

**RESOLUTION NO. 2021-96**

**A RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA TO APPROVE AN AMENDMENT TO THE CONDITIONAL USE PERMIT ALLOWING THE CONSTRUCTION OF A ±13,850 SQUARE FOOT GRAVEL PARKING AREA FOR OUTDOOR STORAGE OF VEHICLES AND THE PLACEMENT OF MULTIPLE ACCESSORY STRUCTURES IN THE REAR YARD OF AN EXISTING COMMERCIAL DEVELOPMENT LOCATED AT 6156 DOUGLAS AVENUE, VILLAGE OF CALEDONIA, RACINE COUNTY, WI; ROBERT KONECKO, APPLICANT, RICHARD AND BOZENA KONECKO, OWNERS**

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

**WHEREAS**, Robert Konecko, Applicant, has requested an amendment to the conditional use approving a site, building, and operations plan to construct and utilize a ±13,850 square-foot gravel area for outdoor storage of vehicles behind the existing commercial development with multiple accessory buildings located at 6156 Douglas, Parcel ID No. 104-04-23-18-300-190, Village of Caledonia, Racine County, WI; and,

**WHEREAS**, the Village of Caledonia Plan Commission recommended approval of the amendment to the conditional use approving the revised site, building, and operations plan, subject to the amended conditions hereto as **Exhibit A**, for the following reasons:

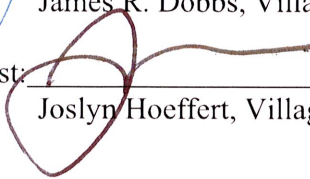
1. The proposed use is allowed by underlying zoning through the conditional use review process.
2. The proposed parking area will not adversely affect the surrounding property values.

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

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 7<sup>th</sup> day of September, 2021.

**VILLAGE OF CALEDONIA**

By:   
James R. Dobbs, Village President

Attest:   
Joslyn Hoeffert, Village Clerk

**Exhibit A: Conditions of Approval  
6156 Douglas Avenue**

1. **Zoning Permit.** The applicant must obtain a zoning permit card from the office of the Village Zoning Administrator after paying the zoning permit fee of \$250.00 for the Occupancy Permit. This card 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 citations(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 (to occupy an existing site and building with an automotive sales and service business) must be conducted in compliance with the plans and documents dated August 9, 2021, on file with the Village Planning Department.
5. **Display of Vehicles for Sale.** The display of vehicles for sale is limited to a maximum total number of forty vehicles as outlined in the submitted documents. There must be no display of vehicles for sale within the road right-of-way of Douglas Avenue.
6. **Parking.** All employee and customer parking must be conducted in the existing parking lot as outlined in the submitted documents. Each parking space shall be a minimum of nine feet wide and 180 square feet in area exclusive of the space required for ingress and egress. Handicapped spaces shall be provided in accordance with State requirements.
7. **Vehicle Service at the Site.** All vehicles that are being parked to be serviced at the site will be parked in the rear of the building as outlined in the submitted documents.
8. **Loading and Unloading of Vehicles.** No loading or unloading of automobiles intended for sale is permitted within the right-of-way of Douglas Avenue.
9. **Required Inspections prior to Occupancy.** Prior to occupancy of the proposed commercial building inspections may be required by the Caledonia Fire Department and the Caledonia Building Inspection Department. The owner and/or applicant must contact the Village of Caledonia to verify what inspections are required prior to occupancy.
10. **Landscaping.** The existing landscaping must be maintained at the subject site as outlined in the submitted documents.
11. **Lighting.** Any lighting at the site must be full cut-off lights that shall not glare onto abutting properties or onto any public roadway.
12. **Hours of Operation.** The hours of operations shall be Monday through Saturday 8:00am to 6:00pm and closed on Sundays.
13. **Signage.** Any proposed advertising sign at the site will require a separate zoning permit prior to installation. Please contact the Village Planning Department for sign regulations and permit procedures.
14. **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, as adopted by the Village of Caledonia.
15. **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 grants a written extension. Written extension requests must be submitted to the Village of Caledonia Planning Department thirty (30) days before permit/approval expiration.
16. **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 conditions and structures must be maintained in a sound matter.
17. **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; cleaning up litter; sweeping, cleaning and repairing paved surfaces; and cleaning, painting, and repairing windows and building façade.

18. **Access.** The applicant must allow any Village employee full and unlimited access to the project site at a reasonable time to investigate the project's constructions, operation, or maintenance.
19. **Compliance with Law.** The applicants 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 and 16 of the Village of Caledonia Code or Ordinances.
20. **Hazardous Fluids Storage and Containment.** Any oil or hazardous fluids must be stored in a designated containment area that complies with all Wisconsin Department of Natural Resources (WI-DNR) regulations. Any oil or hazardous fluids must be disposed of in an environmentally sound manner.
21. **Reimburse Village Costs.** Applicant shall reimburse to the Village all costs incurred by the Village for review of this conditional use including but not limited to engineering, legal and planning review that occurred prior to permit issuance and during the implementation of the plans and construction of the improvements.
22. **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 additions, deletions, and/or change requests must be submitted to the Caledonia Zoning Administrator 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.
23. **Acquisition of the Property.** As discussed at the Plan Commission meeting on August 28, 2017, the applicant, or an affiliate entity, must acquire the property prior to issuance of a zoning permit.
24. **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 Richard, Kenecko, Robert Kenecko and his heirs, successors, and assigns are responsible for full compliance with the above conditions.
25. **Subsequent Owner or Operator.** It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.