

RESOLUTION NO. 2018-39

**A RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA
APPROVING A REQUEST FOR A CONDITIONAL USE TO PARK A COMMERCIAL
VEHICLE (DUMP TRUCK), 13140 4 MILE ROAD, SEC. 19, T4N, R22E, VILLAGE OF
CALEDONIA, RACINE COUNTY, WISCONSIN,
MARK GRACYALNY, APPLICANT,**

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

WHEREAS, applicant requested a conditional use to park a commercial vehicle (dump truck), 13140 4 Mile Road, Sec. 19, T4N, R22E, Village of Caledonia, Racine County, Wisconsin, Owner; Mark Gracyalny, Applicant; Parcel No. 104-04-22-19-067-000.

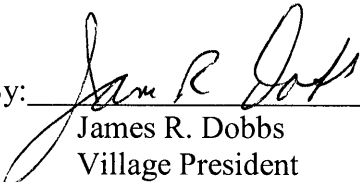
WHEREAS, the Village of Caledonia Plan Commission recommended approval of the request, subject to the conditions attached hereto as **Exhibit A**, for the following reasons:

1. The proposed use is allowed by underlying zoning through the conditional use process.
2. Based on other things going on in the area, the proposed use appears to fit with other uses in the area.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Caledonia that the requested conditional use set forth above, is hereby approved for the same reasons set forth above and subject to the same conditions and contingency imposed by the Village Plan Commission.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 7th day of May, 2018.

VILLAGE OF CALEDONIA

By: 
James R. Dobbs
Village President

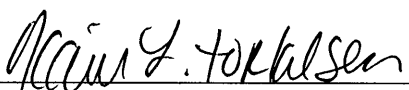
Attest: 
Karie L. Torkilsen
Village Clerk

EXHIBIT A - CONDITIONS
13140 4 MILE ROAD

1. **Zoning Permit.** The applicant must obtain a zoning permit card from the office of the Village Zoning Administrator after paying a zoning permit fee of \$250.00 for the Occupancy Permit authorizing the parking of the commercial vehicle (dump truck). This card must be displayed in a prominent location at the project site, and a copy of these conditions must be kept at the project site at all times until the project has been completed.
2. **Compliance.** Failure to comply with the terms and conditions stated herein could result in the issuance of citation(s) and/or revocation of this permit.
3. **Binding Effect.** These conditions bind and are applicable to the Property Owner, Applicant, and any other users of the Property Owner with respect to the uses on the Property.
4. **Plans.** The proposed use (to park a commercial vehicle (dump truck) at the subject property) must be located, conducted, and utilized in compliance with the plans and documents received by the Racine County Development Services Office on March 14, 2018.
5. **Parking/Storage/Maintenance.** The dump truck must be parked and stored in the area designated on the submitted plans. All dump truck maintenance must be conducted inside of the existing pole barns. The dump truck may be substituted with an "in-kind" replacement but additional vehicles and equipment may not be stored or maintained at the site. This approval authorizes the parking of only one (1) vehicle unit (a dump truck).
6. **Vehicle Ingress and Egress.** Vehicles may not, at any time, back onto this site from the public road. All vehicular turning and backing movements must be done within the confines of the subject property. As illustrated on the submitted site plan the on-site turn around area must be utilized.
7. **Hazardous Fluids Storage and Containment.** Any oil or hazardous fluids must be stored in a designated containment area that complies with all Wisconsin Department of Natural Resources (WI-DNR) regulations. Any oil or hazardous fluids must be disposed of in an environmentally sound manner. There must be no discharge of any oils or hazardous fluids to the private onsite wastewater treatment system that services the property.
8. **Performance Standards.** The applicant must comply with the provisions of Article VII, Division 4, Performance Standards of Chapter 20, Zoning, Racine County Code of Ordinances (copy attached), as adopted by the Village of Caledonia.
9. **Expiration.** This approval will expire six (6) months from the date of the Village's final approval unless substantial work has commenced following such grant. If this office determines that no substantial work has commenced, the project may not occur unless the Village of Caledonia grants a written extension. Written extension requests must be submitted to the Racine County Development Services Office thirty (30) days before permit/approval expiration.

10. **No Accumulation of Refuse and Debris.** Any fence, wall, hedge, yard, space or landscaped area must be kept free of any accumulation of refuse or debris. Plant materials must be kept in a healthy growing condition and structures must be maintained in a sound manner. There must not be any vehicle parts or tires stored outside at the subject property.
11. **Property Maintenance Required.** A complete and thorough maintenance program must be established to insure attractiveness. The continued positive appearance of buildings and property is dependent upon proper maintenance attitudes and procedures. Maintenance programs must be established that include watering, maintaining and pruning all landscape planting areas; cleaning up litter; sweeping, cleaning and repairing paved surfaces; and cleaning, painting, and repairing windows and building façade.
12. **Access.** The applicants must allow any Village or Racine County employee full and unlimited access to the project site at a reasonable time to investigate the project's construction, operation, or maintenance.
13. **Compliance with Law.** The applicants are responsible for obtaining all necessary federal, state, and local permits, approvals, and licenses. The applicant is required to comply with all applicable local, state and federal regulations, including Titles 14 and 16 of the Village of Caledonia Code of Ordinances.
14. **Reimburse Village Costs.** Applicant shall reimburse the Village all costs incurred by the Village for review of this conditional use including but not limited to engineering, legal and planning review that occurred prior to permit issuance and during the implementation of the plans and construction of the improvements.
15. **Amendments to Conditional Use Approval.** **No additions, deletions, or changes may be made to the project, site plan, or these conditions without the Village of Caledonia's prior approval.** All addition, deletion, and/or change requests must be submitted to the Caledonia Zoning Administrator in writing. A minor change to the conditions of this permit, as deemed by the Zoning Administrator, may be made at a staff level, if authorized by the Zoning Administrator.
16. **Agreement.** Your accepting the conditional use approval/zoning permit and beginning the project means that you have read, understand, and agree to follow all conditions of this approval. Therefore, Mark Gracyalny, and his heirs, successors, and assigns are responsible for full compliance with the above conditions.
17. **Subsequent Owner or Operator.** It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.