



Board of Zoning Appeals

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Catherine M. Doyle

Vice Chairman
Henry Szymanski

Members
Martin E. Kohler
Jewel Currie
Jennifer Current

Alternates
Karen D. Dardy

Secretary
Lindsey St. Arnold Bell

AGENDA

December 10, 2015

PLEASE TAKE NOTICE THAT a hearing will be held before the Board of Zoning Appeals of the City of Milwaukee on **Thursday, December 10, 2015**, 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 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 | 8th | 34149 Special Use <i>Dismissal</i> | Mizraim Barajas, Lessee Request to occupy the premises as a motor vehicle sales and repair facility | 2059 W. Forest Home Av. |
| 2 | 9th | 33834 Use Variance/ Special Use <i>Dismissal</i> | World Automotive Group, Lessee Request to occupy the premises as a light and heavy motor vehicle repair facility | 7550 N. 76th St. |
| 3 | 1st | 34129 Special Use <i>Dismissal</i> | World Outreach and Bible Training Center, Property Owner Request to occupy the premises as a religious assembly hall | 3410 W. Silver Spring Dr. |



Board of Zoning Appeals, Hearing on Thursday, December 10, 2015

| <u>Item No.</u> | <u>Ald Dist</u> | <u>Case No. Type</u> | <u>Case Information</u> | <u>Location</u> |
|---|-----------------|--|--|----------------------|
| <p><u>2:00 p.m. - Consent Agenda</u> <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> | | | | |
| 4 | 8th | 34162 Special Use | Ma Christina, Lessee Request to continue occupying the premises as a general retail establishment (this is a new operator) | 1201 S. 21st St. |
| 5 | 8th | 34174 Special Use | FMG West Mitchell Street Wisconsin LLC, Lessee Request to continue occupying the premises as a nursing home (this is a new operator) | 2731 W. Mitchell St. |
| 6 | 9th | 34093 Special Use | Carite of Milwaukee, Inc., Lessee Request to add a motor vehicle repair facility to the Board-approved motor vehicle sales facility | 7500 N. 76th St. |
| 7 | 9th | 34159 Special Use | LJ Auto Repair & Services, Lessee Request to add a motor vehicle sales facility to the Board-approved motor vehicle repair facility | 7928 W. Clinton Av. |
| 8 | 10th | 34122 Special Use/ Dimensional Variance | St. Peter Missionary Baptist Church, Inc., Prospective Buyer Request to occupy the premises as a religious assembly hall that does not meet the minimum required landscaping | 7283 W. Appleton Av. |
| 9 | 10th | 34144 Special Use | Tarek Fleifel, Property Owner Request to continue occupying the premises as a motor vehicle repair and sales facility | 5700 W. Center St. |

Board of Zoning Appeals, Hearing on Thursday, December 10, 2015

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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.

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| 10 | 10th | 34208 Special Use | American Towers LLC, Other | 6400 W. Burleigh St. |
| | | | Request to continue to allow a transmission tower that exceeds the maximum allowed height (allowed 85 ft. / proposed 134 ft.) | |
| 11 | 11th | 34177 Dimensional Variance | Oklahoma Avenue Lutheran Church, Property Owner | 5335 W. Oklahoma Av. |
| | | | Request to erect a freestanding sign that exceeds the maximum allowed height and exceeds the maximum allowed area | |
| 12 | 12th | 34117 Special Use | Usman Sadiq, Lessee | 1707 W. Rogers St. |
| | | | Request to continue occupying the premises as a motor vehicle filling station | |
| 13 | 13th | 34158 Special Use | Miller Auto LLC, Lessee | 1101 W. Boden Ct. |
| | | | Request to continue occupying a portion of the premises as a light and heavy motor vehicle repair facility | |
| 14 | 13th | 34165 Special Use | National Muffler & Brake, Property Owner | 5236 S. 27th St. |
| | | | Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator) | |
| 15 | 13th | 34175 Special Use | Quick Finish Technologies, Lessee | 1200 W. Mallory Av. |
| | | | Request to continue occupying the premises as a motor vehicle repair facility and body shop | |

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

Items Scheduled for approval on the Consent Agenda

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| 16 | 14th | 34134 Special Use | Best Auto Repair d/b/a Badger Tire & Auto, Lessee Request to continue occupying the premises as a motor vehicle repair facility | 1130 E. Oklahoma Av. |
| 17 | 14th | 34187 Dimensional Variance | David Hildebrandt Tesch, Property Owner Request to continue to allow parking in the front yard | 140 E. Rosedale Av. |
| 18 | 14th | 34202 Special Use | Homerun Holdings, LLC, Lessee Request to occupy a portion of the premises as a sit-down restaurant | 352 E. Stewart St. |
| 19 | 15th | 34105 Special Use | Advanced Waste Services, Inc., Lessee Request to continue occupying a portion of the premises as a heavy motor vehicle outdoor storage facility | 4212 W. Highland Bl. |
| 20 | 15th | 34142 Special Use | Jose Gonzales, Lessee Request to continue occupying the premises as a day care center for 44 children per shift infant - 12 years of age, operating Monday - Friday 5:00 a.m. - 1:00 a.m. (this is a new operator) | 2300 W. North Av. |
| 21 | 1st | 33853 Special Use | Barbara Schmitt, Lessee Request to occupy a portion of the premises as a community center | 6207 N. Teutonia Av. |

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

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|----|-----|-----------------------|---|---------------------------|
| 22 | 1st | 34107 Special Use | John Bell, Property Owner Request to continue occupying the premises as an adult day care center for 50 clients | 5660 N. Teutonia Av. |
| 23 | 1st | 34148 Use Variance | A Place to Grow Childcare, Lessee Request to increase the number of children from 40 to 50 per shift and increase the hours of operation from Monday - Friday 6:00 a.m. - midnight to Monday - Sunday 5:30 a.m. - midnight, and to continue occupying the premises as day care center for children infant - 13 years of age (this is a new operator) | 3518 W. Silver Spring Dr. |
| 24 | 1st | 34185 Special Use | Shalonda Ezell, Lessee Request to occupy a portion of the premises as a second-hand sales facility | 6225 N. Teutonia Av. |
| 25 | 1st | 34186 Special Use | Ebony Wesley-Carter, Lessee Request to occupy a portion of the premises as an assembly hall | 6245 N. Teutonia Av. |
| 26 | 2nd | 34152 Special Use | Xia Yang, Lessee Request to occupy the premises as a motor vehicle repair facility | 7419 W. Mill Rd. |
| 27 | 2nd | 34189 Special Use | Garrett Long III, Lessee Request to add a motor vehicle sales facility and to continue occupying the premises as a motor vehicle repair facility | 8519 W. Kaul Av. |

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| 28 | 2nd | 34199 Special Use | Venice Birmingham, Lessee | 7412 W. Villard Av. |
| | | | Request to continue occupying the premises as a day care center for 20 children per shift infant - 12 years of age, operating Monday - Sunday 6:00 a.m. - midnight | |
| 29 | 3rd | 34160 Dimensional Variance | Daniel & Marie-Anne Ewig, Property Owner | 2559 N. Wahl Av. |
| | | | Request to erect a rear yard fence that exceeds the maximum allowed height (allowed 6 ft. / proposed 8 ft.) | |
| 30 | 3rd | 34198 Special Use | Capital 46, LLC, Property Owner | 3287 N. Oakland Av. |
| | | | Request to continue occupying the premises as a general office | |
| 31 | 3rd | 34207 Dimensional Variance | Franz Backus, Property Owner | 909 E. Kewaunee St. |
| | | | Request to construct an addition that does not meet the minimum required side street setback (required 4 ft. / proposed 0 ft.) | |
| 32 | 5th | 34164 Special Use | Lakeside International, LLC, Lessee | 5757 N. Lovers Lane Rd. |
| | | | Request to occupy a portion of the premises as a heavy motor vehicle outdoor storage facility | |
| 33 | 5th | 34179 Dimensional Variance | Larry Bunzel, Property Owner | 9015 W. Burleigh St. |
| | | | Request to allow a freestanding sign that exceeds the maximum allowed height and the maximum allowed area | |

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|----|-----|--|---|------------------------------|
| 34 | 5th | 34188 Special Use | St. Charles Youth & Family Services, Property Owner Request to continue occupying the premises as a social service facility | 4757 N. 76th St. |
| 35 | 6th | 34145 Special Use | St. Marcus Lutheran Church, Property Owner Request to continue occupying the premises as a principal use parking lot | 2205 N. 1st St. |
| 36 | 6th | 34170 Special Use | PSC Holdings, Inc., Property Owner Request to continue occupying the premises as an adult day care center for 40 clients | 301 E. Reservoir Av. 1 |
| 37 | 6th | 34180 Special Use | Benedict Center, Lessee Request to occupy a portion of the premises as a social service facility | 1849 N. Martin L King Jr Dr. |
| 38 | 6th | 34206 Special Use | ESA Quick Lube LLC, Lessee Request to occupy the premises as a motor vehicle sales and repair facility | 632 E. Center St. |
| 39 | 7th | 34205 Special Use/ Dimensional Variance | Wheaton Franciscan, Inc., Property Owner Request to continue occupying the premises as a principal use parking lot that does not meet the minimum required landscaping | 3026 N. 49th St. |

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2:00 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.

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| 40 | 8th | 34128 Dimensional Variance | Javid Khatibi, Property Owner | 2641 W. Lincoln Av. |
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Request to allow a wall sign that exceeds the maximum number allowed (allowed 1 / proposed 2)

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| 41 | 8th | 34191 Special Use/ Dimensional Variance | Ramiro Plascencia, Prospective Buyer | 2911 W. Burnham St. |
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Request to construct a building and to occupy the premises as a motor vehicle sales and repair facility that does not meet the minimum required landscaping

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| 42 | 10th | 33806 Special Use | Giovanni Kais, Lessee | 235 N. 36th St. |
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Request to occupy a portion of the premises as a general retail establishment

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| 43 | 10th | 34086 Special Use | Mt. Everest Petro Inc., Lessee | 7002 W. Center St. |
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Request to continue occupying the premises as a motor vehicle filling station

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| 44 | 12th | 33918 Special Use | Ramon Arteaga, Property Owner | 1601 W. Becher St. |
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Request to continue occupying the premises as a motor vehicle repair facility

Board of Zoning Appeals, Hearing on Thursday, December 10, 2015

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2:00 p.m. Public Hearings (Continued)

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| 45 | 12th | 34178 Special Use/ Dimensional Variance | United Community Center, Property Owner | 1129 S. 6th St. |
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Request to construct building that exceeds the maximum number of principal building allowed per lot and does not meet the minimum required rear setback and to occupy the premises as a community living arrangement for 16 clients

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| 46 | 12th | 34161 Dimensional Variance | Russell Rossetto, Property Owner | 1737 S. 1st St. |
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Request to construct a porch that does not meet the minimum required setback (required 10 ft. 6 in. / proposed 7 ft. 11 in.)

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| 47 | 13th | 34167 Use Variance | Mexican Fiesta, Property Owner | 2997 S. 20th St. |
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Request to occupy a portion of the premises as a community center

3:00 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.

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| 48 | 14th | 33515 Special Use | First Class Auto Detailing and Sales LLC, Lessee | 2509 E. Oklahoma Av. |
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Request to continue occupying the premises as a car wash and motor vehicle sales facility

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| 49 | 14th | 34066 Special Use | Milwaukee Metropolitan Sewerage District, Property Owner | 2702 S. 6th St. |
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Request to construct a transmission tower that exceeds the maximum allowed height (allowed 85 ft. / proposed 140 ft.)

Board of Zoning Appeals, Hearing on Thursday, December 10, 2015

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3:00 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.

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| 50 | 15th | 33977 Special Use | Toma's Everything Automotive, Lessee Request to continue occupying the premises as a motor vehicle sales and repair facility | 3302 W. Center St. |
| 51 | 1st | 33893 Special Use | Taj International Petroleum Inc., Property Owner Request to construct an addition and to continue occupying the premises as a motor vehicle filling station | 4057 N. Green Bay Av. |
| 52 | 1st | 33980 Appeal of an Order | The City of God Child Development Center, Lessee Request to appeal an order from the Department of Neighborhood Services stating that all temporary and non-permitted signs must be removed | 2812 W. Fairmount Av. |
| 53 | 1st | 33988 Special Use | The Mitchell Group Inc., Lessee Request to add a motor vehicle sales facility to the Board-approved motor vehicle repair facility | 2462 W. Capitol Dr. |
| 54 | 1st | 34115 Special Use | Eric Broxton, Lessee Request to occupy the premises as a motor vehicle repair facility | 4957 N. Teutonia Av. |
| 55 | 1st | 34181 Special Use/ Dimensional Variance | 5300 North 33rd Street, LLC, Property Owner Request to occupy the premises as a mixed-waste processing facility that does not meet the minimum required landscaping | 5300 N. 33rd St. |

Board of Zoning Appeals, Hearing on Thursday, December 10, 2015

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|--|-----------------|--|--|----------------------|
| <u>4:00 p.m. Public Hearings</u> | | | | |
| <u>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.</u> | | | | |
| 56 | 2nd | 33903 Special Use | Argostoli LLC, Lessee Request to occupy a portion of the premises as a motor vehicle sales facility | 5839 N. 94th St. |
| 57 | 2nd | 34173 Use Variance | Next Door Foundation, Inc., Property Owner Request to increase the capacity from 480 children 3 - 5 years of age to 1,339 children infant - 5 years of age for the Board-approved day care center operating Monday - Friday 7:00 a.m. - 6:00 p.m. | 5310 W. Capitol Dr. |
| 58 | 4th | 34081 Special Use/ Dimensional Variance | Central Parking, Inc., Lessee Request to continue occupying the premises as a principal use parking lot that does not meet the minimum required landscaping | 401 W. Wisconsin Av. |
| 59 | 4th | 34157 Special Use/ Dimensional Variance | ABM Onsite Services - Midwest, Inc., Lessee Request to continue occupying a portion of the premises as a principal use parking lot that does not meet the minimum required landscaping | 401 W. Wisconsin Av. |
| 60 | 4th | 34133 Use Variance | Top Shelf Apparel, Lessee Request to occupy the premises as an indoor wholesale and distribution facility | 1051 E. Ogden Av. |
| 61 | 5th | 34111 Special Use | Sales Is Good, Lessee Request to continue occupying the premises as a second-hand sales facility (this is a new operator) | 8432 W. Lisbon Av. |

Board of Zoning Appeals, Hearing on Thursday, December 10, 2015

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4:00 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.

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| 62 | 7th | 33677 Special Use | Greg Owens, Lessee Request to occupy the premises as a transitional living facility for 8 occupants | 4020 W. Burleigh St. |
| 63 | 7th | 33689 Special Use | Luis Mercado, Lessee Request to occupy the premises as a motor vehicle repair facility | 3813 N. 35th St. |
| 64 | 7th | 34043 Special Use | SaintA, Inc., Lessee Request to occupy a portion of the premises as a social service facility | 4610 W. Fond Du Lac Av. |

5:00 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.

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| 65 | 1st | 34132 Use Variance | Divine Destiny School, Lessee Request to increase the number of from 150 to 220 and to continue occupying the premises as an elementary school for students K4 - 8th grades, operating Monday - Friday 7:30 a.m. - 3:30 p.m. (this is a new operator) | 5126 N. 38th 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.