

## AGENDA

July 28, 2011

**PLEASE TAKE NOTICE THAT** a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, July 28, 2011** 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 dismissal or 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	2nd	31147 Special Use <i>Dismissal</i>	Acacia Mental Health Clinic LLC, Lessee  Request to occupy the premises as a health clinic	5228 W. Fond Du Lac Av.
2	10th	30991 Change Of Operator <i>Dismissal</i>	Shamela Caldwell, Lessee  Request to continue occupying the premises as a day care center for 80 children per shift infant to 12 years of age, operating from Monday - Sunday 6:00 a.m. - midnight	5934 W. Appleton Av.
3	2nd	31177 Extension of Time	Rose Patterson Property Owner  Request for an extension of time to comply with conditions of case #30365	7526 W. Fond Du Lac Av.

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**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.*

4	1st	31227 Special Use/ Dimensional Variance	McDonald's Corporation Lessee	3025 W. Villard Ave.
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Request to continue occupying the premises as a drive-through facility with a dumpster enclosure that does not meet the code required screening (portion of drive-through used in conjunction with the fast-food / carry-out restaurant at 5191 N. Teutonia Av.)

5	1st	31182 Special Use	Sukhwindar Narra Lessee	4105 W. Villard Av.
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Request to occupy the premises as a motor vehicle filling station

6	1st	31199 Other	City of Praise Church Property Owner	5112 N. 37th St.
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Request to accept the modified plans dated June 17, 2011

7	1st	31204 Special Use	New Greater Love Baptist Church Lessee	6063 N. Teutonia Av.
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Request to occupy the premises as a religious assembly hall

8	1st	31210 Special Use	Macedonia MB Church Property Owner	7265 N. Teutonia Av.
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Request to continue occupying the premises as a religious assembly hall

9	2nd	31187 Special Use	Bright Beginnings Children Center Lessee	4248 N. 76th St.
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Request to increase the days of operation from Monday - Saturday to Monday - Sunday for a Board approved 24 hour day care center for 81 children per shift infant to 12 years of age

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

Items Scheduled for approval on the Consent Agenda

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10	3rd	31184 Special Use	Monica J. DePalma Lessee	1228 N. Astor St.
			Request to continue occupying the premises as a tavern with an outdoor patio	
11	3rd	31196 Special Use	Bernard Bodar Property Owner	1836 N. Pulaski St. & 1832 N. Pulaski St.
			Request to construct an addition of an outdoor patio to the existing tavern (to be operated in conjunction with the adjacent property at 1832 N. Pulaski St.)	
12	4th	31188 Special Use	Bryant & Stratton College Lessee	310 W. Wisconsin Av.
			Request to continue occupying a portion of the premises as a college	
13	4th	31189 Special Use	ESG Properties, LLC Property Owner	800 N. Marshall St.
			Request to occupy the premises as a general office facility	
14	4th	31214 Special Use	Progeny Capitol Partners LLC Property Owner	746 N. Old World Third St.
			Request to continue occupying the premises as a parking lot	
15	4th	31215 Special Use	Progeny Capital Partners, LLC Property Owner	215 W. Wells St.
			Request to continue occupying the premises as a parking lot	

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

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16	5th	31164 Use Variance	Keesha Tatum Lessee	10527 W. Appleton Av.
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Request to occupy the premises as a day care center for 17 children per shift infant to 12 years of age, operating Monday - Friday 7:00 a.m. - 10:00 p.m. and Saturday 7:00 a.m. - 5:00 p.m

17	5th	31205 Special Use	Grace Christian Fellowship Inc. Property Owner	9900 W. Capitol Dr.
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Request to continue occupying the premises as a religious assembly hall and a school for students K5 - 8th grades

18	5th	31207 Special Use	Paul Bouraxis Property Owner	7822 W. Capitol Dr.
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Request to continue occupying the premises as a restaurant with a drive-through facility

19	6th	31185 Special Use	Ismail Harun Prospective Buyer	1301 W. Burleigh St.
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Request to occupy the premises as a motor vehicle repair, sales and car wash facility

20	6th	31190 Special Use	McDonald's Corporation Property Owner	420 E. Capitol Dr.
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Request to reconfigure the drive-through lanes of the Board approved fast-food / carry-out restaurant

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

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21	7th	31181 Special Use	Steven L. Warren Lessee	4514 W. Burleigh St.
			Request to continue occupying the premises as a religious assembly hall	
22	8th	31179 Special Use	Journey House Inc. Property Owner	2212 W. Greenfield Av.
			Request to continue occupying the premises as a community center	
23	8th	31211 Special Use	Platinum Motors LLC Lessee	3822 W. National Av.
			Request to continue occupying the premises as a motor vehicle repair and body shop	
24	8th	31209 Dimensional Variance	Milwaukee County Parks Department Property Owner	524 S. Layton Bl.
			Request to erect a freestanding sign along the street frontage that exceeds the maximum allowed height (allowed 6 ft. / proposed 16 ft.) and the maximum allowed area (allowed 15 sq.ft. / proposed 148 sq.ft.)	
25	10th	31186 Special Use	ABC Daycare Inc. Lessee	5920 W. Center St.
			Request to continue occupying the premises as a day care center for 91 children per shift infant to 12 years of age, operating Monday - Friday 6:30 a.m. to 11:30 p.m	

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

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26	10th	31206 Special Use	Reid's Childcare Academy Inc. Property Owner	5836 W. Appleton Av.
			Request to continue occupying the residential dwelling as a 24 hour day care center for 8 children per shift infant to 12 years of age, operating Monday - Friday and to continue occupying the commercial building as a 24 hour day care center for 95 children per shift infant to 12 years of age, operating Monday - Friday	
27	11th	31178 Special Use	Robert Foulston Property Owner	3634 W. Lincoln Av.
			Request to continue occupying the premises as a motor vehicle repair facility	
28	11th	31213 Special Use	Christine Monty Lessee	6161 W. Forest Home Av.
			Request to continue occupying the premises as a day care center for 44 children per shift infant to 12 years of age, operating Monday - Friday 5:30 a.m. - 10:00 p.m	
29	12th	31201 Special Use	5th Ward Partners, LLC Property Owner	434 S. 3rd St.
			Request to continue occupying the premises as a parking lot	
30	13th	31200 Special Use	CP Rail Systems Property Owner	6127 R S. 6th St.
			Request to continue to allow a transmission tower	

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31	13th	31208 Special Use	Chimsiab Yang & Daniel Yang Property Owner	1801 W. Becher St.
			Request to continue occupying the premises as a day care center for 20 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight	
32	13th	31191 Special Use	David Doern Prospective Buyer	1125 W. Waterford Ave.
			Request to occupy the premises as an outdoor storage facility	
33	14th	31183 Dimensional Variance	Amber Nichole Slack Property Owner	341 E. Rosedale Av.
			Request to construct a garage in the front yard of the premises	
34	15th	31195 Special Use	Ernest Zazueta Property Owner	3529 W. Vliet St.
			Request to occupy the premises as a day care center for 20 children per shift infant to 12 years of age, operating Monday - Saturday 5:30 a.m. - 11:30 p.m	
35	15th	31212 Dimensional Variance	United Methodist Children's Services of Wisconsin Prospective Buyer	1957 N. 38th St.
			Request to construct a two-family dwelling that does not meet the minimum required side street setback (required 3 ft. / proposed 1.5 ft.)	

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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.

36	14th	31021 Special Use	Kim Malacara Property Owner	3003 S. Kinnickinnic Av.
			Request to occupy a portion of the premises as an assembly hall	

**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.

37	1st	31022 Special Use	Sheila Crosby Lessee	3500 W. Elm St.
			Request to occupy the premises as a motor vehicle repair facility	
38	1st	31052 Special Use	Corey Byrd Lessee	5235 N. Hopkins St.
			Request to occupy the premises as an assembly hall	
39	1st	31166 Special Use	Emad Elkhalfa Lessee	5003 N. Teutonia Av.
			Request to occupy the premises as a motor vehicle sales and repair facility	
40	2nd	31081 Special Use	Johnny Gordon Lessee	6027 W. Villard Av.
			Request to occupy the premises as a body shop	
41	2nd	31056 Special Use	Donya Parker Property Owner	7401 W. Fond Du Lac Av.
			Request to occupy the premises as a motor vehicle sales and repair facility	

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

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42	2nd	31015 Special Use	Milton and Jane Pointer Property Owner  Request to add an outdoor storage facility to the existing nonconforming motor vehicle repair facility	6333 W. Fond Du Lac Av.
43	2nd	31091 Special Use	Toua Thao Lessee  Request to occupy the premises as a motor vehicle repair facility	7124 W. Fond Du Lac Av.
44	3rd	31197 Condition Modification	Annette French Lessee  Request to modify condition #5 of case #28592 stating "that no merchandise is displayed outside"	1117 E. Brady St.
45	3rd	31161 Special Use	East Park Place LLC Property Owner  Request to occupy the premises as a rooming house for 182 occupants	1824 E. Park Pl.

**5:15 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	3rd	31061 Special Use	Carl Mueller Property Owner  Request to construct an addition and to expand the Board approved general office into the third floor of the premises	1749 N. Prospect Av.
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**5:15 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.

47	3rd	31140 Use Variance/ Dimensional Variance	Cornerstone Church Prospective Buyer  Request to occupy the premises as a religious assembly hall without the minimum required number of parking spaces (required 6 / proposed 0)	2326 N. Cambridge Av.
48	3rd	30793 Dimensional Variance	Michael White  Request to construct an addition that does not meet the minimum required side street setback (required 18 ft. / proposed 6 ft.) and the minimum rear setback (required 20 ft. / proposed 9.5 ft.)	2134 N. Terrace Av.
49	6th	31101 Special Use	Earnest Willis, Sr. Lessee  Request to increase the number of children from 45 to 80 per shift and to increase the days of operation from Monday - Friday to Monday - Saturday and to continue occupying the premises as a 24 hour day care center for children infant to 12 years of age	3414 N. Port Washington Av.
50	7th	31128 Use Variance	Unity Missionary Baptist Church Property Owner  Request to occupy the premises as a parking lot	3257 N. 39th St.

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**5:15 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.

51	7th	31180 Special Use	Mahoua Ouattara Lessee  Request to occupy the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 9:00 p.m	4840 W. Fond Du Lac Av.
52	7th	30970 Special Use	Keona Jones Property Owner  Request to occupy the premises as a group home for 8 occupants	3147 N. 24th St.
53	8th	31097 Special Use	Jose Maldonado Lessee  Request to occupy the premises as a ground transportation facility	2628 S. 32nd St.
54	8th	31100 Special Use	Wadood Ahmad Property Owner  Request to continue occupying the premises as a motor vehicle filling station	2931 W. Lincoln Av.
55	12th	31065 Special Use/ Dimensional Variance	La Causa Property Owner  Request to raze and rebuild a structure that exceeds the maximum allowed front setback (allowed 2 ft. / proposed 7 ft. 6 in.), exceeds the allowed side setback (allowed 5 ft. / proposed 8 ft.), does not meet the minimum required sidewall height (required 18 ft. / proposed 9 ft.), the required glazing (required 60% / proposed 27.5%) and the required garage door setback (required 4 ft. / proposed 0 ft.) and to continue occupying the premises as a social service and shelter care facility	522 W. Walker St.

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**6:15 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	12th	31075 Special Use/ Use Variance	Randy Melchert and Anna Horneck Lessee  Request to occupy a portion of the premises as a school for 120 students K4 - 12th grade and a day care center for 48 children per shift 2 - 4 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m	633 S. 12th St.
57	13th	31071 Special Use	Cornerstone Pavers, LLC Lessee  Request to occupy the premises as a temporary concrete/batch plant (concrete production for General Mitchell Airport project)	1121 W. Grange Av.
58	13th	31152 Special Use/ Dimensional Variance	Ram Suvedi Property Owner  Request to raze and rebuild a motor vehicle filling station and a car wash that does not meet the minimum required glazing (required 60% / proposed 49%)	1301 W. Morgan Av.
59	14th	31176 Dimensional Variance	Robert D. Schwarz and Agnes C. Perez-Pena Property Owner  Request to raze and rebuild a garage that exceeds the maximum allowed sidewall height (allowed 10 ft. / proposed 16 ft.)	2766 S. Superior St.

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**6:15 p.m. Public Hearings (Continued)**

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60	14th	31203 Special Use/ Dimensional Variance	Ouimet Properties, LLC Property Owner  Request to construct an addition to the existing building and to occupy the premises as a motor vehicle repair facility with garage doors facing the street that do not meet the minimum required setback (required 4 ft. / proposed 0 ft.)	2704 S. 16th St.
61	14th	31127 Dimensional Variance	Anna Bobber Property Owner  Request to erect a side yard fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 6 ft.)	1601 E. Eden Pl.
62	15th	31102 Special Use	The Cobra's MC Inc. Lessee  Request to occupy the premises as an assembly hall	3726 W. Vliet St.
63	15th	31108 Special Use	Leonid Khodos Property Owner  Request to occupy the premises as an outdoor salvage operation (to be operated in conjunction with the salvage facility at 3015 W. Center St.)	2661 N. 30th St.
64	15th	31109 Special Use	Leonid Khodos Property Owner  Request to occupy the premises as an outdoor salvage operation (to be operated in conjunction with the salvage facility at 2661 N. 30th St.)	3015 W. Center St.

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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.