

RESOLUTION NO. 2022-89

A RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA APPROVING A REQUEST TO AMEND THE CONDITIONAL USE PERMIT ALLOWING FOR THE OPERATION OF A U-HAUL BUSINESS WITH OUTDOOR STORAGE OF TRUCKS AND TRAILERS FOR THE PROPERTY LOCATED AT 7952 USH 41, VILLAGE OF CALEDONIA, RACINE COUNTY, WI; MIKE SHULTZ, APPLICANT, KIDANGAYIL INC., OWNER

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

WHEREAS, Mike Schultz requested an amendment to the conditional use permit allowing for the operation of a U-Haul business with outdoor display of trucks and trailers at 7952 USH 41, Parcel ID No. 104-04-22-07-076-000, Village of Caledonia, Racine County, WI; and,

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:

1. The proposed use is allowed by underlying zoning through the conditional use process.
2. The proposed use appears to be compatible with the existing use on the parcel.
3. The proposed use does not negatively impact the surrounding properties.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Caledonia that the requested conditional use amendment 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 6 day of September, 2022.

VILLAGE OF CALEDONIA

By: James R. Dobbs
James R. Dobbs
Village President

Attest: Joslyn Hoeffert
Joslyn Hoeffert
Village Clerk

**Exhibit A: Conditions of Approval 7952 USH 41:
Fueling Station, Convenience Store, and U-Haul Truck & Trailer Rental Business**

1. **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.
2. **Binding Effect.** These conditions bind and are applicable to the Property Owner, Agents, and any other users of the Property Owner with respect to the uses on the Property.
3. **Plans.** The operation of the fueling station and convenience store shall be in accordance with the site plan approved August 31, 1989. The proposed operation of truck and trailer rental business (U-Haul) shall be located and utilized in accordance with the plans and documents dated 08-08-2022.
4. **Gas Pump Islands:** the proposed gas pump islands and the conversion of the existing service station may occur as shown on the submitted plans. A canopy may be installed, however, the location of said canopy is subject to the review and approval of the Board of Adjustments and this approval shall not be the basis for a BOA approval of a setback variance for canopy.
5. **Fuel Storage Tanks:** The existing underground fuel storage tanks may be upgraded or replaced subject to compliance with Department of Natural Resources and/or Department of Industry, Labor, and Human Relations rules and regulations.
6. **Parking & Driveway Access:** Driveway access may be located as shown on the submitted plan. A minimum of eight parking spaces shall be provided for the convenience store. These spaces shall be 9'x20' exclusive of the area for ingress and egress. These parking spaces, the driveway, and aprons shall be maintained in an all-weather, hard-surfaced condition. Parking of trucks and trailers related to the U-Haul business are limited to the areas identified in the site plan submitted on August 9, 2022. No more than four U-Haul vehicles and six trailers can be displayed on the property.
7. **Lighting.** Lighting at the site must be in compliance with the previously approved Lighting Plan. All lighting at the site must be full cut-off lights that may not glare onto abutting properties or onto any public roadway.
8. **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.
9. **Permits:** The applicant is responsible for obtaining all necessary federal, state, and local permits, approvals, and license.
10. **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.
11. **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 facade. 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.
12. **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 Racine County Development Services Office thirty (30) days before permit/approval expiration.
13. **Access.** The applicant must allow any Village or Racine County employee full and unlimited access to the project site at a reasonable time to investigate the project's construction, operation, or maintenance.
14. **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.

15. **Reimburse Village Costs.** Applicant shall reimburse to the Village all costs incurred by the Village for review of this site plan review 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.
16. **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.
17. **Agreement.** Your accepting the site plan review approval/zoning permit and beginning the project means that you have read, understand, and agree to follow all conditions of this approval. Therefore, Joy Peter, Kidangayvil Inc., and their heirs, successors, and assigns, including tenants, are responsible for full compliance with the above conditions.
18. **Subsequent Owners.** It is the property owner's responsibility to inform any subsequent owner or operator of these conditions