Special Use	Maria Torres, Lessee	4509 W. North Av.
			Request to occupy a portion of the premises (upper level) as a motor vehicle repair facility and body shop	
23	1st	30012 Special Use	Jamie Burks, Lessee	4010 W. Villard Av.
			Request to occupy the premises as a second-hand sales facility (used appliance sales)	
24	1st	30160 Special Use	Joe's East Coast Car Shop Inc., Prospective Buyer	4485 N. Green Bay Av.
			Request to continue occupying the premises as an outdoor salvage operation (this is a new operator)	
25	1st	30164 Special Use	The Washing Machine Man, Lessee	6555 N. Teutonia Av.
			Request to continue occupying the premises as a second-hand sales facility (used appliance sales and service)	

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26	1st	30170 Dimensional Variance	Richard Kurkiewicz, Property Owner	6444 N. 43rd St.
			Request to allow a principal building that does not meet the minimum required lot coverage (required 15% / proposed 10.6%)	
27	1st	30180 Special Use	Choua Her, Lessee	6900 N. 43rd St.
			Request to increase the hours of operation from 6:00 a.m. to 6:30 p.m. to 6:00 a.m. - 10:30 p.m. Monday - Saturday and to continue occupying a portion of the premises as a day care center for 54 children per shift infant to 12 years of age	
28	1st	30191 Special Use	Andre Carter, Property Owner	2717 W. Atkinson Av.
			Request to continue occupying the premises as a day care center for 69 children per shift operating Sunday - Saturday 6:00 a.m. - 10:30 p.m. and a social service facility (on site training and services for parents and staff)	
29	2nd	30135 Special Use	Gwaltney Evangelistic Assoc. Inc., Property Owner	6635 W. Capitol Dr.
			Request to continue occupying the premises as a religious assembly hall	
30	2nd	30145 Use Variance	James Hightower, Property Owner	5453 N. 91st St.
			Request to continue occupying the premises as a day care center for 24 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight	

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| 31 | 2nd | 30216
Special Use | Tondzra Hill, Property Owner | 7625 W. Mill Rd. |
| | | | Request to continue occupying the premises as a day care center for 54 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight | |
| 32 | 2nd | 30165
Special Use | Madeline Thornton, Property Owner | 8421 W. Villard Av. |
| | | | Request to continue occupying the premises as a day care center for 57 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight (the number of children per shift between the hours of 9:00 p.m. - midnight may not exceed 20) | |
| 33 | 2nd | 30193
Special Use | A. Omar Khatib and Ruth Montes-Khatib
Property Owner | 6900 W. Capitol Dr. |
| | | | Request to continue occupying the premises as a motor vehicle repair facility (including installation of electronics, tires and custom upholstery) | |
| 34 | 2nd | 30207
Special Use | Traci Conner, Lessee | 6709 W. Villard Av. |
| | | | Request to continue occupying the premises as a day care center for 41 children per shift infant to 12 years of age, operating Monday - Saturday 5:00 a.m. - midnight | |
| 35 | 2nd | 30211
Use Variance | Capitol Drive Loans, Lessee | 6510 W. Capitol Dr. |
| | | | Request to continue occupying a portion of the premises as a currency exchange / payday loan facility | |

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36	2nd	29956 Special Use	Suhail Rawashdeh, Lessee	5827 W. Capitol Dr.
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Request to continue occupying the premises as a motor vehicle repair facility

37	4th	30185 Dimensional Variance	Repairers of the Breach, Inc., Property Owner	1335 W. Vliet St.
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Request to construct two additions to the existing Board approved social service facility and health clinic that exceed the minimum required front setback (required 0 ft. / proposed 13.8 ft.) and the maximum allowed front side street setback (allowed 5 ft. / proposed 30.8 ft.) for the front addition and the maximum allowed side street setback (allowed 5 ft. / proposed 50.8 ft.) for the rear addition

38	4th	30221 Special Use	Lea Byrd, Lessee	3106 W. Vliet St.
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Request to continue occupying the premises as a personal service facility (salon)

39	5th	30178 Special Use	Nick and George Antzoulatos, Property Owner	8144 W. Appleton Av.
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Request to continue occupying the premises as a motor vehicle sales facility

40	6th	30003 Special Use	Ajit Singh, Property Owner	1909 W. Hopkins St.
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Request to continue occupying the premises as a motor vehicle filling station and convenience store

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<p>4:00 p.m. - Consent Agenda (Continued) <u>Items Scheduled for approval on the Consent Agenda</u> <u>No oral testimony will be taken on these items.</u></p> <p><i>If there are any objections to these approvals, please make them known to the Board office in writing and at least 24 hours prior to the time of the hearing. If written objections to these approvals are received, the item will not be approved and will be held for a public hearing to allow additional testimony.</i></p>				
41	6th	30156 Special Use	Anthony J. Augustine, Property Owner Request to continue occupying a portion of the premises as an indoor storage facility	2039 N. Martin L King Jr Dr.
42	6th	30175 Special Use	Angelia Lewis, Lessee Request to continue occupying the premises as a group home for 5 occupants	3517 N. 25th St.
43	6th	30210 Special Use	M & I Bank, Lessee Request to continue occupying the premises as a bank with a drive-through	2745 N. Martin L King Jr Dr.
44	7th	30152 Special Use	Wilma Hatten and La'Neka Horton, Property Owner Request to continue occupying the premises as a group home for 5 occupants	3277 N. 24th Pl.
45	7th	30162 Special Use	Tasha Walker, Lessee Request to continue occupying the premises as a group home for 8 occupants	2770 N. 45th St.
46	7th	30163 Dimensional Variance Fence	Art Dahlberg and Karen Johnson, Property Owner Request to construct a fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.)	2878 N. Sherman Bl.

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47	7th	30172 Special Use	Lanell White, Property Owner	4020 W. Burleigh St.
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Request to occupy the premises as a social service facility (AODA treatment and counseling)

48	7th	30173 Special Use	Daphne Eiland, Property Owner	3526 W. Capitol Dr.
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Request to continue occupying the premises as a day care center for 45 children per shift infant to 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight

49	7th	30190 Special Use	Paula Toy, Lessee	4335 N. 35th St.
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Request to continue occupying the premises as a day care center for 52 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight (this is a new operator)

50	7th	30192 Use Variance	Carl Diederichs, Property Owner	3426 N. 38th St.
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Request to continue occupying the premises as a rooming house for 36 occupants

51	8th	30114 Special Use/ Dimensional Variance	Jose Desarden, Property Owner	3623 W. National Av.
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Request to continue occupying the premises as a motor vehicle repair facility with a sign that exceeds the maximum allowed area (allowed 20 sq.ft. / proposed 119 sq.ft.)

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52	9th	30166 Special Use	M&I Bank, Lessee	8805 N. 107th St.
			Request to continue occupying the premises as an ATM with a drive-through facility	
53	9th	30167 Use Variance	M&I Bank, Lessee	7101 W. Good Hope Rd.
			Request to continue occupying a portion of the premises as an ATM with a drive-through facility	
54	9th	30187 Special Use	Lubricant Specialists, LLC, Lessee	6942 W. Brown Deer Rd.
			Request to continue occupying the premises as a motor vehicle repair facility	
55	9th	30212 Special Use	GIUFFRE XIX,LLC, Property Owner	8365 N. 76th St.
			Request to occupy a portion of the premises as a second-hand sales facility (permitted general retail facility on site)	
56	10th	30181 Dimensional Variance	Daniel Milton, Property Owner	143 N. 77th St.
			Request to split the existing lot and create a new lot that does not meet the minimum required area (required 3600 sq.ft. / proposed 2944 sq.ft.) with a two-family dwelling that does not meet the minimum required lot area per dwelling unit (required 3600 sq.ft. / proposed 1472 sq.ft.)	

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|----|------|----------------------|---|------------------------|
| 57 | 10th | 30182
Special Use | Adrian Roberson, Lessee | 5232 W. Center St. |
| | | | Request to continue occupying a portion of the premises as a religious assembly hall | |
| 58 | 10th | 30198
Special Use | Marilyn Kern, Lessee | 7205 W. Burleigh St. |
| | | | Request to continue occupying the premises as a day care center for 32 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - 9:00 p.m | |
| 59 | 10th | 30218
Special Use | J & P Motors, Inc. , Lessee | 5813 W. Blue Mound Rd. |
| | | | 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.

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| 60 | 6th | 30056
Special Use | McKinley Avenue, LLC, Property Owner | 1311 N. 6th St. |
| | | | Request to occupy the premises as a college | |

4:30 p.m. Public Hearings

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| 61 | 12th | 30071
Special Use | Jon Petrie, Lessee | 1825 S. Kinnickinnic Av. |
| | | | Request to add a motor vehicle sales and repair facility to the Board approved car wash | |

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62	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.
63	13th	29534 Use Variance	Joni Sablich, Lessee Request to occupy the premises as a hazardous material storage facility	130 W. Edgerton Av.
64	14th	30087 Dimensional Variance	Michael Lanza, Property Owner Request to raze and rebuild a detached garage that exceeds the maximum allowed area (allowed 517 sq.ft. / proposed 624 sq.ft.)	201 E. Montana St.
65	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.
66	14th	29969 Use Variance	Mark Schwebke, Property Owner Request to continue occupying the premises as an outdoor recreation facility (permitted tavern with volleyball court)	4035 S. Clement Av.
67	15th	30127 Special Use	Crystal McClain, Lessee Request to occupy the premises as a group home for 5 occupants	2518 N. 17th St.

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68	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

69	15th	30062 Special Use	Sherri Bond, Prospective Buyer	3500 W. Center St.
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Request to occupy the premises as a transitional living facility for 30 occupants

70	1st	29989 Special Use	Sherri Bond, Lessee	5926 N. Teutonia Av.
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Request to occupy the premises as a transitional living facility for 20 occupants

71	1st	30048 Special Use	First Star R & M, LLC, Property Owner	3520 W. Mill Rd.
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Request to add an outdoor salvage operation to the permitted recycling collection facility

72	1st	29984 Use Variance	Pastor William Ojo, Prospective Buyer	5112 N. 37th St.
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Request to occupy the premises as a religious assembly hall

5:30 p.m. Public Hearings

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73	2nd	30120 Special Use	Ronald Sherrill, Property Owner	6446 W. Fond Du Lac Av.
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Request to occupy a portion of the premises as a car wash

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74	2nd	29946 Special Use	Thomas A. Roberts, Lessee Request to occupy the premises as a hand car wash	7540 W. Fond Du Lac Av.
75	2nd	30035 Use Variance	Community Opportunity Club, Lessee Request to continue occupying the premises as a social service facility	3950 N. 56th St.
76	4th	29918 Appeal of an Order	Systems Parking Inc., Other 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	401 N. 3rd St.
77	5th	29988 Special Use/ Dimensional Variance	Willie Genous, Lessee Request to occupy a portion of the premises as a religious assembly hall without the required parking spaces (required 9 / proposed 2)	8432 W. Lisbon Av.
78	5th	30139 Dimensional Variance	Dolores Lingelbach, Property Owner Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.)	6720 N. 107th St.

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79	5th	30140 Dimensional Variance	Dolores Lingelbach, Property Owner Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.)	6730 R N. 107th St.
80	5th	30141 Dimensional Variance	Dolores Lingelbach, Property Owner Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.)	6740 R N. 107th St.
81	5th	29467 Dimensional Variance	Delores Lingelbach, Property Owner Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.)	6700 N. 107th St.
82	7th	30121 Special Use	Rosiland Johnson, Lessee Request to occupy a portion of 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. - midnight	5601 W. Hampton Av.

6:30 p.m. Public Hearings

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83	7th	29751 Special Use	Kathie Wiltturner, 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.
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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.

84	8th	30146 Special Use	Rocco Mane, Prospective Buyer	2808 W. Forest Home Av.
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Request to occupy the premises as a body shop

85	8th	30159 Appeal of an Order	Ronald Stanis, Property Owner	2548 S. 29th St.
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Request to appeal an order from the Department of Neighborhood Services stating that there is an illegal sign on the premises

86	8th	29981 Special Use/ Dimensional Variance	McDonald's Corp., Property Owner	2520 W. National Av.
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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.)

87	8th	30008 Special Use	Victor Colon, Jr., Lessee	1201 S. 33rd St.
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Request to continue occupying the premises as a general retail establishment (grocery store with food preparation and packaging)

88	9th	30072 Use Variance	Kleen Test Products Corporation, Lessee	7550 N. 76th St.
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Request to occupy a portion of the premises as an outdoor storage facility

Board of Zoning Appeals, Hearing on Thursday, February 11, 2010

<u>Item No.</u>	<u>Ald Dist</u>	<u>Case No. 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.

89	9th	30095 Use Variance	Center Point Properties, Property Owner Request to occupy a portion of the premises as a hazardous material storage facility	7025 W. Parkland Ct.
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90	9th	30130 Use Variance	U.S. Oil Co. Inc., Property Owner Request to occupy the premises as a hazardous material storage facility	9451 N. 107th St.
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91	10th	30060 Special Use	Darnell Robinson, Lessee Request to add a religious assembly hall and to continue occupying the premises as a social service facility	7127 W. Lisbon 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.

92	1st	29580 Special Use/ Dimensional Variance	Mark Lalonde, Property Owner Request to occupy the premises as a facility engaged in the processing and recycling of mined materials that does not meet the code required screening and exceeds allowed stockpile heights	2826 W. Silver Spring Dr.
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Board of Zoning Appeals, Hearing on Thursday, February 11, 2010

<u>Item No.</u>	<u>Ald Dist</u>	<u>Case No. Type</u>	<u>Case Information</u>	<u>Location</u>
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8:00 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.

93	3rd	29892 Special Use	Martina McCloud, Lessee	2650 N. Humboldt Bl.
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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

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.