

AGENDA

December 16, 2010

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, December 16, 2010** commencing at **2:00 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.

2:00 p.m. Administrative Consent Agenda

Items scheduled for dismissal 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	14th	30603 Special Use <i>Dismissal</i>	Mandeep Gill and Amoud Warsame, Lessee Request to occupy the premises as a day care center for 12 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - 11:00 p.m	2505 S. 6th St.
2	14th	30759 Dimensional Variance <i>Dismissal</i>	Aldi Inc., Property Owner Request to erect a wall sign that exceeds the maximum allowed area (allowed 25 sq.ft. / proposed 30.7 sq.ft.) and a freestanding sign that exceeds the maximum allowed height (allowed 14 ft. / proposed 18 ft. 6-3/4 in.) and maximum allowed area (allowed 32 sq.ft. / proposed 76 sq.ft.)	2705 S. 13th St.
3	15th	30593 Special Use <i>Dismissal</i>	Schnell Price, Property Owner Request to occupy the premises as a 24 hour day care center for 40 children per shift infant to 12 years of age, operating Monday - Sunday	4733 W. North Av.

Board of Zoning Appeals, Hearing on Thursday, December 16, 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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2:00 p.m. Administrative Consent Agenda (Continued)

Items scheduled for dismissal on the Administrative Consent Agenda

No oral testimony will be taken on these items.

4	15th	30800 Special Use <i>Dismissal</i>	Andrew Neumann, Prospective Buyer Request to expand the existing elementary school for 600 students into the adjacent unit	2323 N. 25th St.
5	2nd	30596 Special Use <i>Dismissal</i>	Parris Hibbler, Lessee Request to occupy a portion of the premises as a religious assembly hall	5401 N. 76th St. 205
6	2nd	30655 Special Use <i>Dismissal</i>	Kulbir Singh, Lessee Request to occupy the premises as a second-hand sales facility	6538 W. Fond Du Lac Av.
7	3rd	30782 Special Use <i>Dismissal</i>	Tracey Collins, Property Owner Request to continue occupying the premises as an adult family home	3338 N. Humboldt Bl.
8	3rd	30784 Special Use <i>Dismissal</i>	Robert Buhler, Lessee Request to occupy a portion of the premises as a general retail establishment	1609 E. North Av.
9	4th	30395 Special Use/ Dimensional Variance <i>Dismissal</i>	Wisconsin Avenue Properties I, LLC, Property Owner Request to raze and rebuild a 150 unit multi-family dwelling that does not meet the minimum required lot area per dwelling/roomer (required 72,000 sq.ft. / proposed 29,725 sq.ft.) and required number of parking spaces (required 108 / proposed 64)	1925 W. Wisconsin Av.

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2:00 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.

10	8th	30799 Special Use/ Dimensional Variance	School Sisters of St. Francis, Property Owner	1501 S. Layton Bl.
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Request to construct an addition that exceeds the maximum allowed side street setback (required 15 ft. / proposed 58 ft.) and to occupy the premises as a community living arrangement for 100 occupants

11	9th	30705 Use Variance	Badger Investment Realty LLC, Property Owner	5611 W. Hemlock St.
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Request to construct an addition to the existing hazardous material storage facility

12	9th	30765 Use Variance	William Richardson, Jr., Lessee	5225 W. Mill Rd.
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Request to continue occupying the premises as a religious assembly hall

13	9th	30790 Special Use	Leatryce Smith, Lessee	6425 N. 60th St.
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Request to expand the existing Board approved day care center for 50 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. into the lower level

14	10th	30770 Special Use	Phillips Property 6618 LLC, Property Owner	6618 W. Lisbon Av.
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Request to occupy the premises as an indoor storage facility

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2:00 p.m. - Consent Agenda (Continued)

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.

15	10th	30797 Special Use	La Tonya Jackson, Property Owner	2363 N. 54th St.
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Request to continue occupying the premises as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Monday - Sunday

16	11th	30791 Use Variance	Tapat Properties, LLC, Property Owner	3126 S. 66th St.
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Request to continue occupying the premises as a transitional living facility for 8 occupants

17	12th	30796 Special Use	Jill Lackey, Lessee	705 W. Lincoln Av.
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Request to continue occupying the premises as a cultural institution (settlement museum, room replication of early settlement of Polish & Latino immigrants)

18	12th	30767 Special Use/ Dimensional Variance	Julie Kaufmann, Property Owner	538 S. 2 nd St.
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Request to construct a health clinic without the minimum required number of off-street parking spaces (required 11/proposed 0)

19	13th	30756 Special Use	Miguel Martinez, Lessee	5938 S. 13th St.
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Request to add a motor vehicle body shop and to continue occupying the premises as a motor vehicle repair facility

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2:00 p.m. - Consent Agenda (Continued)

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.

20	13th	30814 Dimensional Variance	Clear Channel Outdoor, Other Request to continue to allow a freestanding off-premises sign	6221 S. Howell Av.
21	14th	30760 Special Use	Allen Bailey, Lessee Request to continue occupying the premises as a religious assembly hall	3074 S. Delaware Av.
22	14th	30807 Use Variance	Catherine & Gary Szymanski, Lessee Request to continue occupying a portion of the premises as a specialty/personal instruction school (motorcycle safety training range)	1911 S. Allis St.
23	15th	30713 Dimensional Variance	Dave Wagner, Property Owner Request to construct a porch that does not meet the required south side setback (required 3 ft./ proposed 1.3 ft.)	2363 N. 10th St.
24	15th	30761 Special Use	Karlodia Finnie, 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 6:00 a.m. - midnight (this is a new operator)	3732 W. Lisbon Av.
25	15th	30818 Special Use	Marie Gordon, Property Owner Request to continue occupying the premises as a motor vehicle filling station	3708 W. North Av.

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2:00 p.m. - Consent Agenda (Continued)

Items Scheduled for approval on the Consent Agenda

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26	15th	30562 Special Use	Murtaza Sajan, Lessee Request to continue occupying the premises as a motor vehicle filling station (this is a new operator)	2242 N. 12th St.
27	2nd	30717 Special Use	Fourth Properties LLC, Property Owner Request to occupy a portion of the premises as an indoor storage facility	10130 W. Appleton Av.
28	2nd	30762 Special Use	Kenneth Riche, Property Owner Request to continue occupying the premises as a currency exchange, payday loan or title loan agency	5309 W. Fond Du Lac Av.
29	2nd	30777 Special Use	Bell Therapy Inc., Property Owner Request to continue occupying the premises as a social service facility	6414 W. Fond Du Lac Av.
30	2nd	30783 Special Use	Milwaukee Achiever Literacy Services, Lessee Request to continue occupying the premises as a community center	5566 N. 69th St.
31	3rd	30775 Special Use	Ladiama Johnson, Lessee Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - midnight	832 E. Meinecke Av.

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2:00 p.m. - Consent Agenda (Continued)

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32	3rd	30794 Use Variance	Damian Spiropoulos, Lessee	1625 E. Irving Pl.
			Request to occupy the premises as a household maintenance and repair facility (computer service and repair)	
33	3rd	30817 Use Variance	Margery Mullett, Property Owner	2841 N. Frederick Av.
			Request to occupy the premises as a 3 unit multi-family dwelling (multi-family dwellings that have not been legally established and occupied by 2002 are not permitted in this district)	
34	4th	30763 Use Variance	Craig Harper, Property Owner	727 N. 31st St.
			Request to continue occupying the premises as a transitional living facility for 22 occupants and 8 staff	
35	4th	30766 Special Use	Old Milwaukee Investments LLC, Property Owner	3209 W. Highland Bl.
			Request to continue occupying the premises as a general office facility (this is a new operator)	
36	4th	30789 Dimensional Variance	Juan Perez, Property Owner	2918 W. Mt Vernon Av.
			Request to construct a detached garage in the front yard of the premises(garages and sheds are not permitted in front yards)	
37	5th	30764 Dimensional Variance	Archer Daniels Midland, Property Owner	12255 W. Carmen Av.
			Request to continue to allow a permitted fence without the code required landscaping	

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2:00 p.m. - Consent Agenda (Continued)

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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.

38	5th	30785 Special Use	SBA Structures, Inc., Lessee Request to continue to allow an 80 ft. transmission tower	7677 W. Appleton Av.
39	6th	30771 Special Use	Milwaukee Health Services, Inc., Property Owner Request to continue occupying the premises as a parking lot	2523 N. Martin L King Jr Dr.
40	6th	30805 Special Use/ Dimensional Variance	Milwaukee Health Services, Inc., Property Owner Request to construct an addition to the existing health clinic that exceeds the minimum side street setback (allowed 5 ft. / proposed 5.74 ft.)	2579 N. Martin L King Jr Dr.
41	6th	30780 Special Use	Douglas Evans, Prospective Buyer Request to occupy the premises as a motor vehicle repair, sales and car wash facility	1301 W. Burleigh St.
42	6th	30781 Special Use	United Apostolic Church of God, Property Owner Request to continue occupying the premises as a religious assembly hall	2516 W. Hopkins St.
43	7th	30778 Use Variance	Milwaukee Police Department, Property Owner Request to erect a transmission tower	3626 W. Fond Du Lac Av.

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2:00 p.m. - Consent Agenda (Continued)

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.

44	7th	30815 Special Use	Quinn Taylor, Lessee	3526 W. Capitol Dr.
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Request to continue occupying the premises as a day care center for 75 children per shift infant to 12 years of age, Monday - Sunday 6 a.m. - midnight (this is a new operator)

2:00 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.

45	6th	30672 Special Use	Glenda Hampton, Lessee	2311 W. Capitol Dr.
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Request to occupy the premises as a transitional living facility for 24 occupants

2:15 p.m. Public Hearings

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

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

46	8th	30712 Special Use	Alfredo Medina, Prospective Buyer	2922 W. Forest Home Av.
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Request to occupy the premises as a motor vehicle repair facility

47	9th	30773 Appeal of an Order	Care Management Plus, Property Owner	7225 N. 86th St.
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Request to appeal an order from the Department of Neighborhood Services stating that the premises is being occupied as a transitional living facility

48	9th	30478 Use Variance	Good Hope 8000, LLC, Property Owner	8000 W. Good Hope Rd.
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Request to occupy the premises as a hazardous material storage facility

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2:15 p.m. Public Hearings (Continued)

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

49	10th	30530 Special Use	Darnell and Donna Robinson, Lessee	7127 W. Lisbon Av.
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Request to increase the hours of operation from Monday - Friday 7:00 a.m. - midnight and Saturday 6:00 a.m. - 5:00 p.m. to 24 hours Monday - Saturday and to continue occupying the premises as a day care center for 49 children infant to 13 years of age

50	10th	30439 Special Use	Place of Praise Family Life Center, Lessee	7101 W. Capitol Dr.
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Request to occupy a portion of the premises as a social service facility

51	10th	30632 Special Use	Larry Pachefsky, Property Owner	5204 W. Center St.
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Request to construct an addition to the existing building and to occupy the premises as a motor vehicle sales, repair and outdoor storage facility (this is an addition to a non-conforming motor vehicle repair facility)

52	13th	30750 Other	Peter O'Malley, Property Owner	5282 S. 13th St.
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Request to modify condition #6 of case #29837, stating "that the operator have no more than 4 vehicles entering and exiting the site on Saturdays and Sundays and that the operator have no more than 12 vehicles entering and exiting the site after 7:00 p.m. Monday - Friday"

53	13th	30649 Special Use	Gina's Trucking Inc., Lessee	241 W. Edgerton Av.
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Request to continue occupying the premises as a truck freight terminal

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2:15 p.m. Public Hearings (Continued)

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

54	13th	30746 Special Use	Mary McIntosh, Property Owner	6231 S. Howell Av.
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Request to continue occupying the premises as a motor vehicle repair facility and car wash

55	13th	30747 Special Use	Mary McIntosh Survivor's Trust, Property Owner	6215 S. Howell Av.
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Request to continue occupying the premises as a motor vehicle repair facility and car wash (used in conjunction with the facility at 6221 S. Howell)

3:15 p.m. Public Hearings

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

56	14th	30829 Special Use/ Dimensional Variance	Phelan Acquisitions, LLC, Prospective Buyer	2301 S. Kinnickinnic Av.
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Request to raze the existing structure and construct a light manufacturing facility (production bakery) that exceeds the maximum allowed primary street setback (allowed 2 ft. / proposed 4 ft. - 28 ft. 1.25 in.) and secondary street setback (allowed 5 ft. / proposed 3 ft. - 7 ft. 11.75 in.)

57	15th	30622 Special Use	Carl Walton, Jr., Lessee	2402 W. Lisbon Av.
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Request to occupy the premises as an assembly hall

58	15th	30748 Special Use	Reginald Reed, Lessee	4422 W. North Av.
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Request to occupy the premises as a second-hand store

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3:15 p.m. Public Hearings (Continued)

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

59	15th	30752 Special Use/ Dimensional Variance	Amy Shields, Property Owner Request to occupy the premises as an outdoor salvage operation without the code required landscaping	2100 N. 30th St.
60	1st	30332 Special Use	Word of Grace Fellowship, Inc., Property Owner Request to occupy the premises as a religious assembly hall	4949 W. Villard Av.
61	1st	30665 Special Use/ Dimensional Variance	Able Access Transportation LLC, Property Owner Request to occupy the premises as a motor vehicle sales facility and a ground transportation service without the required landscaping	2620 W. Silver Spring Dr.
62	1st	30715 Special Use	Desma Harris, Lessee Request to occupy the premises as a day care center for 10 children per shift infant to 12 years of age, operating Monday - Friday 8:00 a.m. - midnight and Saturday 8:00 a.m. - 5:00 p.m	5231 W. Villard Av.
63	1st	30788 Special Use	Danielle Howard, Lessee Request to occupy a portion of the premises as a second-hand store	7577 N. Teutonia Av.
64	2nd	30744 Special Use	Dr. Chuck Holloway, Property Owner Request to occupy the premises as a social service facility	6833 W. Fond Du Lac Av.

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3:15 p.m. Public Hearings (Continued)

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

65	2nd	30795 Special Use	Murphy Jamerson, Lessee	9135 W. Silver Spring Dr.
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Request to occupy the premises as a day care center for 70 children per shift infant to 12 years of age, operating Monday - Sunday 5:00 a.m. - 1:00 a.m.

4:15 p.m. Public Hearings

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

66	3rd	30749 Appeal of an Order	Muhammad Maqbool, Lessee	2200 N. Prospect Av.
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Request to appeal an order from the Department of Neighborhood Services stating that the applicant has not complied with the conditions #8 and #13 of case #25379 stating "that landscaping and screening must meet the standards of 295-405 of the Milwaukee Zoning Code" and "that all site improvements such as landscaping and fencing are properly maintained." (This is a revocation order)

67	5th	30721 Dimensional Variance	Pastor R. Raabe, Property Owner	3205 N. 85th St.
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Request to erect an automatic changeable message sign (an automatic sign is not permitted in a Single-Family Residential District)

68	5th	30518 Special Use	Al's Auto Repair, Lessee	3250 N. 77th St.
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Request to occupy the premises as a motor vehicle repair facility

69	6th	30546 Special Use	Genesis Behavioral Services, Inc., Lessee	3296 N. 13th St.
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Request to occupy the premises as a transitional living facility for 4 occupants

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

Please note that each item scheduled for a public hearing has been scheduled for approximately five to ten minutes. If an item takes longer than its allotted time, the item may be adjourned to the next available hearing date.

70	6th	30547 Special Use	Genesis Behavioral Services, Inc., Lessee Request to occupy the premises as a transitional living facility for 4 occupants	2523 N. Buffum St.
71	6th	30787 Special Use	Tan Tran, Property Owner Request to occupy the premises as a motor vehicle repair facility	3919 N. Martin L King Jr Dr.
72	7th	30673 Special Use	Clay Stephens and Melvin Grafton, Lessee Request to occupy the premises as a motor vehicle sales, repair and body shop facility with outdoor motor vehicle storage	5320 W. Hampton Av.
73	7th	30702 Special Use	Shirley Veasy, Property Owner Request to occupy the premises as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday	3368 N. 39th St.
74	7th	30706 Special Use	Jamia Lowe, Lessee Request to occupy the premises as a 24 hour day care center for 40 children first and second shift and 20 children third shift, infant to 12 years of age, operating Monday - Sunday	3632 W. Burleigh St.

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5:15 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.

75	14th	30386 Special Use	Competative Ventures, LLC dba Jersey's Pub & Grill Prospective Buyer Request to continue occupying the premises as an outdoor recreation facility (permitted tavern with volleyball court)	4014 S. Howell Av.
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5:45 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.

76	1st	30308 Dimensional Variance	Mark Lalonde, Property Owner Request to occupy the premises as a permitted contractor's yard with stockpiles that exceed the maximum allowed height (allowed 6 ft. / proposed 30 ft.) and landscaping that does not meet the required standards	2826 W. Silver Spring Dr.
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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.