

RESOLUTION NO. 2020-32

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA
TO APPROVE A CONDITIONAL USE AND SITE PLAN TO CONSTRUCT A 1,763
SQUARE FOOT RESIDENTIAL ADDITION TO AN EXISTING COMMERCIAL
BUILDING LOCATED AT 4739 NICHOLSON ROAD;
CHRIS BOWER, APPLICANT; CHERYL SIEG/OWNER**

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

WHEREAS, Chris Bower, Applicant; Cheryl Sieg, Owner requested approval of a conditional use and site plan to construct a 1,763 square-foot residential addition onto an existing commercial building located at 4739 Nicholson Road; Parcel ID No. 104-04-22-27-010-000; and

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

1. The proposed use will not adversely affect the surrounding property values.
2. The proposed use complies with conditions set forth in Exhibit A.

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

Adopted by the Village Board of the Village of Caledonia this 4th day of May, 2020.

VILLAGE OF CALEDONIA

By: James R. Dobbs

James R. Dobbs

Village President

Attest: Karie Pope

Karie Pope

Village Clerk

EXHIBIT A: Conditions of Approval for Residential Addition in a Commercial District

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. **Binding Effect.** These conditions bind and are applicable to the Property Owner, Agent, and any other users of the Property Owner with respect to the uses on the Property.
3. **Plans.** The proposed operation shall be located, constructed, and utilized in accordance with the revised plans and documents received by the Village Planning Office on April 15, 2020 and also the previous plans and documents received by the Village Planning Office on March 2, 2020.
4. **Engineering Department.** The property owner or designated agent must contact the Village of Caledonia Engineering Department and must comply with all regulations and requirements of the Village of Caledonia Engineering Department.
5. **Stormwater.** The property owner or designated agent must contact the Village of Caledonia Stormwater Utility District regarding stormwater regulations for this site. Compliance with all regulations and requirements, as determined by the Village of Caledonia Stormwater Utility District is required. Stormwater management plans shall be submitted for approval and be in compliance with all Village requirements, as determined by the Village Engineer before permits are issued.
6. **Fire Department Approval.** Owner shall obtain approval from the Village of Caledonia Fire Department and meet applicable codes.
7. **Parking.** Parking at the site must be in compliance with the submitted plans. All employee and visitor parking must be conducted in the proposed parking lot as outlined on the submitted site plan. Each parking space shall be a minimum of nine feet wide and 180 square feet in area exclusive of the space required for ingress and egress. Handicapped spaces shall be provided in accordance with State requirements. The driveway and all parking areas must be maintained in a hard-surfaced, dust-free condition.
10. **Landscaping.** Landscaping at the site must be in compliance with the submitted Landscaping Plan received on March 2, 2020. The Village may require a letter of credit or bond to be posted to ensure implementation and maintenance. Landscaping shall comply with Title 16. The landscaping plan shall follow the Village of Caledonia planting requirements. Landscaping shall be maintained in a living condition and any landscaping that dies or is otherwise removed shall be immediately replaced.
11. **Lighting.** When exterior lighting is installed at the site, a lighting plan must be submitted and approved by the Village prior to the installation of any exterior lights. All lighting at the site must be full cut-off lights that may not glare onto abutting properties or onto any public roadway. Following installation, owner shall contact Village for an inspection to insure that lighting was properly installed.

12. **Signage.** No signs are proposed at this time. Prior to installation of any signs, a sign permit will be required prior to installation. Banners, balloons, flashing or animated signs are prohibited.
13. **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.
15. **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 (a copy is attached), as adopted by the Village of Caledonia.
16. **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 including removal and replacement of dead or diseased landscaping; cleaning up litter; sweeping, cleaning and repairing paved surfaces; and cleaning, painting, and repairing windows and building façade.
17. **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 Plan Commission and the Village Board grants a written extension. Written extension requests must be submitted to the Village Development Director's Office thirty (30) days before permit/approval expiration.
18. **Access.** The applicant 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.
19. **Compliance with Law.** The applicant is 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, 16 and 18 of the Village of Caledonia Code of Ordinances.
20. **Reimburse Village Costs.** Applicant shall reimburse to 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.
21. **Amendments to Conditional Use Permit.** 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 Village of Caledonia in writing. A minor change to the conditions of this permit, as deemed by the Village Development Director, may be made at a staff level, if authorized by the Village Development Director.