

RESOLUTION NO. 2024-008

**A RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA
AUTHORIZING A WAIVER TO ORDINANCE 18-1-4-(d)(4) ALLOWING A SECOND
DRIVEWAY ACCESS TO THE PROPERTY AT 7521 5 MILE ROAD
PARCEL ID – 104-04-22-22-001-000; MICHAEL LEIBER - OWNER**

WHEREAS, the Owner of 7521 5 Mile Road petitioned to the Committee of the Whole for a waiver to Ordinance 18-1-4-(d)(4), allowing a secondary driveway access onto a principal throughfare; and

WHEREAS, the Owner requested the second access to allow a new driveway at the highpoint of the roadway on 5 Mile Road and opposite the other property he owns and resides in across the street to the north. The new access is intended to be used for farming both properties and safer travel of farming equipment to each site; and

WHEREAS, the Village Engineer recommended denial of the request, as provided in the Village Engineers Memo dated November 8, 2023 and included hereto as **Exhibit A**, as it violated Ordinance 18-1-4-(d)(4) and recommended that only one driveway be installed at the highpoint and removed from the its current location near the intersection for traffic safety purposes. The intersection and segment of 5 Mile Road is expected to be drastically improved through a Wisconsin DOT project to install a roundabout for traffic safety which will impact the right-of-way of the property; and

WHEREAS, on January 9, 2024, the Committee of the Whole voted 4-2 in favor of authorizing a waiver to the Ordinance; and

NOW THEREFORE, BE IT RESOLVED THAT, that the Village Board will approve a waiver to Ordinance 18-1-4-(d)(4) to authorize a second access onto 5 Mile Road, a principal thoroughfare, from the property located at 7521 5 Mile Road; and

NOW THEREFORE, BE IT FURTHER RESOLVED THAT, the Property Owner must acquire, at the minimum, a Right-of-Way Access Permit prior to any work being performed in the Village Right-of-Way and locate the driveway at the high point of the roadway.

Adopted by the Board of Trustees of the Village of Caledonia, Racine County, Wisconsin, this 23 day of January, 2024.

VILLAGE OF CALEDONIA

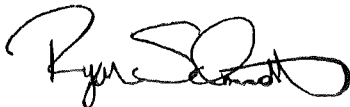
By: Thomas R Weatherston
Thomas Weatherston
Village President

Attest: Jennifer Olsen
Jennifer Olsen
Village Clerk

MEMORANDUM

Date: November 8, 2023

To: Committee of the Whole

From: Ryan Schmidt, P.E.
Village Engineer 

Re: **Variance Request to Add Second Driveway on Principal Thoroughfare at 7521 5 Mile Road (Ordinance 18-1-4-(d)-(4))**

BACKGROUND INFORMATION

The Engineering Department has received a request for a variance to Ordinance 18-1-4-(d)-(4) requiring all properties on principal thoroughfares be limited to 1 access. The property in question is 7521 5 Mile Road and the property owner Michael Leiber has reached out to gain a second property access to get to his farm field. 5 Mile Road is considered a principal thoroughfare in the Village.

This property just recently changed hands in September and the previous owner/existing property has only had the one access to the property to have it farmed. The access is shown below on the east side of the property abutting 5 Mile Road. There is no access on STH 38. The new owner is requesting the access to be located at the high point of the roadway even with the driveway of his other property across the street to the north in addition to the existing access to the home further east.

This property will be undergoing modifications to the Right of Way, to the elevation of the hill adjacent to it, and to the intersection by completely removing and replacing it with a roundabout due to the significant safety concerns. 5 Mile Road is proposed to be reconstructed beyond the limits of this property and will be acquiring additional Right-of-Way to make it possible. This hill will be lowered up to 5' as currently proposed amongst any other changes as the design continues.

Village Ordinance limits road access to maintain safety on the traveled roadway, promote general safety and welfare of the public, to conserve the open rural character along public roads, amongst many other factors. This request does not meet Village Ordinance for access to a principal thoroughfare and therefore is not recommended for approval.

RECOMMENDED MOTION

Motion to deny the request for a waiver to Ordinance 18-1-4-(d)-(4) due to the following:

- **Lot of record is permitted only one vehicular access point to a principal thoroughfare and an extra driveway access would violate this ordinance.**

