

RESOLUTION #P.C. 022-2008
APPROVAL OF AN ANNUAL REVIEW FOR THE CONDITIONAL USE FOR A SALES AND
SERVICE ESTABLISHMENT FOR AUTOMOBILES AT DURHAM HILL AUTO
LOCATED IN THE NE ¼ OF SECTION 25
(S98 W12578 LOOMIS DRIVE / TAX KEY NO. 2257.981)

WHEREAS, The Plan Commission approved an amended Conditional Use Grant and Building, Site, and Operation Plan on March 15, 2005 for an automobile sales lot for Durham Hill Auto located at S98 W12578 Loomis Drive, and

WHEREAS, There were BSO Amendments approved under Resolution P.C. 079-2006 and P.C. 067-2007, and

WHEREAS, The property is zoned B-4, Highway Business, and current uses are allowed by right and by Conditional Use Grant, and

WHEREAS, The approved Building, Site, and Operation Plan specifically referred to a site plan that showed marked parking stalls for customer and vehicle sales, areas to be restored to green space, and areas of landscaping, and

WHEREAS, A Planning Department site inspection on February 26, 2008 was conducted for site compliance relating to the annual review, and

WHEREAS, The site inspection revealed most items in compliance with the exception of the following:

- Six (6) vehicles for sale were parked along the southeast corner of the site and only three (3) vehicles are allowed to be within this area,
- The two (2) customer stalls and the one (1) handicap customer stall had vehicles for sale parked within them and these stalls must remain open for customers at all times,
- A truck cap was placed on the ground for display/sale near the corner of the site,
- The flat bed tow truck was parked right in the middle of the entry to the site blocking any possible entry, and

WHEREAS, Due to the snow cover, it could not be seen if all parking markings and if the required parking stops along Durham Drive were in place as required, and

WHEREAS, The number of vehicles on the western side of the lot were within the allowed limits.

THEREFORE BE IT RESOLVED, The Plan Commission approves of the petitioner's annual review for Durham Hill Auto, subject to below.

BE IT FURTHER RESOLVED, That the all vehicles, especially the vehicles near the corner of the site, must be in approved locations immediately and the truck cap and flat bed tow truck location must be relocated to their approved locations immediately.

BE IT FURTHER RESOLVED, That all parking stalls must be marked according to the approved BSO Plans and all spots west of the driveway along Loomis Drive must have parking stops in place by May 1, 2008.

BE IT FURTHER RESOLVED, That failure to comply with the approval contained in this resolution shall result in the imposition of fines of \$100 per day, the initiation of legal action, or both.

BE IT FURTHER RESOLVED, That citations shall be issued on May 2, 2008 if the two items relating to the May 1, 2008 deadline are not complete and citations will be issued immediately if the vehicles exceed the number allowed or if they are not parked in the approved locations

(especially the vehicles parked at the corner) and if the truck cap and flat bed tow truck are not relocated to their approved location.

Plan Department
City of Muskego

Adopted: March 4, 2008

Defeated:

Deferred:

Introduced: March 4, 2008

ATTEST: Kellie Renk, Recording Secretary