



Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

AGENDA
PLAN COMMISSION
Tuesday, July 14, 2020 at 6:30 p.m.

Webinar link:

<https://zoom.us/join>

Webinar ID: 890 3946 1746

Password: 441655

Phone: (312) 626-6799, Webinar ID: 890 3946 1746, Password: 441655

- To attend a meeting, click on the link provided or dial in with the phone number provided on the meeting agenda. You may need to create a Zoom account if you access the meeting online.
- You will participate as an attendee, not a panelist. You will be muted by the meeting moderator.
- To participate/speak during a meeting when allowable, you will need to “raise your hand”. Online you will find a ‘raise hand’ option in the menu bar. Via phone you can press *9.
- All meetings are recorded and subject to the Wisconsin Open Meetings Law.

Mayor Jeannie Hefty, Chairman
Tom Preusker, Aldermanic Representative
Bob Grandi, Aldermanic Representative
Chad Redman, Commissioner
Andy Tully, Commissioner
John Ekes, Commissioner
Art Gardner, Commissioner

1. Call to Order
2. Roll Call
3. Approval of the minutes of June 9, 2020
4. Letters and Communications: None
5. Citizen Comments: Telephone Dial: US: (312) 626-6799, Webinar ID: 890-3946-1746, Password: 441655
6. Old Business:
 - A. Consideration to approve an extension to a Conditional Use Permit application for property located at 501 S. Pine Street.
 - B. Discussion regarding a Conditional Use Permit for property located at 667 W. State Street.

7. New Business:

- A. Public Hearing to hear public comments regarding a Conditional Use application from Craig Faust for property located at 520 Bridge Street, to allow for a business that powder coats vehicle rims.
- B. Consideration to approve a Conditional Use application from Craig Faust for property located at 520 Bridge Street, to allow for a business that powder coats vehicle rims, subject to Graef's and Burlington Fire Department's memorandums to the Plan Commission.

8. Adjournment

***Note:** If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 262-342-1161 at least 24 hours prior to the meeting.*

***Note:** Notice is hereby given that a majority of the members of the Common Council may be present at the meeting. Although this may constitute a quorum of the Council, the Council will not take any action at this meeting.*



Minutes
City of Burlington Plan Commission
June 9, 2020, 6:30 p.m.

Mayor Jeannie Hefty called the Plan Commission meeting to order at 6:30 p.m. through Zoom Meetings. Roll call: Aldermen Tom Preusker and Bob Grandi; Commissioners Chad Redman; Andy Tully; John Ekes; and Art Gardner were present. Also in attendance, Carina Walters, City Administrator; Megan Watkins, Assistant City Administrator/Zoning Administrator; Attorney John Bjelajac; Greg Governatori, Kapur & Associates; and Tanya Fonseca, Graef.

APPROVAL OF MINUTES

Commissioner Redman moved, and Alderman Preusker seconded to approve the minutes of May 12, 2020.

LETTERS & COMMUNICATIONS

None

CITIZEN COMMENTS

None

OLD BUSINESS

None

NEW BUSINESS

A. Consideration to recommend approval to the Common Council of a Rezone Map Amendment application from Craig Faust for property located at 965 S. Pine Street to rezone the property from Rd-2/PUD, Two-Family Residential District with a Planned Unit Development to Rm-2, Multi-Family Residential District, subject to Graef's memorandum to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Tanya Fonseca, Graef, explained the existing zoning (Rd-2/PUD) does not allow for multi-family use, thus Rm-2 is the most appropriate zoning for this development.
- Alderman Preusker asked what type of material on the exterior of the building the owner is using, what type of appliances, and what is the dollar amount expected for rent. Ryan Cardinal, Cardinal Engineering, stated there were architectural renderings submitted showing the lower part being cobblestone veneer, aluminum coverings, and vinyl siding. The apartments will have similar design and style as the two 8-unit buildings at Spring Brook Apartments. The rent is between \$1,250 and \$1,350. Craig Faust, owner, stated the interior will have high-end appliances and countertops to gear towards the higher market rate.

- Alderman Grandi asked for confirmation that a 2-car garage was available for each unit. Mr. Faust replied there is a 1-car garage and an extra parking space for each unit.
- There were no further comments.

Commissioner Redman moved, and Commissioner Tully seconded to approve the rezone.

All were in favor and the motion carried.

B. Consideration to approve a Site Plan application from Craig Faust for property located at 965 S. Pine Street to construct a 12-unit apartment building, subject to Graef's and Kapur & Associates' memorandums to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Ms. Fonseca explained the plans meet all codes, including parking. Ms. Fonseca stated the memorandum says 2-car garage, but should be two parking spaces total. Alderman Grandi questioned Kapur & Associates regarding the water issues that the residents on Hidden Creek Lane have, and wanted to confirm there are no issues here. Greg Governatori, Kapur & Associates, responded the storm water goes to the rear of Hidden Creek, so there will be no concerns of water issues.
- There were no further comments.

Commissioner Redman moved, and Alderman Grandi seconded to approve the Site Plan.

All were in favor and the motion carried.

C. Public Hearing to hear public comments regarding a Conditional Use application from George Dertis for property located at 940 Milwaukee Avenue, to allow for automobile sales (not a repair shop).

- Mayor Hefty opened the Public Hearing at 6:40 p.m.
- There were no comments.

Alderman Grandi moved, and Commissioner Ekes seconded to close the Public Hearing at 6:43 p.m.

All were in favor and the motion carried.

D. Consideration to approve a Conditional Use and Site Plan application from George Dertis for property located at 940 Milwaukee Avenue to allow for a used car dealership (not a repair shop), subject to Graef's and Kapur & Associates' memorandums to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Ms. Fonseca explained this property is the former Pizza Hut, and the applicant would like to use this as a used car dealership, which requires a Conditional Use. There is a right-of-way going through the front portion of the property. The proposed number of cars displayed may not be realistic. The requirements and zoning meet the ordinance.
- Commissioner Gardner commented it is great to re-purpose the use instead of leaving it vacant. Commissioner Redman asked for more information regarding the right-of-way. Attorney John Bjelajac explained the Department of Transportation does not own the road anymore. The owner can use the right-of-way, but the City can retrieve it at any time if needed in the future. Megan Watkins, Assistant City Administrator/Zoning Administrator, displayed a map of the front area used for 12 vehicles next to Milwaukee Avenue. George Dertis, applicant, stated the vehicles can be parked close together unlike a normal parking lot. Ms. Watkins commented the stalls are required to be 9 feet wide by 20 feet long, and that can determine how many vehicles will fit.
- Commissioner Tully questioned what the exterior of the building and landscape plans are. Mr. Dertis answered the owner will be repaving the lot and landscaping. The applicant will paint the exterior of the building. Alderman Grandi asked what the plans are for the drop off in the rear of the property. Jeff Erickson, owner's representative, replied in the back will be greenspace, landscaping, and large retaining walls. Mr. Erickson further replied between the lots will be cleaned up and meet all requirements. Commissioner Ekes commented the plans submitted is a sketch, and would like to see more details. Ms. Fonseca responded the applicant proposes to use the existing lighting, and the Site Plan remains the same, so more details are not necessary.
- Alderman Grandi was curious if the original right-of-way was not used for widening the road, than what was if for. Mr. Governatori answered he was not sure, but the City has control of the right-of-way, and the applicant can use it if the City so chooses.
- The Commissioners are concerned if the Conditional Use is approved the owner might not repair the lot as discussed. Ms. Watkins stated the Occupancy Permit could include the parking lot repairs, landscaping, or other concerns. Attorney John Bjelajac reminded the Commissioners a Conditional Use can have restrictions added, since a denial is based on evidence, facts, information, and not personal preferences. Attorney John Bjelajac stated the Conditional Use will have legal documentation requiring any items mentioned to be completed, and with specific timelines.
- Carina Walters, City Administrator, recommended Mr. Erickson and Mr. Dertis give timelines for a new lot and a better design of vegetation. Mr. Erickson stated the landscape plan will be submitted to staff before the end of June. After the landscape is completed, the lot will take one week. Mr. Dertis stated the re-painting of the building takes about one month to complete.
- There were no further comments.

Commissioner Tully moved to approve the Conditional Use and Site Plan on the following conditions: repair of the parking lot done by 3rd week of July, landscape done by August 1, 2020, and the building improvements by Mr. Dertis finished by the end of August. Attorney John Bjelajac stated the Conditional Use could include that the City can take back the right-of-way if deemed upon a 30-day notice.

Commissioner Tully amended, and Commissioner Redman seconded to approve the Conditional Use and Site Plan to add the following conditions: the Conditional Use include the conditions from Graef's and Kapur & Associates' memorandums, and allow the City to take back the right-of-way if deemed necessary upon a 30-day notice.

All were in favor and the motion carried.

ADJOURNMENT

Alderman Preusker moved, and Commissioner Gardner seconded to adjourn the meeting at 7:28 p.m.

All were in favor and the motion carried.

Recording Secretary
Kristine Anderson
Administrative Assistant



PLAN COMMISSION

ITEM NUMBER: 6A

DATE: July 14, 2020

SUBJECT: Consideration to approve an extension to the Conditional Use Permit 501 S. Pine Street.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

PROJECT/SCOPE:

This item is to consider approving an extension to a Conditional Use application from Jasleen Mobil Mart for property located at 501 S. Pine Street.

A Conditional Use Permit (CUP) for Jasleen Mobile Mart, located at 501 S. Pine Street, was originally issued on July 9, 2019. The property owner has been operating a U-Haul truck rental service on-site since the date of issuance. The U-Haul rentals are conducted within the store's open hours (5:30 am – 9 pm); however, drop-off of the vehicle can take place any time of day (24-hour drop-offs).

The conditional approval was based on:

1. The property owner construct a trash enclosure for the dumpster(s) on site by October 8, 2019.
2. A maximum of three (3) U-Haul trucks can be on site at any time.
3. Truck drop off shall be on the east side of the building (Pine Street side). A maximum of one truck is allowed on the east side of the building at any time. Extra trucks on the east side from drop offs shall be moved to the west side of the building. A maximum of two trucks are allowed on the west side of the building at any time.
4. The Property Owner shall enhance the landscaping on the parcel.
5. This Conditional Use Permit shall be reviewed in one year.

The property owner has complied with all conditions listed above. On rare occasions, more particularly on weekends, more than one U-Haul truck is dropped off on the Pine Street side and/or more than the allowed trucks are dropped off at one time. This is quickly rectified by the property owner on Mondays when he is on site, as some staff cannot move the trucks.

ZONING:

The parcel is zoned B-1, Neighborhood Business District.

RECOMMENDATION:

Staff recommends approval of an extension of the CUP of one to three years, based on the Plan Commission's recommendations.

TIMING/IMPLEMENTATION:

This item is for consideration at the July 14, 2020 Plan Commission meeting. No further action is necessary.



City of Burlington

CONDITIONAL USE PERMIT

C.U.P. Number: 197150

Zoning District: B-1, Neighborhood Business District

Date: July 10, 2019

Property Address: 501 S. Pine Street

Owner's Name: Ajinder Pal Singh

Applicant: Ajinder Pal Singh

Tax Key No: 206-02-19-05-001-000

Type of Use: U-Haul truck rental

CONDITIONS FOR APPROVAL:

1. The Property Owner shall construct a trash enclosure for the dumpster(s) on site by October 8, 2019. A building permit is required before construction can commence.
2. A maximum of three (3) U-Haul trucks can be on site at any time.
3. Truck drop off shall be on the east side of the building (Pine Street side). A maximum of one truck is allowed on the east side of the building at any time. Extra trucks on the east side from drop offs shall be moved to the west side of the building. A maximum of two trucks are allowed on the west side of the building at any time.
4. The Property Owner shall enhance the landscaping on the parcel.
5. A fence along the west property line will not be required at this time.
6. This Conditional Use Permit shall be reviewed in one year.

This permit shall be displayed in a conspicuous place. It is unlawful to occupy or use this building except in the manner for which this permit is intended.

Approved by the Burlington Planning Commission on: July 9, 2019

Issued By: , Megan E. Watkins, Zoning Administrator



DATE: July 14, 2020

SUBJECT: Discussion regarding a Conditional Use Permit for property located at 667 W. State Street.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

PROJECT/SCOPE:

A Conditional Use Permit (CUP) was issued for property located at 667 W. State Street in 2001 for auto sales and service. The CUP was first used under the tenant Richard Neudorff until 2008 when tenant Chris Pulera took over for Richard, then taken over by tenant Jeff Hynous in 2013 when Mr. Pulera moved to a different location.

The following documents have been attached for your convenience:

- Letter from City Attorney John Bjelajac
- Police report by Officer William Rice
- Email correspondence from Gregory Guidry
- Photos of 667 W. State Street
- Conditional Use Permit and Site Plan from 2001

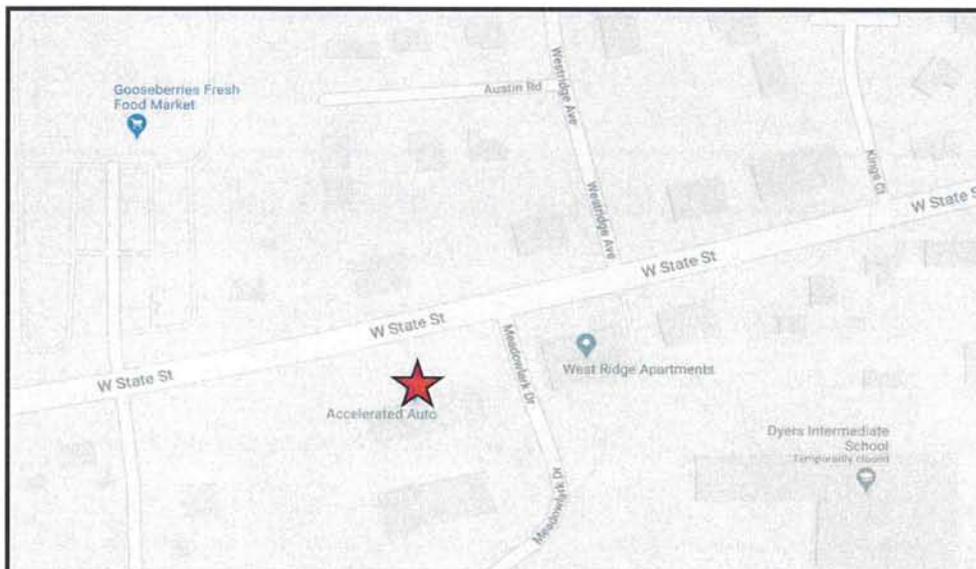
ZONING:

The parcel is zoned B-1, Neighborhood Business District.

TIMING/IMPLEMENTATION:

This item is for discussion at the July 14, 2020 Plan Commission meeting.

MAP:



Bjelajac & Kallenbach

Attorneys at Law

LLC

Post Office Box 38 ♦ Racine, Wisconsin 53401-0038
Tel: (262)633-9800 ♦ Fax: (262)633-1209

Atty. John M. Bjelajac, LLC ♦ jmbjelajac@gmail.com
Terrance L. Kallenbach, S.C. ♦ tlkallenbach@gmail.com

June 19, 2020

Sent via U.S. First Class Mail and Certified Mail

Mr. Jeffrey Hynous
Accelerated Auto
667 West State Street
Burlington, Wisconsin 53105

RE: Conditional Use Permit for 667 West State Street

Dear Mr. Hynous:

I am the City Attorney for the City of Burlington, and the issues that have been the topic of discussion in the recent past between you, the City staff and the Police Department, have been forwarded to me for further action. In the future, please send all of your correspondence, emails, and telephone inquiries directly to my office. I have asked our City staff to simply refer you to me in the event you try to now contact them directly.

Please also have your legal counsel contact me, when and if you do retain the services of an attorney for the future proceedings. In that event, I will exclusively deal with your attorney, and not you directly, per our legal Code of Ethics.

The primary issue, of course, is (i) the accumulation of junk and junked vehicles on your business premises (the "Property"), and (ii) your refusal, to date, to even try to work with the City to bring your business operations into compliance with your Conditional Use Permit and the zoning ordinances of the City of Burlington Municipal Code.

To finally bring closure to these matters, please know that on the date of July 14, 2020, beginning at 6:30 PM, the City staff and I will be appearing before the City of Burlington Plan Commission, to review and discuss (i) the original 2001 Conditional use Permit under which you are presently operating, and (ii) your current business operations.

This meeting of the Plan Commission will not be held in person, but, because of the COVID-19 pandemic, will instead be a Zoom meeting. You, and your legal counsel (if any), will receive, under a separate future email, an invitation to appear at that meeting via Zoom, or by telephone if you do not wish to use the Zoom program. Our review and discussion of your business operations will occur, though, whether or not you do choose to attend the meeting and answer questions from me, the City staff, or the Plan Commission.

Mr. Jeffrey Hynous
June 19, 2020
Page 2

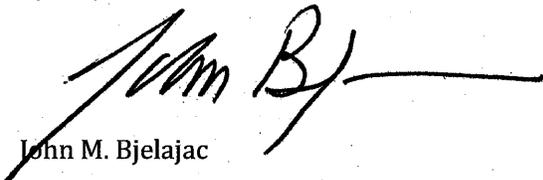
Please also know that, unless you are finally willing to work with the City to remedy the issues previously discussed with you, or which the City staff and Police Department have attempted to discuss with you, I will be recommending to the Plan Commission, at that meeting, that it schedule a future hearing to consider, and act upon, the proposed revocation of your Conditional Use Permit.

Please understand that this is an important legal matter being visited upon you. The said Conditional Use Permit is a condition precedent for your continued operation of your business on the Property. Your business operation is not, under the City Zoning Code, an activity that may be engaged in as a matter of right, as permitted use. It is rather a conditional right, without any property right being vested in you under the law, which requires a conditional use permit for the conducting of your business.

We look forward to hearing from you, and your legal counsel, on these matters.

Very truly yours,

BJELAJAC & KALLENBACH

A handwritten signature in black ink, appearing to read "John M. Bjelajac", with a long horizontal line extending to the right.

John M. Bjelajac

JMB/bj

cc: Mayor Jeannie Hefty (via email)
Ms. Carina Walters, City Administrator (via email)
Ms. Megan Watkins, Assistant City Administrator (via email)
Ms. Diahnn Halbach, City Clerk (via email)
Mr. Gregory Guidry, Building Inspector (via email)
Police Chief Mark Anderson (via email)
Atty. Terrance L. Kallenbach, Prosecutor (via email)
Mr. & Mrs. Larry Smith, Property Owners



City of Burlington Police (BUPD)

Incident Report

Date:

06/03/2020

CFS Code-1:

7399

Incident Report Number:

20-006109

Incident: Public Order Crimes

Incident Report Number: 20-006109 Between: Date - Time And/At: Date-Time 6/2/20 10:21

Incident Location: 667 W State St, Burlington, WI, 53105

CFS Code-1: 7399 CFS Code-2: CFS Code-3: CFS Code-4:

CFS Code-5: CFS Code-6: CFS Code-7: CFS Code-8:

Name (Last, First, Middle) DOB: Race/Sex

Address: (Address, City, State, Zip) Home Phone Number

Employer Work Phone Number

Employer Address Cell Phone Number

Name (Last, First, Middle) DOB: Race/Sex

Address: (Address, City, State, Zip) Home Phone Number

Employer Work Phone Number

Employer Address Cell Phone Number

SUMMARY

Jeffrey Hynous who owns the property at 667 W State St Accelerated Auto is storing a large amount of disabled and destroyed vehicles on his property for a long period of time without a Junk license. This is in violation of Burlington Municipal Code 227-3K Storage of Junk.

Vehicle Information: (Year, Make, Model, Style, Color)

License Number: State: Expiration Year: Vin: Insurance Company:

Other Vehicle Information: NCIC#

Reporting Officer(s): Rice, William T. Payroll Number: Payroll Number: Report Date: 06/03/2020

Time Received: Time Cleared: 11:08:09 Unit(s) Assigned: 908 1 Of 4

Reviewed by: Krusemark, Jeremy J. Payroll Number: 105 Copy To

City of Burlington Police (BUPD)

Continuation

Incident Report Number 20-006109	Incident Location: 667 W State St, Burlington, WI, 53105	Incident Date: 06/02/2020
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NAMES

Ticket Issued

Hynous, Jeffery A [REDACTED] of 1502 PARK ST, BURLINGTON, WI, 53105

[REDACTED]

Phone 1: (262) 206-0955

Mentioned-1

Guidry, Gregory [REDACTED]

Phone 1: (262) 806-1162 Phone 2: (262) 342-1164

Mentioned-2

Watkins, Megan Elizabeth [REDACTED]

Phone 1: (262) 342-1161

City of Burlington Police (BUPD)**Continuation**

Incident Report Number 20-006109	Incident Location: 667 W State St, Burlington, WI, 53105	Incident Date: 06/02/2020
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NARRATIVE

On 6-2-20 at approximately 10:21 am I Officer Rice was on patrol while in the City of Burlington, Racine County Wisconsin. I was dispatched to 667 W State St. Accelerated Auto for a report of an excessive amount of junk cars on the property.

I spoke with Burlington City Building Inspector Gregory Guidry who stated there has been complaints in the past about the property. Gregory stated Assistant City Administrator Megan Watkins is handling the complaint. I spoke with Megan who stated she has been talking to the owners of the property Larry and Linda Smith about the property. Megan said she has advised them of the issues on the property but has yet to gain compliance with the City ordinances regarding the storage of junk and zoning permits. Megan provided me with copies of the emails sent between her and Linda Smith.

On 6-3-20 at approximately 8:45 am I called Jeffrey Hynous the owner of the business and asked if we could talk and he said he was at the stop. I responded to the property at 677 W State St and observed approximately 30 disabled, broken down, damaged vehicles, many of which had no license plates, no tires, or otherwise non-road worthy vehicles. These vehicles were parked on the east side of the building close to Meadowlark Dr. The vehicles were in plain view to the road on Meadowlark and W State St with no barrier shielding the vehicles.

I spoke with Jeffrey and advised him we had received a complaint of the storage of junk vehicles on the side of the building. I asked Jeffrey what his plan for the vehicles are. Jeffrey said he has no plan to change as he believes it has been zoned properly. I advised Jeffrey the amount of disabled vehicles is considered storage of junk. Jeffrey said they are not junk and they are cars being fixed.

I advised Jeffrey I would like for us to work together to get a plan together to solve the problem and he said there is no problem. Jeffrey began to argue about the complaint and said he does not have time for this and walked away. I advised Jeffrey I was not done talking with him and he continued to walk away.

I then photographed the vehicles parked on the side of the building which we be uploaded to evidence.com. I issued and explained Jeffrey a citation and certificate of correction for storage of junk. I explained to Jeffrey he could receive a citation daily for the violation. I advised Jeffrey I would stop back soon to check on the progress of the property and he could receive more citations if he fails to comply with the City ordinance.

On 6-4-20 at approximately 11:15 I spoke with the owner of the property Linda Smith. I advised Linda of the complaint on the business. Linda stated she has been trying to work with Megan about figuring out the best way for Jeffrey to comply with local ordinances. Linda stated she believes Jeffrey is failing to comply with

Reporting Officer(s): Rice, William T.	Payroll Number : 112	Pages: 3 Of 4
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City of Burlington Police (BUPD)**Continuation**Incident Report Number
20-006109Incident Location:
667 W State St, Burlington, WI, 53105Incident Date:
06/02/2020

the zoning conditions of the property, and does not have a valid conditional use permit.

Linda stated on the paperwork she has seen the most current conditional use permit is from 2001 which was signed by Jeffrey Way as the owner. Linda stated Jeffrey Way was not the owner of the property and under the conditions of the permit states the owner should be the person signing the conditional use permit (CUP) and at no time did she or her husband (the owners of the property since 1983) agreed to a (CUP) with the City of Burlington for the property at 677 W State St. Linda stated she believes due to the CUP being invalid Jeffrey Hynous should not be operating under the CUP and should have to apply for a new CUP with the City.

I spoke with Megan and advised her of the information Linda provided me about her believing the CUP is void. Megan stated she would speak with other members of City Hall to come up with a plan to resolve the issue of the CUP and zoning permit.

OFFICER'S DISPOSITION

Jeffrey Hynous was issued a municipal citation #DQ80FMV93B, for storage of junk. This has a non-mandatory court date of 7-8-20 at 5:30 at the City of Burlington Municipal Court 224 E Jefferson St, Burlington, Wisconsin.

Reporting Officer(s):
Rice, William T.Payroll Number:
112Pages:
4 Of 4

City of Burlington Police (BUPD)

Supplemental Report

Incident Report Number: 20-006109	Incident Location: 667 W State St, Burlington, WI, 53105	Incident Date: 06/02/2020
New Incident:	Original CFS Code - 1: 7399	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

On 6-22-20 at approximately 8:45 am I conducted follow up on this complaint. I observed the property at 667 W State St to be in the same condition as it was previously. There was multiple disabled vehicles parked along the entire east side of the property. I met with Jeff and issued him a letter that was drafted by the City of Burlington Attorney John Bjelajac advising him of the complaint follow up. A copy of the letter has been attached to this call. I then issued and explained Jeff another citation for storage of junk. I advised Jeff any further correspondence about this incident he should contact Attorney Bjelajac. I asked Jeff if he had any questions and he stated no.

OFFICER'S DISPOSITION

The information in this report will be added to the original report.

Reporting Officer(s): Rice, William T.	Payroll Number : 112	Report Date: 06/22/2020
Reviewed by: Wasilevich, Scott B.	Payroll Number : 132	Copy To: Page: 1 Of 1

Megan Watkins

Subject: FW: S. pine and State St

From: Gregory Guidry <gguidry@burlington-wi.gov>

Sent: Wednesday, April 8, 2020 2:42 PM

To: Megan Watkins <Megan@burlington-wi.gov>

Subject: S. pine and State St

Accelerated Auto, I was talking with Jeff the operator of the shop and he said that there is no limit on the number of cars he has on site. His lease and the Conditional use has no limit mentioned. Jeff Way does not own the building as I thought, the Smiths own it. He said that he had to consolidate the cars all to one side because the property was sold next door. I asked how long has some of those cars been there and he said over a year. These are some that have been towed there and the owners do not want to deal with them so he is stuck with them. He has No titles either. The price of metal is down so he can't afford to bring them into the scrap yard. He claims that he is still taking parts off of some of them to repair other cars. I told him that that makes this a salvage yard not a repair site. He said that he is in the business of making money not losing money so he will wait till the cost of metal goes up. He will not put up a fence because it is not his property and he is responsible for the cost of interior maintenance of the building. He said call the owner.

Gregory Guidry

Gregory Guidry
Building Inspector
300 N. Pine Street
Burlington, WI 53105
gguidry@burlingtonwi.gov
262-342-1164

Email, whether received from or sent to, the City of Burlington should be presumed to be a public record, that it will be retained by the City as a public record, and will be subject to public disclosure, to the extent required under Wisconsin's Open Records law. If you are not the intended recipient of this email, please do not read it or forward it to another person, but notify the sender and then delete it.

7-7-2020



7-7-2020



5-26-2020



5-26-2020



5-26-2020



5-26-2020



5-26-2020

CONDITIONAL USE PERMIT

City of Burlington

Cup No.: 011103 Zoning District: B-1 Date: November 21, 2001

Business Name: Motor Sports Auto Sales-Richard Neudorff Tax Key No: 03-19-31-040-000

Business Address: 667 W. State St. Type of Business: Used cars – sell and repair

CONDITIONS FOR APPROVAL:

- 1.) The hours of operation of 8 am to 8pm Monday through Thursday, 8 am to 6 pm Friday, and 9 am to 4 pm Saturdays.
- 2.) The review of the City Engineer for any stormwater drainage issues.
- 3.) The submission of a revised Landscape Plan by the applicant for City staff review which addresses item 6 of the memorandum dated November 9, 2001 from Meehan and Co., Inc.

(see attached for three additional conditions)

This permit shall be displayed in a conspicuous place and is non-transferable. It is unlawful to occupy or use this building except in the manner for which this permit is intended.

Approved by the Burlington Planning Commission on: November 13, 2001

Issued By: Patrick Scherer, Building Inspector

- 4.) That a 6-foot tall solid wood fence extend the full-length of that portion of the subject property which is located in the City of Burlington.
- 5.) That wheel stops be provided for each proposed off-street parking space which is located adjacent to a public street right-of-way and that said wheel stops are located so as not to allow any parked automobile to infringe upon any public street right-of-way.
- 6.) Phase 1 of the asphalt pavement shall be completed by June 1, 2002. Phase 2 asphalt pavement shall be completed by June 1, 2003.

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: Meehan & Company, Inc.
Patrick J. Meehan, AICP

SUBJECT: Review of a Proposed Expansion of an Existing Automotive Sales and Service Conditional Use (Motor Sport Auto Sales) Located at 667 W. State Street (STH 36)

DATE: November 9, 2001

Pursuant to the request of June Bobier of the City of Burlington, Meehan & Company, Inc. has prepared the following review of the proposed expansion of an existing automotive sales and service Conditional Use (Motor Sport Auto Sales) located at 667 W. State Street (STH 36) in the City of Burlington. The subject property is about 1.05 acres in area. The building is 8,382 square feet in area.

Meehan & Company, Inc. wrote earlier review memos to the Plan Commission dated September 6, 2001 and October 3, 2001 regarding this project. Also, the Plan Commission discussed the potential Conditional Use expansion at its meetings of September 11, 2001 and October 9, 2001. A public hearing on the proposed Conditional Use was also held before the Plan Commission at its meeting of October 9, 2001. At both meetings, the Plan Commission tabled the matter until additional information is provided on a revised Site Plan.

Drawings submitted by the applicant as part of the review application are listed as follows:

- a. "Proposed Site Plan--Sheet S-1" as prepared by Stelling & Associates Architects, Ltd. dated revised October 22, 2001.
- b. "Proposed Landscaping Plan Template--Sheet L-1" as prepared by Stelling & Associates Architects, Ltd. dated October 22, 2001.
- c. "Lighting Plan" as prepared by RUUD Lighting dated October 25, 2001.

Meehan & Company, Inc. has not reviewed the proposed project from an engineering standpoint and defers all engineering issues (including grading and drainage and other engineering-related issues) for review and comment by the City Engineer. Also, the submitted plans were not reviewed by Meehan & Company, Inc. for compliance with City Building Codes.

The proposed hours of operation are 8 am to 8 pm Monday through Thursday, 8 am to 6 pm Friday, and 9 am to 4 pm Saturdays.

EXISTING ZONING

Without elaborating on all of the dimensional requirements of the City Zoning Ordinance relative to the proposed use, the following are some of the most significant requirements which must be met for any proposed use in the B-1 District which is located on an existing lot:

Minimum Lot Area:	10,000 square feet
Minimum Lot Width:	80 feet
Minimum Front Yard:	25 feet from the street right-of-way line
Minimum Side Yard:	10 feet
Minimum Rear Yard:	25 feet (for lots greater than 15,000 square feet in area)
Maximum Building Height:	35 feet

The above stated dimensional requirements of the B-1 District appear to have been met.

ZONING ORDINANCE REQUIREMENTS

1. **Number of Parking Spaces:** The submitted Site Plan indicates 24 customer/employee off-street parking spaces; 49 spaces for outdoor automobile sales display; and 8 customer/holding parking spaces on that portion of the subject property located within the City.

The submitted Site Plan indicates an additional 8 customer parking spaces and 74 off-street parking spaces to accommodate automobiles (plus 3 trucks) for sale and automobile storage on that portion of the subject property located within the Town.

Table 17.0503 of the City Zoning Ordinance calls for off-street parking to be provided at auto sales lots at a rate of 2 per 1,000 gross feet of floor area plus 1 space for each 1,500 square feet of outdoor vehicle display space (or about 1 customer space per 8.33 automobiles for sale).

Based upon the above standards, a total of 17 customer/employee spaces would be required on the City portion of the subject property to accommodate the 8,382 square-foot building and another 6 spaces required to accommodate the outdoor vehicle display area indicated on the City portion of the subject property. A total of 24 such spaces are provided on the City property.

Based upon the foregoing analysis, the proposed layout appears to meet the off-street parking standards set forth in Table 17.0503 of the City Zoning Ordinance.

2. **Minimum Size of Off-Street Parking Spaces:** Section 17.0503(B) requires that no off-street parking space be less than 180 square feet in area. **This minimum requirement appears to have been met.**
3. **Minimum Required Width of Off-Street Parking Rows and Aisles:** Section 17.0503(M) sets forth the minimum required width of off-street parking rows and aisles. Section 17.0503(M) indicates that the minimum width of a double row and aisle of 90 degree parking be 65 feet and a single row and aisle of 90 degree parking be 45 feet. **This minimum requirement appears to have been met for those automobiles parked in the customer and employee areas.**
4. Pursuant to the requirements of Section 17.0503(E) of the City Zoning Ordinance, all open, off-street parking and loading spaces shall be improved with pavement of either asphalt or concrete. **This requirement appears to have been met.**
5. Pursuant to the requirements of Section 17.0503(F) of the City Zoning Ordinance, concrete curb and gutter is required for off-street parking areas and associated drives which serve more than 10 vehicles. However, **the applicant proposes to have concrete curbing installed at the STH 36 entries only. It is recommended that wheel stops be provided each proposed off-street parking space which is located adjacent to a public street right-of-way and that said wheel stops are located so as not to allow any parked automobile to**

infringe upon any public street right-of-way.

6. Pursuant to the requirements of Sections 17.1211(C)(18) and 17.1213 of the City Zoning Ordinance, a Landscape Plan has been provided. However, the proposed sizes of the plant materials shall conform to the standards set forth in Table 17.0503(D) of the City Zoning Ordinance as follows:
 - a. The proposed Sugar Maple tree needs to be increased in size from the range indicated as 2.5"-3" to 3".
 - b. All proposed shrubs need to be increased in size from the range indicated as 18"-24" to 24".
 - c. All other green space indicated on the drawing which does not have trees or shrubs indicated shall indicate that grass shall be planted.

A revised landscape plan should be submitted to staff indicating the above required changes.

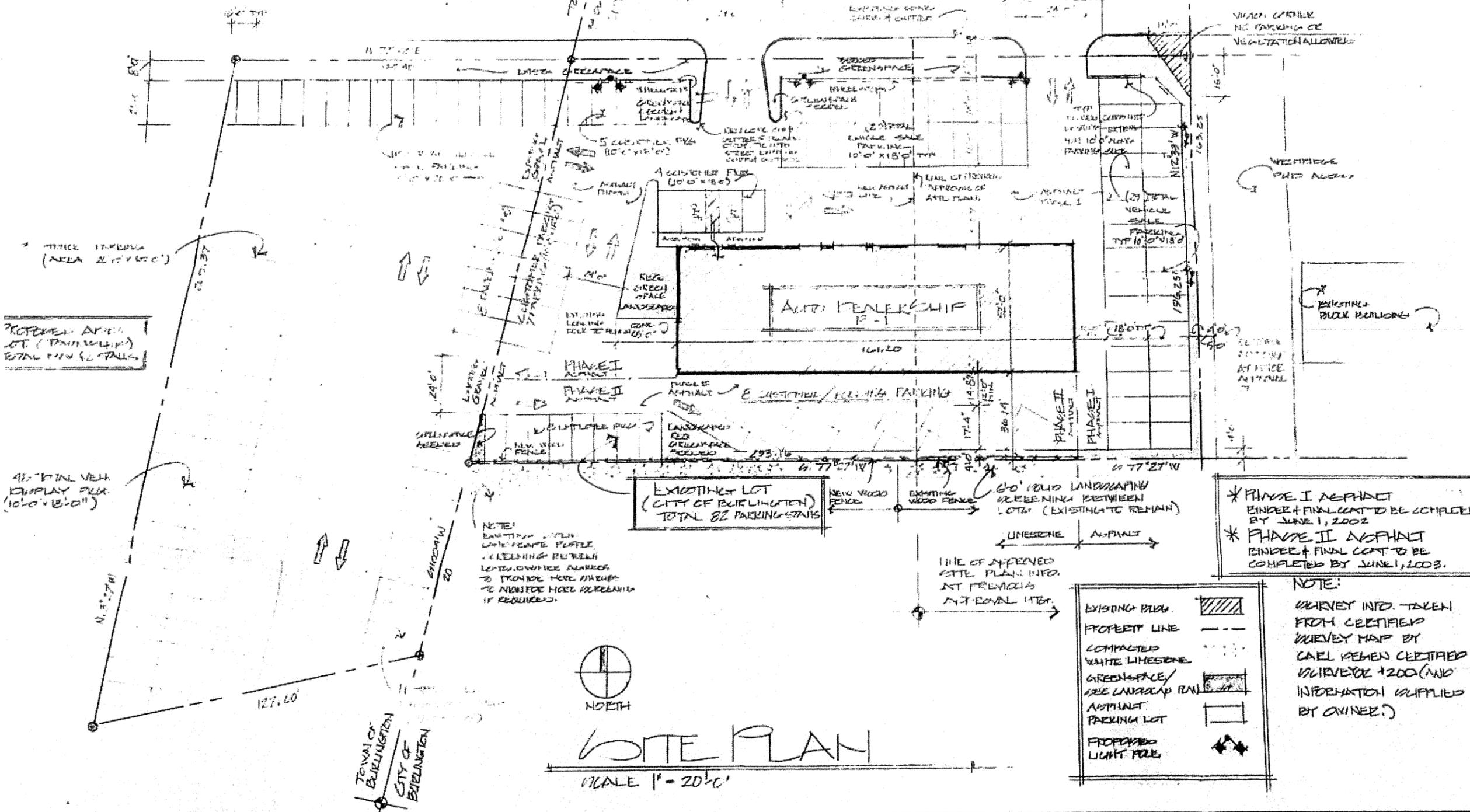
7. Outdoor lighting data has been submitted. Although there are several "hot spots" of lighting which exceed the Zoning Ordinance requirements of a maximum footcandle level of 2 as measured at the property line, the general intent of the maximum footcandle level does appear to be met since these "hot spots" occur under and adjacent to the luminaire pole. In addition, the tilt of the luminaires is proposed to direct light into the subject property and not onto neighboring properties. If desired, however, the Plan Commission could request further reductions in the amount of lighting at the property line.
8. The applicant is proposing to screen the back of the existing building from the southerly abutting Rm-2 Multiple-Family Residential property through the partial western extension of a 6-foot tall solid wood fence. It is recommended that the proposed 6-foot tall solid wood fence extend the full-length of that portion of the subject property which is located in the City of Burlington

RECOMMENDATION

It is recommended that the Plan Commission approve the conditional use permit subject to compliance with all of the following conditions:

- a. The application materials submitted and the drawings listed above.
- b. The hours of operation of 8 am to 8 pm Monday through Thursday, 8 am to 6 pm Friday, and 9 am to 4 pm Saturdays.
- c. The review of the City Engineer for any stormwater drainage issues,
- d. The submission of a revised Landscape Plan by the applicant for City staff review which addresses item 6 of this memorandum.
- e. That a 6-foot tall solid wood fence extend the full-length of that portion of the subject property which is located in the City of Burlington.
- f. That wheel stops be provided each proposed off-street parking space which is located adjacent to a public street right-of-way and that said wheel stops are located so as not to allow any parked automobile to infringe upon any public street right-of-way.

2.5.1 (1) The surveyor shall verify the accuracy of the data provided to him by the client and shall be responsible for the accuracy of the survey. The surveyor shall also be responsible for the accuracy of the plan and shall be liable for any errors or omissions. The surveyor shall also be responsible for the accuracy of the plan and shall be liable for any errors or omissions.



PROPOSED ASPHALT LOT (PARKING) TOTAL 1100 SQ. FT.

48" TALL VEH. DISPLAY FUR (10'0" x 18'0")

NOTE: EXISTING LOT WHITE SCHEME PURPLE. GREENING BETWEEN LOTS. OWNER SHALL PROVIDE MORE GREENING TO MONITOR MORE GREENING IF REQUIRED.

* PHASE I ASPHALT BINDER + FINAL COAT TO BE COMPLETED BY JUNE 1, 2002
 * PHASE II ASPHALT BINDER + FINAL COAT TO BE COMPLETED BY JUNE 1, 2003.

EXISTING BLDG.	
PROPERTY LINE	
COMPACTED WHITE LINESHINE	
GREENSPACE / SEE LANDSCAP PLAN	
ASPHALT PARKING LOT	
PROPOSED LIGHT POLE	

NOTE: SURVEY INFO. TAKEN FROM CERTIFIED SURVEY MAP BY CAEL REBEK CERTIFIED SURVEYOR #200 (AND INFORMATION SUPPLIED BY OWNER.)



SITE PLAN
 SCALE 1" = 20'0"

PERMIT TYPE ²
Zoning permit Certificate of Compliance
Joint Zoning/Certificate of Compliance <u>Conditional Use Permit</u>
ZONING FORM NO. 1, APPLICATION FOR A ZONING PERMIT, CERTIFICATE OF COMPLIANCE, OR CONDITIONAL USE PERMIT
Instructions: Applications are to be filed with the Zoning Administrator, and he shall refuse applications that are not complete or that are not legible.

Names and Addresses:
Applicant: <u>Motor Sport Auto Sales</u> Phone No.: <u>262-767-9700</u>
Applicant's Address: <u>667 W. State St. Burl. WI 53105</u>
Owner of the site: <u>Larry & Linda Smith</u> Phone No.: <u>262-877-9700</u>
Owner's Address: <u>1319 Lance dr. Twin Lakes WI 53181</u>
Architect:
Architect's Address:
Professional Engineer:
Professional Engineer's Address:
Contractor: <u>Amon & Sons</u>
Contractor's Address: <u>W2950 Hwy 11 Elkhorn WI</u>

Description of the Subject Site -
Address of premises affected: <u>667 W. State St. Burl. WI 53105</u>
Lot Block Subdivision
Zoning district classification: <u>B-1 neighborhood business</u>
Description of existing operation or use: <u>automotive sales & service</u>
Description of the proposed operation or use: <u>automotive sales & service</u>
Number of employees: <u>7</u>
Type of structure: <u>concrete block building</u>

Attachments - The following required items shall be attached to this application:

Plat of Survey prepared by a registered land surveyor showing the location, boundaries, dimensions, elevations, uses and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets, and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side and rear yards. In addition, the plat of survey shall show the location, elevation, and use of any abutting lands and their structures within forty (40) feet of the subject site.

Proposed Sewage Disposal Plan if municipal sewerage service is not available. This plan shall be approved by the Engineer who shall certify in writing that satisfactory, adequate, and safe sewage disposal is possible on the site as proposed by the plan in accordance with applicable local, county and state board of health regulations.

Proposed Water Supply Plan if municipal water service is not available. This plan shall be approved by the Engineer who shall certify in writing that an adequate and safe supply of water will be provided.

Additional Information as may be required by the Plan Commission, Engineer, Zoning, Building, Plumbing or Health Inspectors.

Fee Receipt from the Treasurer in the amount of \$ 150⁰⁰.

Reason for Requesting a Conditional Use (for Conditional Use Permit Only):

expansion

Certificate- I hereby certify that all the preceding statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

Applicant *[Signature]* Richard Newdorff (Signature)

Owner *[Signature]* (Signature)

Date: *8-30-01* Date Application Filed: *8-30-01*

Conditional Use Permit Data	Approval or Refusal
Date published:	Date Permit (Issued, Denied)
Public hearing date:	
Notices mailed:	Zoning Administrator:

Applications will not be processed without the property owner's signature.
Permit May be Revoked without notice if misrepresentation of any of the above information or attachments is found to exist.
Permit is Null and Void if issued in error. It is understood that any permits issued on this application will not grant any right or privilege to erect any structure or to use any premises for any purpose that is prohibited by the Zoning Ordinance or any other state or local laws.
Changes in the plans or specifications submitted in the original application shall not be made without prior written approval of the Zoning Administrator.

17.1206 Permit Fees

Zoning permit.....\$10.00 Certificate of Compliance Permit.....\$5.00
Joint Zoning/Certificate of Compliance Permit.....\$15.00 Conditional Use Permit.....\$150.00

SITE PLAN APPROVAL APPLICATION

FILE NO. _____

DATE: 9/20/01

APPLICANT: Richard T. Neudorff TELEPHONE NO: 767-9700

ADDRESS: 667 W. State St., Burlington, WI 53105

OWNER: Larry & Linda Smith TELEPHONE NO: 877-9700

ADDRESS: Twin Lakes, WI

SITE ADDRESS: 667 W. State Street, Burlington, WI

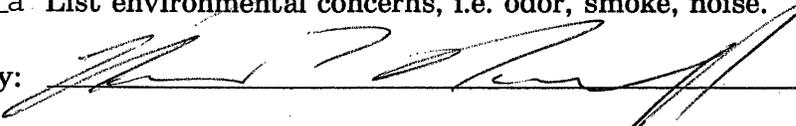
PROPOSED USE: Auto Sales & Service

PRESENT ZONING: B-1

LEGAL DESCRIPTION: _____
(Attach legal if needed)

The site plan must include the following information: (please list any additional information where applicable.)

1. Site plan drawn to a recognized engineering or architectural scale with graphic scale shown.
2. Project title and owner's/developer's name and address noted.
3. Architect's and/or engineer's name and address noted.
4. Date of drawing.
5. Property boundaries and dimensions.
6. n/a Abutting property zoning classifications.
7. n/a General description of building materials, facade and roof detail.
8. n/a Setback lines indicated. _____ ft. front yard; _____ ft. side yard; _____ ft. side yard; _____ ft. rear yard.
9. n/a Easements for access, if any.
10. n/a 100 year floodplain identification.
11. n/a Existing and proposed topography shown at a contour interval of not less than two feet, indicating proposed grade and location of improvements.
12. Signage and outdoor lighting - proposed location and details. (Signage-exist 8-6 Fri.)
13. Total number of employees: 8. Hours of operation: 8:00 - 8:00 M-R, 9-4 Sat.
14. Total number of parking spaces noted. 156 SPACES PROVIDED. Calculations used to arrive at the number of spaces: _____.
15. The type, size, and location of all structures with all building dimensions shown.
16. Existing and proposed street names indicated.
17. North arrow shown.
18. n/a Locate existing and general location of proposed sanitary sewers, storm sewers, and watermains.
19. n/a Locate any proposed stormwater management facilities, including detention/retention areas.
20. _____ Note location, extent, and type of proposed landscaping and landscape plantings, and buffers to adjacent property, including fencing or other screening.
21. Note location of pedestrian sidewalks and walkways.
22. n/a A graphic outline of any development staging which is planned.
23. Driveway locations and sizes.
24. Handicap accessibility.
25. n/a List environmental concerns, i.e. odor, smoke, noise.

Signed by:  (Applicant)

APPLICATION TO BE CONSIDERED AT THE PLAN COMMISSION MEETING OF: _____

SITE PLAN APPROVED BY PLANNING COMMISSION ON: _____

Zoning Administrator



PLAN COMMISSION

ITEM NUMBER: 7A

DATE: July 14, 2020

SUBJECT: A Public Hearing for a Conditional Use application at 520 Bridge Street.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

PROJECT/SCOPE:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding a Conditional Use application from Craig Faust for property located at 520 Bridge Street. The applicant proposes to use the commercial structure for Perfect Powder, LLC, a custom powder coating business for automotive wheel rims.

ZONING:

This parcel is zoned B-1, Neighborhood Business District.

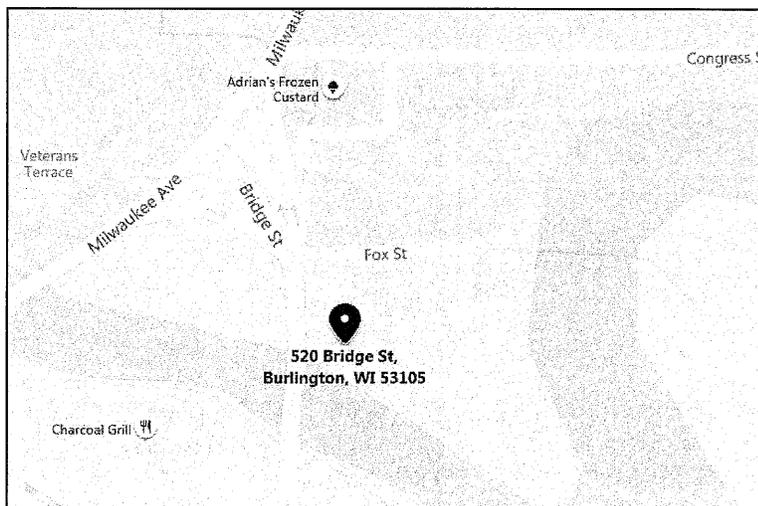
RECOMMENDATION:

N/A

TIMING/IMPLEMENTATION:

This item is for a Public Hearing at the July 14, 2020 Plan Commission meeting and will be for discussion the same night.

MAP:



THE PLAN COMMISSION IN AND FOR THE CITY OF BURLINGTON

Notice of Hearing on
Proposed Conditional Use Permit
B-1, Neighborhood Business District

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Plan Commission of the City of Burlington, Racine County, Wisconsin, will conduct a hearing to discuss the proposed Conditional Use Permit for:

Owner: Craig Faust
Applicant: Craig Faust
Location: 520 Bridge Street
Zoning: B-1, Neighborhood Business District
Use: To allow for a business that powder coats vehicle rims

NOTICE IS FURTHER GIVEN that a hearing on the above-mentioned Conditional Use Permit will be held by the City Plan Commission in the Courtroom of the Police Department, in the City of Burlington on:

TUESDAY, JULY 14, 2020 DURING THE MEETING OF THE PLAN COMMISSION SCHEDULED TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER

To consider the above Conditional Use Permit and to hear persons in support thereof or opposition thereto.

CITY OF BURLINGTON
PLAN COMMISSION

Dated at Burlington, Wisconsin, 22nd day of June, 2020.

Diahnn Halbach, City Clerk

Published in the Burlington Standard Press
June 25th and July 2nd, 2020



PLAN COMMISSION

ITEM NUMBER: 7B

DATE: July 14, 2020

SUBJECT: Consideration to approve a Conditional Use application at 520 Bridge Street.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

PROJECT/SCOPE:

This item is to consider approving a Conditional Use application from Craig Faust for property located at 520 Bridge Street. The applicant proposes to use the commercial structure for Perfect Powder, LLC, a custom powder coating business for automotive wheel rims. The business is proposed to operate 8 am-5 pm, Monday-Saturday. There will be 2 employees, the business owner and a family member who will be working together, often carpooling. At most, at any given time there will be 2-3 cars. Customers will arrive for drop-off and pick-up by appointment only. The included Site Plan includes 3 parking spaces. No proposed improvements require an expansion of landscaped area.

ZONING:

This parcel is zoned B-1, Neighborhood Business District.

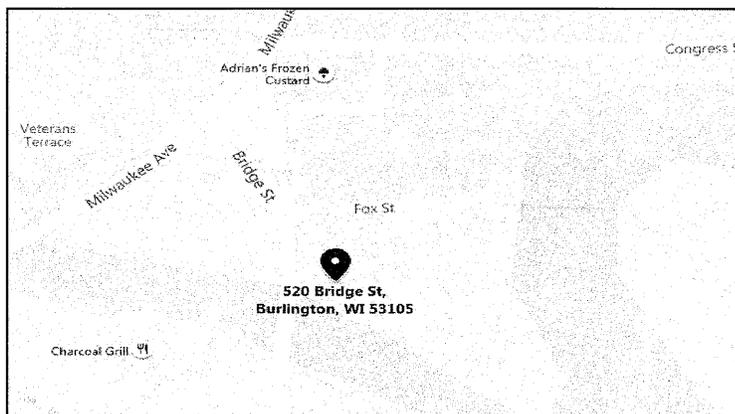
RECOMMENDATION:

Graef and Burlington Fire Department recommend a conditional approval of this Conditional Use, subject to items listed in the June 27, 2020 and July 7, 2020 memorandums.

TIMING/IMPLEMENTATION:

This item is for consideration at the July 14, 2020 Plan Commission meeting. No further action is necessary.

MAP:





The Avenue
275 West Wisconsin Avenue, Suite 300
Milwaukee, WI 53203
414 / 259 1500
414 / 259 0037 fax
www.graef-usa.com

collaborāte / formulāte / innovāte

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: GRAEF
Tanya Fonseca, AICP

DATE: June 27, 2020

SUBJECT: Review of an Application for a Conditional Use Permit for a custom powder coating business for automotive wheel rims at 520 Bridge Street

A. PURPOSE

- 1) Consider for approval a Conditional Use Permit from Craig Faust (Applicant) of FI Chestnut Properties, LLC for parcel 206-03-19-32-400-360 to use the commercial structure on the parcel for Custom Powder, LLC, a custom powder coating business for automotive wheel rims at 520 Bridge Street.

B. RECOMMENDATION

Based upon the review of the submitted materials, GRAEF recommends that the Plan Commission consider:

- 1) **APPROVAL** of a Conditional Use Permit for a custom powder coating business for automotive wheel rims at 520 Bridge Street.

C. BACKGROUND

Craig Faust (Applicant) of FI Chestnut Properties, LLC has submitted an Application for a Conditional Use Permit for Perfect Powder, LLC, a custom powder coating business for automotive wheel rims at 520 Bridge Street in the commercial structure on the parcel. The property is zoned B-1 Neighborhood Business District. In addition to the commercial structure on the parcel, there is also a two-family residential structure on the parcel. There are no changes in the use of the residential structure on the property.

The proposed business, Perfect Powder, LLC, is proposed to operate 8am-5pm, Monday-Saturday. There will be 2 employees in total. At most, at any given time there will be 2-3 cars. The business owner and a family member will be working together, often carpooling. Customers will arrive for drop-off and pick-up by appointment only.



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The review of relevant codes and ordinances is included below, with an evaluation of whether the standard is complete, met, pending, or unmet.

REVIEW STANDARD	EVALUATION	COMMENTS
Compliance with § 315-130. Conditional use permit.		
Conditional Use Permit submittal items	Complete	This application meets all requirements as outlined.
Compliance with § 315-27. B-1 Neighborhood Business District.		
A. District intent.	Met	This application and proposed improvements meet these intentions. This application and the proposed improvements conform to the underlying B-1 Neighborhood Business District.
D. Conditional uses. (18) Automotive sales and service.	Met	The property will focus on service – the powder coating of automotive wheel rims.
I. Required off-street parking setbacks from public street rights-of-way.	Met	<i>Whenever a lawfully existing off-street parking area and/or drive conforms to the regulations of the B-1 District but does not meet the minimum thirty-foot required setback from a public street right-of-way, the existing off-street parking area and/or drive thereof shall have a minimum eight-foot required setback from a public street right-of-way.</i>
P. Exterior lighting standards and lighting plan required.	Met	<p><i>Exterior lighting in the B-1 District shall be limited to total cutoff-type luminaires (with angle greater than 90°). The maximum permitted illumination shall be two footcandles, and the maximum permitted luminaire height shall be 28 feet as measured from surrounding grade to the bottom of the luminaire.</i></p> <p>There are no proposed lighting changes. If so, Applicant should adhere the requirements.</p>



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Compliance with § 315-48 Parking requirements.		
Table 5 – Commercial uses: Services (Repair shop)	Met	<i>2 parking spaces per 1,000 square feet of floor area, plus 1 space per employee.</i> The included Site Plan includes 3 spaces – the business only allows customers by appointment only for drop-off and pick-up. Staff will use 1-2 spaces – likely 1 at any given time.
Compliance with § 315-52 Landscaping.		
Landscaping	Met	No proposed improvements require an expansion of landscaped area, however per § 315-27 D.(31)(f) Plan Commission may request additional consideration.



CITY OF BURLINGTON

Fire Department
165 W. Washington Street, Burlington, WI 53105
(262) 763-7842 – (262) 767-8602 fax
www.burlington-wi.gov

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: City of Burlington Fire Department
Alan Babe, Fire Chief
Wes Miner, Fire Inspector

DATE: July 7, 2020

SUBJECT: Review of Conditional Use Application for property located at 520 Bridge Street, Burlington, to operate a facility for custom powder coating.

A. PURPOSE

Consider for approval the Conditional Use Application for the property located at 520 Bridge Street, Burlington, to operate a facility for custom powder coating.

B. BACKGROUND

Craig Faust (Applicant) submitted a Conditional Use Application on June 11, 2020 to operate a facility for custom powder coating at 520 Bridge Street, Burlington.

C. REVIEW OF COMPLIANCE WITH LOCAL AND STATE FIRE CODE

No concerns at time of review.

E. RECOMMENDATION

Based upon the review of the submitted materials, we recommend that the Plan Commission propose to the Common Council the **CONDITIONAL APPROVAL** of this application based on the following:

- 1) The owner and operator ensures that all work conforms to local and state codes.
- 2) The owner and operator ensures that all operations follow manufacturer recommended procedures.
- 3) The owner and operator ensures that all best practice methods and techniques adopted by the powder coating industry are followed.



CITY OF BURLINGTON

Building & Zoning Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1163 – (262) 763-3474 fax
www.burlington-wi.gov

**APPLICATION FOR A CONDITIONAL
USE PERMIT**

FOR OFFICIAL USE ONLY

Date Filed 6-11-20

Received by JA

Conditional Use Permit - \$500 Deposit +/- Actual cost

Instructions: Applications are to be filed with the Zoning Administrator, who shall refuse applications that are not complete or that are not legible.

NAMES AND ADDRESSES

Applicant FI Chestnut Properties, LLC
262-894-2777
Phone No. _____

Applicant's Address PO Box 365, Burlington, WI 53105

Applicant's Email Address craig@faustinvestments.com

Owner of the site FI Chestnut Properties, LLC

Phone No. 262-894-2777

Owner's address PO Box 365, Burlington, WI 53105

DESCRIPTION OF THE SUBJECT SITE

Business name Perfect Powder, LLC

Address 520 Bridge Street, Burlington, WI 53105

Or if no address exists: Parcel Identification No. _____

Existing Zoning classification B-1 neighborhood business district

Description of the proposed use Powder coating rims for vehicles

Number of employees / Hours of operation 2 employees, business hours 8:00am-5:00pm

ATTACHMENTS –

THE FOLLOWING ITEMS MAY NEED TO BE ATTACHED TO THIS APPLICATION:

PLAT OF SURVEY – prepared by a registered land surveyor showing the location, boundaries, elevations, uses and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side and rear yards. In addition, the plat of survey shall show the location, elevation, and use of any abutting lands and their structures within (40) feet of the subject site.

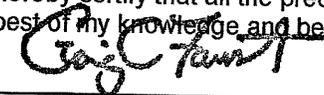
If municipal sewage service or water service is not available, a plan shall be approved by the City Engineer who shall certify in writing that satisfactory, adequate and safe sewage disposal and/or a safe supply of water, is possible on the site as proposed by the plan in accordance with applicable local, county and state board of health regulations.

Additional information

Reason for requesting a Conditional Use:

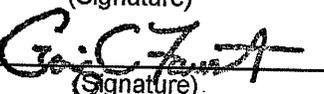
Tenant needs to be able to provide custom powder coating service to vehicles within facility.

Certificate – I hereby certify that all the preceding statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

Applicant 
(Signature)

FI Chestnut Properties, LLC

(Print)

Owner 
(Signature)

FI Chestnut Properties, LLC

(Print)

Date: June 11, 2020

Date application Filed: _____

- Applications will not be processed without the property owner's signature.
- Permit may be revoked without notice if misrepresentation of any of the above information or attachments is found to exist.
- Permit is Null and Void if issued in error. It is understood that any permits issued on this application will not grant any right or privilege to erect any structure or to use any premises for any purpose that is prohibited by the Zoning Ordinance or any other state or local laws.
- Changes in the plans or specifications submitted in the original application shall not be made without prior written approval of the Zoning Administrator.

Zoning Administrator: 
(Signature)

Date: 4/15/2020

Megan Watkins

From: Angela @FaustInvestments <angela@faustinvestments.com>
Sent: Friday, June 12, 2020 4:06 PM
To: Megan Watkins; Anderson, Kristine
Subject: FI Chestnut Properties LLC CUP additional information

Hello,

Please see below for additional information on prospective tenant:

PROCEDURE

- Dip wheels in b-17 solution (No waste. Completely reusable) which has a spill containment pallet to prevent spills. Also will have a neutralizing solution available which is baking soda, water and trisodium phosphate.
 - spray powder on wheels in a vacuum booth that is self contained with filters. No ventilation required.
 - bake wheels in a special oven max temp is 500 degrees. Often heat will not Exceed 350.
- work will be conducted inside building
-1-2 clients at a time. Cars will be inside but mostly clients will drop off wheels not the car.
-no other products being powder coated.

Thanks,

Angela Faust
Faust Investments

Google Maps 520 Bridge St

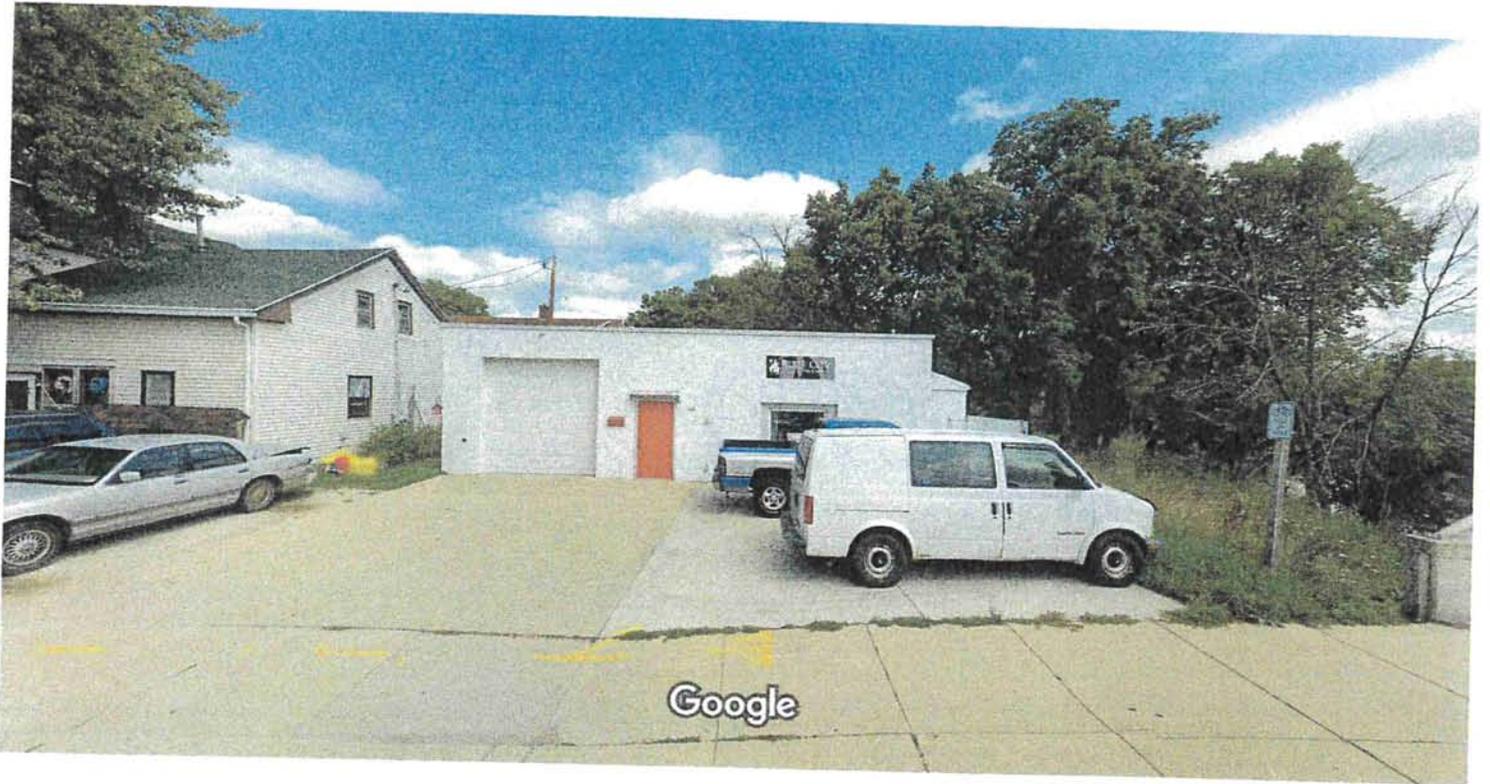


Image capture: Aug 2019 © 2020 Google

Burlington, Wisconsin