

RESOLUTION NO. 2021-86

**A RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA
APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT TO PARK NO MORE THAN
FIVE DUMP TRUCKS AT 7931 DOUGLAS AVENUE / NELLY RODRIGUEZ, APPLICANT,
FRANSICO RODRIGUEZ RUBIO & NELLY RODRIGUEZ, OWNERS**

The Village Board for the Village of Caledonia resolves as follows:

WHEREAS, Nelly Rodriguez requested a conditional use permit to park five dump trucks on the parcel located at 7931 Douglas Avenue, Francisco Rodriguez Rubio and Nelly Rodriguez, Owners; Parcel ID No.: 104-04-22-12-009-000.

WHEREAS, the Village of Caledonia Plan Commission recommended approval of the request, subject to the conditions attached hereto as **Exhibit A**, and the Village Board considers the proposed use proper for the following reasons and conditions:

1. The proposed use is allowed by underlying zoning through the conditional use process.
2. The proposed use will not negatively impact neighboring parcels.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Caledonia that the requested conditional use set forth above, is hereby approved for the same reasons set forth above and subject to the conditions recommended by the Plan Commission and set forth herein.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 2nd day of August, 2021.

VILLAGE OF CALEDONIA

By: _____

James R. Dobbs
Village President

Attest: _____

Joslyn Hoeffert
Village Clerk

EXHIBIT A: 7931 Douglas Avenue Conditions of Approval

1. **Occupancy Permit.** The applicant must obtain an occupancy permit card from the Village Building Inspection Department and associated fees to occupy a portion of the site with up to five dump trucks for the existing business. The occupancy permit must be displayed in a prominent location at the project site, and a copy of these conditions must be kept at the project site at all times until the project has been completed.
2. **Compliance.** Failure to comply with the terms and conditions stated herein could result in the issuance of citation(s) and/or revocation of this permit.
3. **Binding Effect.** These conditions bind and are applicable to the Property Owner, Applicant, and any other users of the Property Owner with respect to the uses on the Property.
4. **Plans.** The proposed use (parking of five dump trucks) associated with FCO Trucking LLC must be located on the parcel as shown on the plan received by the Village Planning & Zoning Department on June 30, 2021.
5. **Hours of Operation.** The hours of operation of the proposed business operation are from 7:00 a.m. – 5:00 p.m. Monday through Saturday.
6. **Parking.** Parking at the site must be in compliance with the submitted plans. No more than five dump trucks associated with FCO Trucking LLC can be located in the proposed parking area as outlined on the submitted site plan. Dump Trucks cannot be parked closer than 100 feet to the nearest abutting residential home.
7. **No Accumulation of Refuse and Debris.** Any fence, wall, hedge, yard, space or landscaped area must be kept free of any accumulation of refuse or debris. Plant materials must be kept in a healthy growing condition and structures must be maintained in a sound manner.
8. **Performance Standards.** The applicant must comply with the provisions of Article VII, Division 4, Performance Standards of Chapter 20, Zoning, Racine County Code of Ordinances (a copy is attached), as adopted by the Village of Caledonia.
9. **Property Maintenance Required.** A complete and thorough maintenance program must be established to insure attractiveness. The continued positive appearance of buildings and property is dependent upon proper maintenance attitudes and procedures. Maintenance programs must be established that include watering, maintaining and pruning all landscape planting areas including removal and replacement of dead or diseased landscaping; cleaning up litter; sweeping, cleaning and repairing paved surfaces; and cleaning, painting, and repairing windows and building façade. All drives shall be paved with asphalt. Parking areas

shall be paved or have placed upon them compacted recycled asphalt. All drives and parking areas shall be maintained in a dust free condition.

10. **Expiration.** This approval will expire six (6) months from the date of the Village's final approval unless substantial work has commenced following such grant. If this office determines that no substantial work has commenced, the project may not occur unless the Village of Caledonia Plan Commission and the Village Board grants a written extension. Written extension requests must be submitted to the Village Planning & Zoning Department thirty (30) days before permit/approval expiration.
11. **Compliance with Law.** The applicant is responsible for obtaining all necessary federal, state, and local permits, approvals, and licenses. The applicant is required to comply with all applicable local, state, and federal regulations, including Titles 14, 16 and 18 of the Village of Caledonia Code of Ordinances.
12. **Amendments to Conditional Use Approval.** No additions, deletions, or changes may be made to the project, site plan, or these conditions without the Village of Caledonia's prior approval. All addition, deletion, and/or change requests must be submitted to the Village of Caledonia in writing. A minor change to the conditions of this permit, as deemed by the Zoning Administrator, may be made at a staff level, if authorized by the Zoning Administrator.
13. **Agreement.** Your accepting the conditional use approval/zoning permit and beginning the project means that you have read, understand, and agree to follow all conditions of this approval. Therefore, Nelly Rodriguez, FCO Trucking LLC and their heirs, successors, and assigns, including tenants, are responsible for full compliance with the above conditions.
14. **Subsequent Owners.** It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.