

AGENDA

January 14, 2010

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, January 14, 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	13th	29718 Use Variance <i>Dismissal</i>	Daisy Caban Lessee Request to occupy the premises as a day care center for 20 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m	1720 W. Lincoln Av.
2	1st	30039 Change of Operator <i>Dismissal</i>	Discovery World Child Care Lessee Request to continue occupying the premises as a day care center for 96 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. to 6:00 p.m	2812 W. Fairmount Av.

Board of Zoning Appeals, Hearing on Thursday, January 14, 2010

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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.

3	5th	29873 Special Use/ Dimensional Variance <i>Dismissal</i>	Robert & Mildred Jensen Property Owner	10712 W. Hampton Av.
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Request to raze the existing building and construct a motor vehicle sales and repair facility that does not meet the minimum required landscape width (required 5 ft. / proposed 4ft.)

4	5th	29924 Special Use <i>Dismissal</i>	Joan Johnson Lessee	7905 W. Appleton Av.
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Request to occupy a portion of the premises as a religious assembly hall

5	6th	30086 Special Use <i>Dismissal</i>	Joe Todd Property Owner	2412 N. 6th St.
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Request to continue occupying the premises as a day care center for 48 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m

6	9th	29809 Special Use <i>Dismissal</i>	Mary Jones Lessee	8365 N. 76th St.
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Request to occupy the premises as a school for 220 students K4 - 12th grades, operating Monday - Friday 8:00 a.m. - 3:30 p.m

Board of Zoning Appeals, Hearing on Thursday, January 14, 2010

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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.

7	10th	29524 Special Use <i>Dismissal</i>	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

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.

8	11th	30051 Dimensional Variance	Eric Knorr and Jennifer Robertson Property Owner	2719 S. 55th St.
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Request to raze and rebuild a detached garage that is located within the front yard

9	11th	30090 Special Use	PNC Financial Property Owner	7501 W. Oklahoma Av.
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Request to continue occupying the premises as a bank with a drive-through located within 150 feet of a residential use

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

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10	11th	30144 Special Use/ Dimensional Variance	Waltrust Properties, Inc. Property Owner	6030 W. Oklahoma Av.
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Request to continue occupying the premises as a general retail establishment and drive-through with an accessory parking lot located between the street facade of the building and street lot line, and a sign that exceeds the maximum allowed area (allowed 50 sq.ft. / proposed 80 sq.ft.)

11	11th	29986 Dimensional Variance	St. Clare Terrace, Inc. Property Owner	3553 S. 41st St.
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Request to continue occupying the premises as an assisted living facility that does not meet the required lot area per dwelling unit (required 2400 sq.ft. / proposed 1780 sq.ft), the minimum required number of parking spaces (required 40/ proposed 25), with parking located within the front yard, and with a sign that exceeds the maximum allowed display area (allowed 18 sq.ft. / proposed 28 sq.ft.)

12	12th	30083 Special Use	Efrin Ramirez Lessee	1724 W. Mitchell St.
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Request to occupy a portion of the premises as a religious assembly hall

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

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13	12th	30103 Dimensional Variance/ Special Use	James Hishmeh Property Owner	1333 W. Lincoln Av.
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Request to continue to allow a permitted indoor storage facility that does not meet the minimum required front setback(required 0 ft. / proposed 60 ft.) with an accessory parking lot located between the street lot line and the street facade

14	13th	30100 Special Use	Terry Hobbs and Samantha Pritchard Lessee	4213 S. Howell Av.
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Request to occupy the premises as a second-hand sales facility

15	13th	30105 Special Use	Michael H. Prosser Property Owner	6146 S. Howell Av.
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Request to continue occupying the premises as a motor vehicle sales and rental facility (includes sales and rental of recreational vehicles)

16	13th	30106 Use Variance	Alejandrina Halcomb Property Owner	3479 S. 15th Pl.
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Request to continue occupying the premises as a general office facility (real estate office)

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

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17	13th	30113 Special Use	Milwaukee Pre-Owned, LLC Lessee	524 E. Layton Av.
			Request to continue occupying a portion of the premises as a motor vehicle sales facility	
18	15th	30010 Special Use	Young Choi Bang Property Owner	2940 W. Fond Du Lac Av.
			Request to add a body shop to the existing motor vehicle repair facility	
19	15th	30123 Special Use	Darnita Griffin Lessee	2135 W. North Av.
			Request to continue occupying the premises as a second-hand sales facility (used furniture and appliances)	
20	15th	30131 Dimensional Variance	Pastor Elloyd Jones Prospective Buyer	2864 N. 28th St.
			Request to construct a two-family dwelling that does not meet the minimum required front facade width (required 40 ft. / proposed 30.17 ft.)	

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21	1st	30089 Special Use	Priya Corporation Property Owner	7222 N. Teutonia Av.
			Request to continue occupying the premises as a motor vehicle filling station	
22	1st	30094 Special Use	Dawn Robertson Property Owner	4573 N. 29th St.
			Request to continue occupying the premises as a group home for 8 occupants	
23	1st	30116 Special Use	Melia Jackson Lessee	3622 W. Silver Spring Dr.
			Request to continue occupying a portion of the premises as a day care center for 35 children per shift, ages 2 to 12 years, operating 6:30 a.m. - 12:30 a.m. Monday - Friday and 7:30 a.m. - 5:30 p.m. Saturday (this is a new operator)	
24	1st	30143 Special Use	Joseph Clayton Property Owner	4825 N. 36th St.
			Request to continue occupying the premises as a day care center for 31 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight	
25	1st	30029 Special Use	Multicultural Community Services, Inc. Property Owner	5161 N. Hopkins St.
			Request to continue occupying the premises as a community center	

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26	2nd	30104 Special Use	TCF National Bank Property Owner	4110 N. 76th St.
			Request to continue occupying the premises as a permitted bank with a drive-through (a drive-through facility that is visible from a public street or residential district shall have opaque screening for the visible portion of the queuing and operating lane)	
27	2nd	30107 Special Use/ Dimensional Variance	Milwaukee Health Care Services, Inc. Property Owner	8200 W. Silver Spring Dr.
			Request to construct an addition that exceeds the maximum side street setback (allowed 25 ft. / proposed 129 ft. 11 in.) and to continue occupying the premises as a health clinic	
28	2nd	30137 Special Use	SAC Wireless, LLC agents for AT&T Mobility Lessee	5402 N. 91st St.
			Request to continue to allow a transmission tower	
29	2nd	30149 Special Use	John and Carol Kennedy Property Owner	6303 W. Capitol Dr.
			Request to continue occupying the premises as a motor vehicle repair facility	
30	4th	30047 Special Use	Milagros Mendez Lessee	2324 W. State St.
			Request to occupy the premises as a religious assembly hall	

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31	4th	30150 Special Use/ Dimensional Variance	Specialty Restaurants of Wisconsin Lessee	550 N. Harbor Dr.
			Request to continue occupying the premises as a restaurant that does not meet the minimum required lot line setback	
32	4th	30077 Special Use	Toon City Inc. Property Owner	632 N. Water St.
			Request to continue occupying the premises as a parking lot	
33	4th	30082 Special Use	Mitchell, Inc. dba Mitchell of Delaware Property Owner	795 N. Van Buren St.
			Request to continue occupying the premises as a parking lot	
34	4th	30085 Special Use	Mitchell, Inc. dba Mitchell of Delaware, Inc. Property Owner	766 N. Jackson St.
			Request to continue occupying the premises as a parking lot	
35	4th	30136 Dimensional Variance	Tripoli Shrine Center Property Owner	3000 W. Wisconsin Av.
			Request to construct a garage that does not meet the minimum required side street setback (required 183 ft. / proposed 10 ft.)	

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36	5th	30088 Dimensional Variance	James and Mary Mussomelli Property Owner	9105 W. Fond Du Lac Av.
			Request to continue to allow a permitted outdoor storage facility without the minimum required landscaping (non-conforming repair facility also on site)	
37	5th	30122 Special Use	Alan's Auto Sales of Brown Deer, Inc. Property Owner	12300 W. Villard Av.
			Request to continue occupying the premises as a motor vehicle sales and outdoor salvage facility (includes used auto part sales and office space)	
38	7th	30098 Special Use/ Dimensional Variance	Rev. Dr. Margaret Stone Lessee	3824 W. Burleigh St.
			Request to continue occupying the premises as a religious assembly hall without the minimum required parking spaces (this is a new operator)	
39	7th	30117 Use Variance	Rashell Gladney Property Owner	4649 N. 52nd St.
			Request to continue occupying the premises as a 24 hour day care center for 8 children per shift infant to 12 years per shift, operating Monday - Sunday	
40	7th	30126 Special Use	Betty Ross Lessee	3735 N. 35th St.
			Request to continue occupying the premises as a 24 hour day care center for 82 children infant to 13 years of age, operating Monday - Saturday	

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41	7th	30132 Dimensional Variance	Pastor Elloyd Jones Prospective Buyer	2848 N. 27th St.
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Request to construct a two-family dwelling that does not meet the minimum required front facade width (required 36 ft. / proposed 30.17 ft.)

42	7th	30133 Dimensional Variance	Pastor Elloyd Jones Prospective Buyer	2756 N. 26th St.
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Request to construct a two-family dwelling that does not meet the minimum required front facade width (required 36 ft. / proposed 30.17 ft.)

43	7th	30134 Dimensional Variance	Pastor Elloyd Jones Prospective Buyer	2832 N. 27th St.
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Request to construct a two-family dwelling that does not meet the minimum required front facade width (required 40.3 ft. / proposed 30.17 ft.)

44	7th	30138 Special Use	Angela and Omar Jackson Lessee	4300 W. Burleigh St.
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Request to continue occupying the premises as a day care center 49 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight

45	8th	30096 Special Use	Community Relations-Social Development Commission Property Owner	3025 W. Mitchell St.
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Request to continue occupying the premises as an emergency residential shelter and social service facility

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46	8th	30109 Special Use	Rafael Lopez and Yhimy V. Lopez Property Owner	2934 W. Burnham St.
			Request to continue occupying the premises as a car wash, detailing and motor vehicle sales facility (motor vehicle wholesale facility also on site)	

47	9th	30112 Special Use	Shawnkya Turner Lessee	8972 N. 86th St.
			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 - Friday	

48	10th	30091 Special Use	PNC Financial Property Owner	6055 W. Lisbon Av.
			Request to continue occupying the premises as a bank with a drive-through	

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.

49	13th	30059 Dimensional Variance	James Griffin, Futura III, LLC Lessee	5700 S. 27th St.
			Request to erect two freestanding signs that exceed the maximum allowed height and display area	

50	13th	29534 Use Variance	Joni Sablich Lessee	130 W. Edgerton Av.
			Request to occupy the premises as a hazardous material storage facility	

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

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51	14th	29952 Special Use	Advance Electrical Property Owner Request to occupy the premises as a contractor's yard	2901 S. Delaware Av.
52	15th	30062 Special Use	Sherri Bond Prospective Buyer Request to occupy the premises as a transitional living facility for 30 occupants	3500 W. Center St.
53	15th	29968 Special Use	Tautila Russell Lessee 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	4212 W. Highland Bl.
54	15th	29899 Special Use	Lisa Harris Lessee Request to occupy the premises as a group home for 5 occupants	2321 N. 47th St.
55	15th	29866 Special Use	Appleton Angels Christian Preschool, LLC Lessee Request to occupy the a portion of the premises as a day care center for 85 children infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m	4221 W. North Av.
56	1st	29989 Special Use	Sherri Bond Lessee Request to occupy the premises as a transitional living facility for 20 occupants	5926 N. Teutonia Av.

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

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57	1st	30110 Special Use	Jacqueline Williams and Danielle Williams Lessee Request to occupy the premises as a day care center for 19 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight (to be operated in conjunction with the centers at 4371 and 4373-A N. Teutonia)	4369 N. Teutonia Av.
58	1st	30118 Special Use	Jacqueline and Danielle Williams Lessee Request to occupy the premises as a day care center for 44 children infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight (to be operated in conjunction with the centers at 4369 and 4371 N. Teutonia)	4373 A N. Teutonia Av.
59	1st	29891 Special Use	Jacqueline Williams Lessee Request to occupy the premises as a day care center for 25 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - midnight (to be operated in conjunction with the centers at 4369 and 4373-A N. Teutonia)	4371 N. Teutonia Av.

5:15 p.m. Public Hearings

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60	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.
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5:15 p.m. Public Hearings (Continued)

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61	2nd	30022 Special Use	Sharon Nelson Lessee	6617 W. Capitol Dr.
			Request to occupy the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - 10:30 p.m	
62	2nd	29757 Special Use	Hazim Farah Property Owner	7210 W. Capitol Dr.
			Request to continue occupying the premises as a motor vehicle sales and repair facility (including installation of electronics and audio equipment)	
63	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)	
64	2nd	29691 Special Use/ Dimensional Variance	Bashar Albana Property Owner	6212 W. Capitol Dr.
			Request to construct an addition to the existing building that does not meet the minimum required building height (required 18 ft. / proposed 16.8 ft.), minimum required glazing (required 60% / proposed 47.5%) and to occupy the premises as a hand car wash	
65	5th	30139 Dimensional Variance	Delores Lingelbach Property Owner	6720 N. 107th St.
			Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.)	

Board of Zoning Appeals, Hearing on Thursday, January 14, 2010

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66	5th	30140 Special Use	Delores Lingelbach Property Owner	6730 R N. 107th St.
			Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.)	
67	5th	30141 Dimensional Variance	Delores Lingelbach Property Owner	6740 R N. 107th St.
			Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.)	
68	5th	29467 Dimensional Variance	Delores Lingelbach Property Owner	6700 N. 107th St.
			Request to allow a berm that exceeds the maximum allowed height (allowed 6 ft. / proposed 18 ft.)	
69	5th	29904 Special Use	Reotha Cole Lessee	3953 N. 76th St.
			Request to occupy a portion of the premises as a religious assembly hall	
70	5th	29917 Special Use	Mary Mitchell Lessee	6730 N. 107th St.
			Request to occupy the premises as a group home for 8 occupants	
71	6th	30027 Special Use	Eddie Ellis Lessee	2620 N. Hubbard St.
			Request to occupy the premises as a group home for 5 occupants	

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6:15 p.m. Public Hearings

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72	6th	30063 Use Variance	Alisa M. Bailey Property Owner	3421 N. 20th St.
			Request to occupy the premises as a personal service facility (home salon)	
73	6th	30064 Special Use	Kate Obi Lessee	3521 N. Teutonia Av.
			Request to occupy the premises as a social service facility	
74	6th	29885 Special Use	Nevada Enterprises DBA McDonald's Lessee	420 E. Capitol Dr.
			Request to continue occupying the premises as a fast-food / carry-out restaurant	
75	7th	29974 Special Use	Carmena Thornton Lessee	4406 W. Burleigh St.
			Request to increase the days of operation from Monday - Friday to Monday - Sunday and to continue occupying the premises as a day care center for 24 children per shift infant to 12 years of age, operating 6:00 a.m. - midnight	
76	7th	29950 Special Use	Cynthia Johnson Prospective Buyer	4821 W. Burleigh St.
			Request to occupy the premises as a group home for 8 occupants	
77	8th	30007 Special Use	Genesis Behavioral Services, Inc. Lessee	2510 W. Mitchell St.
			Request to occupy the premises as a transitional living facility for 4 occupants	

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78	8th	30020 Use Variance	Alejandro Escobar Lessee Request to occupy the premises as a motor vehicle body shop	2631 S. 31st St.
79	9th	30108 Special Use	Arkadiy Tsirlin Property Owner Request to add an accessory use heavy motor vehicle parking lot to the Board approved motor vehicle sales and repair facility	5200 W. Mill Rd.
80	10th	30065 Dimensional Variance/ Special Use	Ashfaq Mian Property Owner Request to raze the existing structure and rebuild a motor vehicle filling station that exceeds the maximum allowed front setback (allowed 70 ft. / proposed 120 ft.) and the maximum allowed side street setback (allowed 25 ft. / proposed 65)	7535 W. Blue Mound Rd.
81	10th	30115 Dimensional Variance Fence	Nelida Valentin Property Owner Request to allow a fence that exceeds the maximum allowed height along the side street lot line (allowed 4 ft. / proposed 6 ft.) and the maximum allowed height for an opaque fence located within the vision triangle (allowed 3 ft. / proposed 6 ft.)	1552 N. 52nd St.

Board of Zoning Appeals, Hearing on Thursday, January 14, 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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6:15 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.

82	10th	29863 Special Use	Calvary's Christian Academy Property Owner	5330 W. Lisbon Av.
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)				

83	10th	29259 Special Use	I & S Petroleum, Inc. Property Owner	7110 W. Lisbon Av.
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				

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.

84	6th	29615 Special Use	Wisconsin Community Services Inc. Lessee	1914 N. 6th St.
Request to continue occupying the premises as a community based residential facility for 26 occupants				

Board of Zoning Appeals, Hearing on Thursday, January 14, 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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7:45 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.

85	6th	30056 Special Use	McKinley Avenue, LLC Property Owner Request to occupy the premises as a college	1311 N. 6th 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.