

ORDINANCE NO. 2061-06
by the Plan Commission

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR THE PURPOSE OF
PERMITTING INSTALLATION OF A 3,000 GALLON HORIZONTAL OXYGEN TANK
WITH ENCLOSURE AT 18740 W. BLUEMOUND ROAD**

WHEREAS, the Plan Review Board of the City of Brookfield held a public hearing on the requested conditional use hereinafter described, on the 18th day of May, 2006; and

WHEREAS, notice of said hearing was duly given as required by law, and the Common Council received the Plan Commission report on the said request prior to final Council action thereon.

NOW, THEREFORE, the Common Council of the City of Brookfield do ordain as follows:

PART I. Pursuant to Section 17.108 of the Municipal Code, there is hereby granted a conditional use for the purpose of allowing a revised plan and method of operation permitting installation of a 3,000 gallon horizontal oxygen tank with enclosure at 18740 W. Bluemound Road.

PART II. The site is zoned "B-3" Regional Business District and "M-2" Multiple-family Residence District. Conditional uses Ordinance Nos. 462, 1427 and 1601 permit operation of a health care center. Pursuant to Section 17.108.050 of the Municipal Code hospitals, sanitariums, nursing homes, rest homes and facilities for senior citizens are conditional uses permitted in any zoning district but subject to a public hearing process. Increased demand for oxygen at the center has prompted the applicant to request replacement of the oxygen cylinders currently in use with a 3,000 gallon horizontal oxygen tank in a brick enclosure.

PART III. The horizontal tank will be completely screened by a secured brick enclosure that matches the existing building material. A spruce and arborvitae landscape screen will be installed. The new Landscape Surface Ratio (LSR) will be 51% where a 50% minimum for conditional uses in residential districts is the recommended minimum.

PART V. Said approval is subject to all conditions listed in the May 18, 2006, Plan Review Board minutes and the May 12, 2006, Plan Commission minutes.

PART VI. The conditional use would occur on lands described as: Parcel 1 of Certified Survey Map No. 7183, Section 28, Township 7 North, Range 20 East, City of Brookfield, Waukesha County, Wisconsin or known as 18740 W. Bluemound Road.

PART VII. This ordinance shall be in full force and effect from and after its passage and publication.

ADOPTED AND APPROVED ON June 20, 2006

Kristine A. Schmidt, City Clerk

Jeff R. Speaker, Mayor

Published: June 29, 2006