

RESOLUTION NO. 2019-84

A RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA APPROVING A REQUEST FOR A CONDITIONAL USE TO EXPAND THE LANDSCAPING BUSINESS WITH OUTDOOR STORAGE OF LANDSCAPING MATERIALS, FOR THE WESTERLY 120 FEET LOCATED AT 10410 FOREST HILLS DRIVE, SEC. 9, T4N, R22E, VILLAGE OF CALEDONIA, RACINE COUNTY, WI; RAY LENTZ, OWNER

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

WHEREAS, applicant requested a conditional use to expand the landscaping business use with outdoor storage of landscaping materials for the westerly 120 feet of 10410 Forest Hills Drive, Sec. 9, T4N, R22E, Village of Caledonia, Racine County, Ray Lenz, Owner; Parcel No. 104042209033000.

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 (if the land use plan amendment and rezoning is approved) through the conditional use minor amendment process.
2. Based on other things going on in the area, and subject to the attached reasonable conditions that are supported by substantial evidence, including that raised during the Plan Commission meeting, the use appears compatible with current uses in the area.
3. The area requested for the conditional use minor amendment to expand the location of landscaping materials and stockpiles associated with Lentz landscaping Inc. is adjacent to an existing landscaping business that has existed at this current location since 1992.
4. The expanded area (0.84 ac) located at 10410 Forest Hills Drive is subject to the approved conditions 1-10 as stated in the 9.30.2019 staff report.

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 October, 2019.

VILLAGE OF CALEDONIA

By: James R. Dobbs
James R. Dobbs
Village President

Attest: Karie Pope
Karie Pope
Village Clerk

EXHIBIT A - CONDITIONS
10410 Forest Hills Drive

1. 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.
2. Compliance with Previous Approvals. Compliance with the previous conditions of approval outlined in the approval letters dated July 6, 1992 and July 28, 1994 (Copies of each attached) is required.
3. No Storage in the Floodplain. A small area of the property that involves the conditional use minor amendment is within the 100 year floodplain. There must be no storage of landscaping materials or stockpiles within the 100 year floodplain.
4. 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 Village of Caledonia thirty (30) days before permit/approval expiration.
5. Access. The applicants must allow any Village employee full and unlimited access to the project site at a reasonable time to investigate the project's construction, operation, or maintenance.
6. Reimburse Village Costs. Applicant shall reimbursement to the Village all costs incurred by the Village for review of this conditional use minor amendment 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.
7. Agreement. You're accepting the conditional use minor amendment approval and beginning the project means that you have read, understand, and agree to follow all conditions of this approval. Therefore, Lentz Landscaping Inc., Ray Lentz, and their heirs, successors, and assigns are responsible for full compliance with the above conditions.
8. Drawing of Landscape Materials and Stockpiles. The applicant must submit to the Village for review and approval a drawing with dimensions that illustrates the location and types of landscaping materials and stockpiles to be located on the ± 0.84 of an acre that is to be incorporated into Lentz Landscaping Inc.
9. Property Combination. The portion of Parcel Id. No. 104042209033000 (± 0.84 of an acre) must be combined with Parcel Id. No. 104042209053008. This property combination must be recorded with the Racine County Register of Deeds office and proof of said recording must be submitted to the Village of Caledonia.
10. Subsequent Owner or Operator. It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.