

RESOLUTION NO. 2021-129

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA TO
APPROVE CERTIFIED SURVEY MAP # _____; PARCEL ID 104-04-22-21-036-000 –
LOCATED IN THE SE ¼ OF SECTION 21, T4N, R22E,
4 MILE ROAD, VILLAGE OF CALEDONIA, RACINE COUNTY, WI –
OWNER/APPLICANT ROBERT A & THERESE A PROCHASKA TRUST**

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

WHEREAS, the applicant has submitted a Certified Survey Map (CSM) to the Village for consideration. The proposed CSM would create 3 lots from existing parcel 104-04-22-21-036-000.

WHEREAS, the Public Services Director's Memo dated November 18, 2021, attached hereto as **Exhibit A**, recommended conditional approval subject to 16 conditions.

WHEREAS, condition 2 of the approval indicated the need for the approval of a Waiver Modification from Ordinance 18-1-5-g-3-b to allow the lots to exceed the 2.5:1 length to width ratio subject to factors listed in the memo.

WHEREAS, condition 4 of the approval indicated the need for the approval of a Waiver Modification from Ordinance 18-1-4-d-4 to allow an additional driveway access (maximum of 2 granted for the entire frontage) subject to factors listed in the memo.

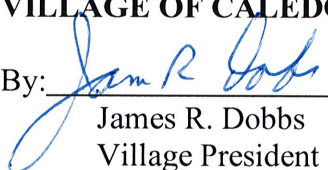
WHEREAS, condition 7 of the approval indicated the need for approval of a Waiver Modification from Ordinance 18-1-4-d-3-b to allow for an additional lot to be created with frontage on a Principal Thoroughfare without the construction of a Local Road subject to factors listed in the memo.

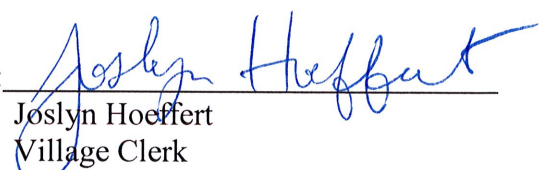
WHEREAS, the Village Plan Commission on November 29, 2021 recommended conditional approval of the CSM in accordance with the Public Services Director memo (**Exhibit A**) subject to the conditions outlined therein.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Caledonia that the Certified Survey Map and the 3 Waiver Modifications as set forth above, are hereby approved for the reasons and requirements set forth in Exhibit A, and subject to the same conditions imposed by the Village Plan Commission, and as described in **Exhibit A**, and the payment of the required land division fees and compliance with all applicable Village Ordinances.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 6th day of December 2021.

VILLAGE OF CALEDONIA

By: 
James R. Dobbs
Village President

Attest: 
Joslyn Hoeffert
Village Clerk

MEMORANDUM

Date: Thursday, November 18, 2021

To: Plan Commission
Village Board

From: Anthony A. Bunkelman P.E. 
Public Services Director

Re: Prochaska CSM – Parcel ID 51-104-04-22-21-036-000 – SE ¼ of Section 21, T4N, R22E, Four Mile Road, Village of Caledonia, Racine County, WI – Owner Robert A & Therese A Prochaska Revocable Trust dated July 31, 2015

The Engineering Department has received a Certified Survey Map (CSM) from the Robert A. & Therese A. Prochaska Revocable Trust, prepared by Mark Madsen of Nielsen Madsen & Barber S.C. The Prochaska property is located along the North side of Four Mile Road between Nicholson Road and County Trunk Highway H. The existing property is 21.012 acres in size and has 958.65 feet of frontage along Four Mile Road.

The existing parcel is vacant and used as farmland.

The CSM proposes to create 3 lots. Lot 1 is proposed to be 8.662 acres in size, Lot 2 is proposed to be 5.68 acres in size, and Lot 3 is also proposed to be 5.68 acres in size. All 3 lots are projected to be sold for future single-family homes.

The Zoning of the existing parcel is A-3. A-3 zoning requires 150' of frontage and a minimum of 40,000 square feet of area. The proposed lots exceed the minimum zoning requirements.

The Village's Comprehensive Land Use Plan calls for Agricultural, Rural Residential, and Open Land for this property. The property is also located outside of the Sanitary Sewer and Water Service Area. This requires that the lot density does not exceed a maximum of 0.2 dwelling units per acre or a 5-acre minimum lot size by Ordinance. The proposed CSM is consistent with the Village's Comprehensive Land Use Plan.

Previously, a concept CSM was submitted, which discussed the need for a Waiver/Modification to allow the lots to have a greater than 2.5 to 1 length to width ratio. Based on minutes from the August 30th Plan Commission meeting, the Commission felt comfortable with approving this Waiver/Modification.

Since the CSM is located outside of the Sanitary Sewer & Water Service Area, each lot in the CSM must provide and show a suitable area for a private onsite sewerage treatment system (POWTS). Soil (Perc) tests must be performed on each of the lots to ensure that each lot is buildable. Wells will need to be placed on the sites when the single-family homes are proposed.

Access to the proposed lots will need to be controlled. Four Mile Road is considered a principal thoroughfare. Lots along a principal thoroughfare are allowed 1 access. It appears that the access to the current farm field is located near the East property line, possibly on the abutting property. This access does not appear to be an official access, but an area that the ditch is

shallow and non-existent. Based on the amount of frontage, size, and configuration of the lots, it is suggested that the number of accesses be limited to 2. 2 of the lots would have a shared access and 1 of the lots would have its own access. Based on the frontage of the proposed lots, it is suggested that Lot 1 have its own access and Lots 2 & 3 share an access. By Village Ordinance, 2 accesses would not be allowed, but it is recommended that the Village approve a Waiver/Modification to allow a new access for Lot 1 and a shared access for Lots 2 & 3.

Also since Four Mile Road is a principal thoroughfare, a minimum of 45' of Right of Way should be dedicated to the Village. The proposed CSM includes the dedication of the minimum Right of Way.

The drainage of the lots in the CSM according to the Master Drainage Plan, show 5 separate watersheds (H-47-2, H-45, H-44, H-56-3 & H-46). A very small portion of Lot 3 will drain South to the road ditch of Four Mile Road then to the East (H-47-2). A small portion of Lot 1 will drain South to the road ditch of Four Mile Road then to the West (H-53-3). The remaining area within the CSM will drain to the North to the Nicholson Road Wildlife Refuge (H-44, H-45 & H-46). Drainage Basin H-45 which is in Lots 2 & 3, according to the Master Drainage Plan, has a drainage way depicted on it. This drainage way will need to be located in the field as necessary and then depicted on the CSM. Depending on the location of the drainage way, the drainage way may be required to be regraded to be located along the proposed property lines. This may require the granting of a 30' Drainage Easement.

A Storm Water Management Plan and a Site Grading Plan is required to be submitted, reviewed, and approved by the Caledonia Utility District for this CSM. This will include the preparation, design, and construction of a Storm Water Pond to control storm water runoff for the entire CSM. Storm Water Drainage Easements will be required to be granted over the Storm Water Management Facility.

In looking at the Wisconsin DNR Surface Water Data Viewer, there are mapped wetlands shown along the North property line. The Surface Water Data Viewer does indicate hydric soils on the majority of the property. A Wetland Delineation will need to be done on this property and all wetlands will need to be shown on the CSM.

After reviewing the Prochaska CSM, the following motion is recommended.

Move to conditionally approve the Prochaska CSM on parcel 51-104-04-22-21-036-000 subject to the following

- 1. The Zoning setbacks & Minimum Frontage requirements for the A-3 Zoning District are listed on the CSM and the setback lines are shown on the lots.**
- 2. A waiver/modification is granted to allow for the width to length ratio of the lots to exceed 2.5 to 1.**
- 3. The CSM shall show locations of passing soil tests for POWTS on all of the lots of the CSM.**
- 4. A waiver/modification is granted to allow an additional driveway access (maximum of 2 access for the CSM) out to Four Mile Road.**
- 5. A Shared Driveway Easement is placed on the common property line between Lots 2 & 3.**
- 6. A No Access Restriction is placed along the frontage of 4 Mile Road on Lots 2 & 3 outside of the shared driveway easement.**

7. Approval of a waiver/modification for allowing a lot to be created along a Principal Thoroughfare without the construction of a Local Road.
8. A minimum of 45' of Right of Way on Four Mile Road is dedicated as shown.
9. The drainage way, as depicted on the Master Grading Plan, is field located and shown on the CSM as necessary. Depending on the location of the drainage way, a grading plan may be required to be submitted and the drainage way regraded to be located along a property line.
10. The granting of a 30' Drainage Easement over the drainage way as necessary.
11. A Storm Water Management Plan and a Site Grading Plan for the entire CSM is submitted, reviewed, and approved by the Caledonia Utility District. This includes the design and construction of a Storm Water Management facility onsite.
12. The granting of a Storm Water Pond Easement and Maintenance Agreement over the Storm Water Management facility.
13. The submission of a financial guarantee for the construction of the Storm Water Management facility.
14. A wetland delineation is performed, submitted, and all wetlands are shown on the CSM.
15. The CSM is subject to the Land Division per Lot fee.
16. The Owner agrees to execute all agreements and make the necessary deposits for the approval of the CSM.

Move to recommend that the Village Board approve a Waiver Modification from Ordinance 18-1-4-d-3-b for the Prochaska CSM to allow lots to be created with frontage on a Principal Thoroughfare without the construction of a Local Road subject to the following factors:

- 1.) The property has 958.65 feet of frontage.
- 2.) Lot 1 has a size of 8.662 acres, Lot 2 has a size of 5.68 acres and Lot 3 has a size of 5.68 acres.
- 3.) Lots 2 & 3 would share a driveway access.
- 4.) There would be a maximum of 2 accesses along the 958.65 feet of frontage. This is acceptable for access control.
- 5.) Construction of additional road infrastructure is cost prohibitive.
- 6.) Construction of additional road infrastructure creates additional maintenance responsibility for the Village.

Move to recommend that the Village Board approve a Waiver Modification from Ordinance 18-1-4-d-4 for the Prochaska CSM to allow an additional driveway access for the CSM subject to the following factors:

- 1.) The property has 958.65 feet of frontage.
- 2.) Lots 2 & 3 would share a driveway access.
- 3.) There would be a maximum of 2 accesses along the 958.65 feet of frontage. This is acceptable for access control.
- 4.) The balance of the frontage on Four Mile Road on Lots 2 & 3 would have a No Access Restriction along it.

Move to recommend that the Village Board approve a Waiver Modification from Ordinance 14-1-5-g-3-b for the Prochaska CSM to allow the lots of the CSM to exceed the 2.5 to 1 length to width ratio subject to the following factors:

- 1.) The property is 21.01 acres with 958.65 feet of frontage.

- 2.) Due to the size and configuration of the parcel, there could only be 2 lots to meet the ratio. This is more restrictive than the 0.2 dwelling units per acre density.**
- 3.) The property is located outside of the Sanitary Sewer and Water Service Area and has a maximum density of 0.2 dwelling units per acre (minimum 5 acre lots).**

CERTIFIED SURVEY MAP NO. _____

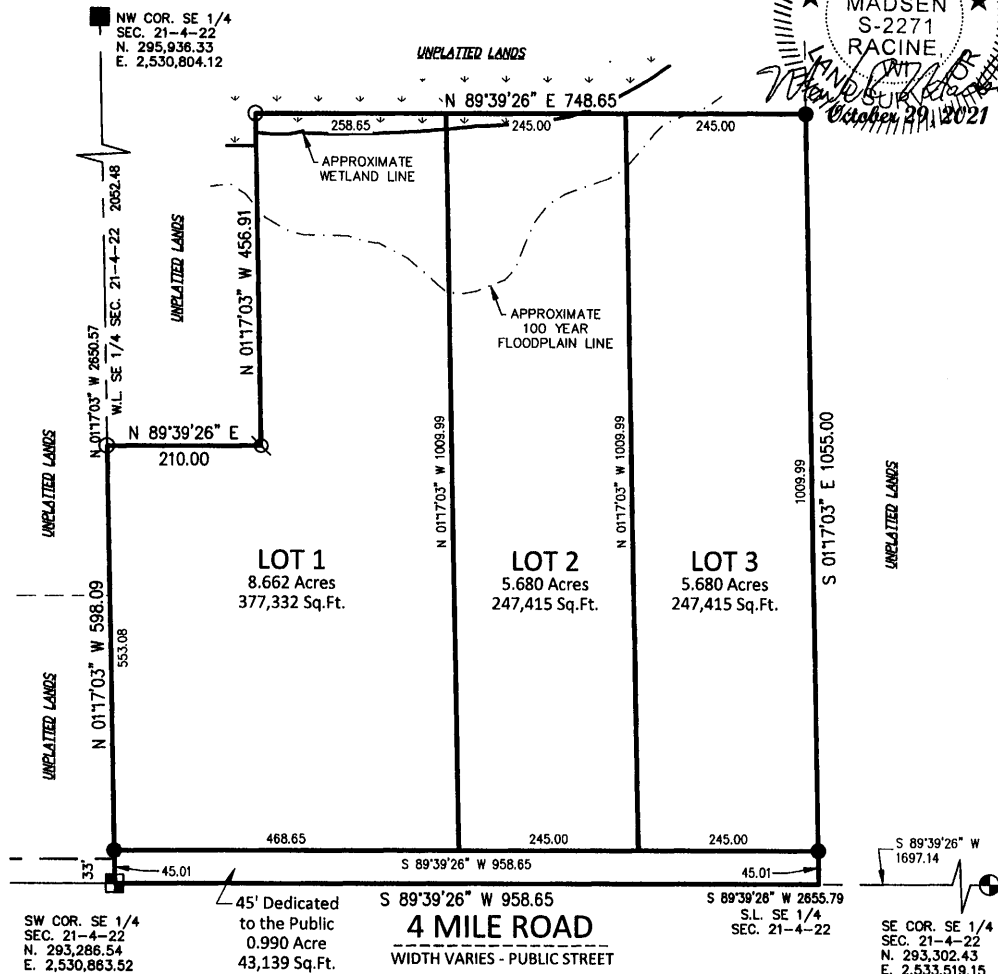
PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF
SECTION 21, TOWNSHIP 4 NORTH, RANGE 22 EAST OF THE
FOURTH PRINCIPAL MERIDIAN, IN THE VILLAGE OF
CALEDONIA, COUNTY OF RACINE, STATE OF WISCONSIN.



200' 0' 200'

SCALE 1"=200'

RECORDING DATA



Nielsen Madsen & Barber

CIVIL ENGINEERS AND LAND SURVEYORS
1458 Horizon Blvd. Suite 200, Racine, WI. 53406
Tele: (262)634-5588 Website: www.nmbssc.net

SEE PAGE 2 FOR
LEGEND, NOTES
AND LOCATION MAP

2021.0275.01 CSM.DWG
SHEET 1 OF 3 SHEETS

This Instrument was drafted by Mark R. Madsen October 29, 2021

CERTIFIED SURVEY MAP NO. _____

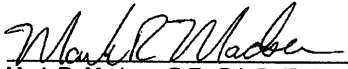
PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 4 NORTH, RANGE 22 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE VILLAGE OF CALEDONIA, COUNTY OF RACINE, STATE OF WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Mark R. Madsen, hereby certify: That I have prepared this Certified Survey Map at the direction of the Robert A. Prochaska and Therese A. Prochaska Revocable Trust Dated July 31, 2015, Owner; That such Map is a correct representation of the exterior boundaries of the land surveyed and are described as: That part of the Southwest 1/4 of the Southeast 1/4 of Section 21, Township 4 North, Range 22 East of the Fourth Principal Meridian, more particularly bounded and described as follows: Beginning at the Southwest corner of the Southeast 1/4 of said Section 21; run thence N01°17'03"W, 598.09 feet along the West line of the Southeast 1/4 of said Section 21; thence N89°39'26"E, 210.00 feet parallel with the South line of the Southeast 1/4 of said Section 21; thence N01°17'03"W, 456.91 feet parallel with the West line of the Southeast 1/4 of said Section 21; thence N89°39'26"E, 748.65 feet parallel with the South line of the Southeast 1/4 of said Section 21; thence S01°17'03"E, 1055.00 feet parallel with the West line of the Southeast 1/4 of said Section 21 to a point on the South line of the Southeast 1/4 of said Section 21, said point being S89°39'26"W, 1697.14 feet of the Southeast corner of the Southeast 1/4 of said Section 21; thence S89°39'26"W, 958.65 feet along the South line of the Southeast 1/4 of said Section 21 to the Southwest corner of the Southeast 1/4 of said Section 21 and the point of beginning of this description. Said land being in the Village of Caledonia, County of Racine and State of Wisconsin. Containing 915,301 square feet or 21.012 acres.

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and Title 14 of the Code of General Ordinances for the Village of Caledonia. That such map is a true representation of all exterior boundaries of the land surveyed and the land division thereof made;

October 29, 2021


Mark R. Madsen, P.E., P.L.S. (S-2271)
Nielsen Madsen & Barber, S.C.
1458 Horizon Blvd. Suite 200
Racine, WI 53406
(262)634-5588



NOTES:

ZONING OF PARCEL IS: A-3.

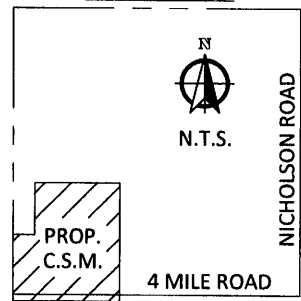
OWNER / LAND SPLITTER: THE ROBERT A. PROCHASKA AND THERESE A. PROCHASKA REVOCABLE TRUST DATED JULY 31, 2015; 11430 - 4 MILE ROAD, FRANKSVILLE, WISCONSIN 53126.

BEARINGS BASE: GRID NORTH, WISCONSIN COORDINATE SYSTEM, SOUTH ZONE. BASED UPON NAD 1983/2011. THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 21-4-22 IS ASSUMED TO BEAR N 01°17'03" W.

LEGEND:

- 1" O.D. IRON PIPE FOUND
- ⊗ 5/8" REBAR FOUND
- 3/4" O.D. REBAR - 1.50 LBS. / LIN. FT. SET
- CONC. MON. W / BRASS SEWRPC CAP FOUND
- ⊕ CAST IRON MON. W / BRASS CAP FOUND
- 3" GALVANIZED STEEL PIPE W / BRASS SEWRPC CAP FOUND

LOCATION MAP



SE 1/4 SEC. 21-4-22



Nielsen Madsen & Barber

CIVIL ENGINEERS AND LAND SURVEYORS

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This Instrument was drafted by Mark R. Madsen October 29, 2021

2021.0275.01 CSM.DWG
SHEET 2 OF 3 SHEETS

CERTIFIED SURVEY MAP NO. _____

PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 4 NORTH, RANGE 22 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE VILLAGE OF CALEDONIA, COUNTY OF RACINE, STATE OF WISCONSIN.

OWNER'S CERTIFICATE

The Robert A. Prochaska and Therese A. Prochaska Revocable Trust Dated July 31, 2015 as Owner, hereby certifies that it has caused the lands described on this map to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map. It also does further certify that this Certified Survey Map is required to be submitted to the the following for approval or objection: Village Board of the Village of Caledonia.

IN WITNESS WHEREOF the said Robert A. Prochaska and Therese A. Prochaska Revocable Trust Dated July 31, 2015 has caused these presents to be signed as Owner at _____ Wisconsin on this _____ day of _____, 2021.

Robert A. Prochaska
Trustee
11430 - 4 Mile Road
Franksville, Wisconsin 53126

Therese A. Prochaska
Trustee

STATE OF WISCONSIN)
COUNTY OF _____)

Personally came before me this _____ day of _____, 2021, Robert A. Prochaska and Therese A. Prochaska of the above-named Robert A. Prochaska and Therese A. Prochaska Revocable Trust Dated July 31, 2015, to me known to be the persons who executed the foregoing instrument, and to me known to be such Trustees of said Robert A. Prochaska and Therese A. Prochaska Revocable Trust Dated July 31, 2015, and acknowledged that they executed the foregoing as such Trustees as the deed of said Robert A. Prochaska and Therese A. Prochaska Revocable Trust Dated July 31, 2015, by its authority.

Notary Public, _____
My commission expires: _____

VILLAGE CERTIFICATE

APPROVED as a Certified Survey Map this _____ day of _____, 2021.

Joslyn M. Hoeffert, Village Clerk
Village of Caledonia



Nielsen Madsen & Barber

CIVIL ENGINEERS AND LAND SURVEYORS

1458 Horizon Blvd. Suite 200, Racine, WI. 53406

Tele: (262)634-5588 Website: www.nmbssc.net

This instrument was drafted by Mark R. Madsen October 29, 2021

2021.0275.01 CSM.DWG
SHEET 3 OF 3 SHEETS