NOT COMMITTEE APPROVED

ZONING COMMITTEE
PUBLIC HEARING
AUGUST 14, 2012
USED CAR SALES

Members Present: Dave Willingham, Phil Schneider, Mark Schmitt, Karl Fisher and Kathy Mai. Staff Present: CeCe Tesky and Yvonne Johnson.

Chairman Willingham called the public hearing to order at 3:15 P.M. The purpose of the public hearing was a conditional use request to allow used car sales on the following described real estate:

Lots 48, 49, 50, & 51 in Block 1, Thomas 2nd Addition in the SW ¼ - NW ¼ , Section 35, T35N, R6W.

Property owner: Daniel Hershey
W383 South Fork Road
Hawkins, WI 54530

Tesky read the notice of public hearing which was posted per the requirements of a Class (2) notice. The town clerk and owner were notified by Certified Mail and neighboring property owners within 500’ were notified by First Class Mail.

Chairman Willingham asked for anyone present to speak in favor of the request. Daniel Hershey stated they would like to sell used cars at this location. They would have 4-6 cars on the site.

Chairman Willingham asked for anyone present to speak against the request. No one present.

Rick Minenges was present in favor. He explained that they owned Choice Auto Works which was located at CTH I & Hwy 8 in Tony. They lost the lease on that property. The cars they sell are $5,000 or less and they provide financing. They are a small operation and cater to the lower end of the market. They have a garage in Tony where they work on and wash the vehicles. They buy cars from private parties and have two employees. All cars must be inspected prior to sale. They would like to park cars in front of the building.

There being no further testimony, Chairman Willingham closed the public hearing at 3:24 P.M. to reopen the zoning meeting.

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Tesky stated that in this area, the right-of-way for Hwy 8 is 50’ from the centerline. The Hershey deed excludes lands conveyed for highway purposes. Tesky has measured the right-of-way at the site and believes if cars are parked in front of the building, they will be in the right-of-way and not on the Hershey property. Tesky expressed concerns regarding public safety if cars are being parked and sold in the right-of-way of Hwy 8.
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The speed limit at this location is 45 mph. Tesky also had a concern about fill that has been placed on the property. It appears this fill has been placed over the septic tank. Daniel Hershey responded that they avoided the septic tank when they filled the lot. The committee reviewed the staff recommendations. Motion by Schneider/Fisher to approve the conditional use request to allow used car sales on the property with staff recommendations as conditions. Motion carried.

Yvonne Johnson
Assistant Zoning Administrator