



LEGISLATIVE/LICENSING COMMITTEE MEETING

Monday, June 7, 2021 at 4:45 p.m
Caledonia Village Hall – 5043 Chester Lane

THIS WILL BE AN IN-PERSON MEETING – MAX NUMBER OF ATTENDEES 16

1. Call to Order
2. Approval of Minutes
3. Special Events Permit Violation Discussion for Buddy's Sports Grill, 6633 Douglas Avenue
4. **Ordinance 2021-XX** - An Ordinance To Create Section 16-1-1(A)(10) Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin, Relating To Residential And Commercial Parking Restrictions Under The Zoning Code
5. **Ordinance 2021-XX** - An Ordinance To Create Section 16-1-1(A)(11) Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin, Relating To Accessory Structures Under The Zoning Code
6. Adjournment

Dated June 4, 2021

Joslyn Hoeffert
Village Clerk

Only committee members are expected to attend. However, attendance by all Board members (including non-members of the committee) is permitted. If additional (non-committee) Board members attend, three or more Board members may be in attendance. Section 19.82(2), Wisconsin Statutes, states as follows:

If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purposes of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

To the extent that three or more members of the Caledonia Village Board actually attend, this meeting may be rebuttably presumed to be a "meeting" within the meaning of Wisconsin's open meeting law. Nevertheless, only the committee's agenda will be discussed. Only committee members will vote. Board members who attend the committee meeting do so for the purpose of gathering information and possible discussion regarding the agenda. No votes or other action will be taken by the Village Board at this meeting.

LEGISLATIVE/LICENSING COMMITTEE MEETING

CALEDONIA VILLAGE HALL

5043 CHESTER LANE, RACINE, WI 53402

Monday, May 10, 2021

1. Call to Order

Trustee Wanggaard called the meeting to order at 4:03 p.m. In attendance were:

Committee Members: Trustee Wanggaard and Trustee Stillman.

Absent: None.

Staff/Others Present: Trustee Martin, Trustee Wishau, Finance Director Kathy Kasper, and Development Director Peter Wagner.

2. Approval of minutes

Trustee Stillman motioned to approve the minutes as printed from May 3, 2021. Trustee Wanggaard seconded. Motion carried unanimously.

3. Text Amendment regarding off street parking regulations.

The CDA made a motion to have staff propose the regulation of off-street parking. Discussion was held last year to propose an update to zoning codes to address concerns regarding parking vehicles, trailers, and recreation vehicles on the grass. The amendment includes Residential and Commercial parking restrictions including the types of vehicles, where they are to be parked, and what they must be parked on. The amendment to Title 16 Chapter 12 includes the section pertaining to Residential and Commercial parking restrictions. This would help code enforcement efforts when it comes to dealing with parking the vehicles and trailers in residential areas. A discussion occurred about properties that have multiple vehicles parked throughout the property. Currently, there is not limitation on vehicles that are sitting on properties if the vehicles are able to start. A section is discussed regarding the length of time that a Commercial vehicle can be parked. Wagner will draft an Ordinance and come back with revisions that include a sub section with a parking restriction of 24 hours for social gatherings. Parking surfaces must be addressed before moving forward. A parking surface includes concrete or compacted gravel. Too much concrete, gravel, etc. could become a drainage issue.

4. Consider repeal of oversize garage variances adopted 2018.

Before an appeal is done, a text adjustment must be made regarding the administrative policy. The proposal is to have oversized garage variances directed to the Board of Appeals for consideration. A discussion occurred regarding a sliding scale to determine the appropriate garage size. This would be based on the size of the lot house in a residential district. This discussion only includes detached buildings (sheds, accessory buildings, etc.). Two ideas were discussed on how to base this percentage. This includes the percentage of the living space or based on the acreage of the property. No more than 20% of the yard can be developed. Wagner will bring back an Ordinance to be discussed at the next Legislative and Licensing meeting.

5. Discussion on Village Policy for Funding of Internal Village Events and Meetings

Discussion was had regarding what constitutes a permissible Village expense. There are some valid village expenses that should be defined by a certain amount. Employee entertainment should not be expensed out with tax levied dollars as they are used for Village operations. A meeting expense could be created on next year's budget to provide for things such as meals for lengthy meetings. Expenses should not be billed to the Village after

the fact. The Committee would like to take out anything that is not clear and would like to define a policy. A policy will be drafted for consideration at the next Committee meeting and will then be forwarded to the Finance Committee for further consideration.

6. Discussion on Weed Commissioner Policy

Consideration for the Weed Commissioner position was discussed. There could be a conflict of interest if the Weed Commissioner is doing the inspections and doing the lawn cutting. The Weed Commissioner is responding to complaints, policing complaints, and providing the work to mitigate the complaints. Consideration to appoint the code enforcement officer to receive complaints. An RFP will be put out for lawn cutting (weed complaints).

7. Adjournment

There being no further business, Motion by Trustee Stillman to adjourn the meeting at 4:58p.m. Trustee Wanggaard seconded. Motion carried unanimously.

Respectfully submitted,
Megan O'Brien, Deputy Clerk

Joslyn Hoeffert

From: [REDACTED]
Sent: Wednesday, June 2, 2021 1:36 PM
To: Joslyn Hoeffert
Subject: loud band music

Good afternoon, Here's my email [REDACTED] in regards to the disturbance to residences, peace and quiet of neighborhood and other ordinances. That we discussed about.

The neighborhood and I truly appreciates the time and work for everything in this matter. Please keep in touch with me and let me no the progress. And next step we need to take..

Thanks, [REDACTED]

Joslyn Hoeffert

From: Shawn Engleman
Sent: Tuesday, June 1, 2021 4:04 PM
To: Joslyn Hoeffert
Cc: Christopher Botsch
Subject: RE: Buddys Sports Grill

Joslyn,

Officer Wolfe was called there at 4:07 PM on Sunday, Incident 21-8815. He did a call summary:

Dispatched to Buddys/Mulligans for a loud music complaint.

Upon arrival I did not observe any ordinance violations. Band was playing music at a reasonable sound level for 4PM in the afternoon. Complainant was advised to notify dispatch if the music continues past 9PM this evening.

Officer Wolfe
9410

If you need anything further, let me know.

Thanks,
Shawn

Shawn Engleman
Deputy Chief of Police

Village of Caledonia
6900 Nicholson Road
Caledonia, WI 53108
Dept: (262) 835-4423
Fax: (262) 835-4799



From: Joslyn Hoeffert <jHoeffert@caledonia-wi.gov>
Sent: Tuesday, June 1, 2021 3:59 PM
To: Shawn Engleman <SEngleman@caledonia-wi.gov>

Cc: Christopher Botsch <cbotsch@caledonia-wi.gov>

Subject: RE: Buddys Sports Grill

Shawn,

Thank you so much for this insight. I believe there is a contradiction because the Special Events Permit is for those who hold a liquor license - whereas the amplified is for residents.

Did Caledonia PD respond to a call on Sunday for 6633 (or 6632) Douglas Avenue? If so, is there any documentation for the call?

Thanks,

Joslyn Hoeffert

Village Clerk



5043 Chester Lane, Racine, WI 53402

Village Hall: 262-835-4451 | Direct 262-835-6414

Email: jhoeffert@caledonia-wi.gov

Website: Caledonia-wi.gov



Elected Officials and Members of Village Committees: In order to comply with Open Meetings requirements, please limit any reply to only the sender of this electronic communication. Please be aware that written communication, emails and faxes are generally considered open public records.

From: Shawn Engleman <SEngleman@caledonia-wi.gov>

Sent: Tuesday, June 1, 2021 3:41 PM

To: Joslyn Hoeffert <jHoeffert@caledonia-wi.gov>

Cc: Christopher Botsch <cbotsch@caledonia-wi.gov>

Subject: RE: Buddys Sports Grill

Joslyn,

It looks like without a Special Event Permit, the noise violation (if any) would fall under 11-2-8 Loud and Unnecessary Noise Prohibited. A violation would occur if the music could be heard at the property line. Speakers are allowed outside of the building, but should only serve as background music that can be heard from those immediately adjacent to the music. In my experience, warnings are given the first time around and then municipal citations from then on, if appropriate.

Just a note that the ordinances on the Special Event permit and Loud and Unnecessary Noise Prohibited contradict each other as far as to what times allowed for the amplified music. If you need anything further, please let me know.

Thanks,

Shawn

Shawn Engleman

Deputy Chief of Police

Village of Caledonia

6900 Nicholson Road
Caledonia, WI 53108
Dept: (262) 835-4423
Fax: (262) 835-4799



From: Joslyn Hoeffert <jHoeffert@caledonia-wi.gov>
Sent: Tuesday, June 1, 2021 12:04 PM
To: Shawn Engleman <SEngleman@caledonia-wi.gov>
Cc: Christopher Botsch <cbotsch@caledonia-wi.gov>
Subject: Buddys Sports Grill

Good Afternoon all,

Following up on my voicemail for Chief but noticed he is out of town til Wednesday. I had a resident come in this morning and spoke about his experience with Buddy's this weekend, and how he called in a complaint about noise. He alleges that he was told that Buddy's had a Special Event permit for this weekend but they did not. I have spoke with Buddy's about what is required, and have them placed on the next L&L agenda to address this further. Can you advise if there is any recourse for this?

Thanks for your help,

Joslyn Hoeffert
Village Clerk



5043 Chester Lane, Racine, WI 53402
Village Hall: 262-835-4451 | Direct 262-835-6414
Email: jhoeffert@caledonia-wi.gov
Website: Caledonia-wi.gov



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Joslyn Hoeffert

From: [REDACTED]
Sent: Thursday, June 3, 2021 9:11 AM
To: Joslyn Hoeffert
Subject: Fw: Photos
Attachments: 20210530_144704.jpg; 20210530_144636.jpg; 20210530_144657.jpg; 20210530_144704.jpg; 20210530_170450.jpg

Hi Joslyn,

Here are the photos taken May 30th. They show how the band was set up close to the street and the proximity to my house. In prior years, bands were set up farther away (behind the building). This helped reduce the noise and was acceptable.

Regards,

[REDACTED]

----- Forwarded Message -----

From: [REDACTED]
To: [REDACTED]
Sent: Thursday, June 3, 2021, 08:46:05 AM CDT
Subject: Photos

Here's the photos you asked for.









CHAPTER 20

Special Event Permit

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
7-20-1	Special Event Permit	2013-01	02/18/2013
		2013-06	04/16/2013
		2014-08	02/06/2014
		2014-15	12/01/2014

SEC. 7-20-1 SPECIAL EVENT PERMIT.

(a) **Definitions.**

(1) **Outdoor Event.** The use of live music, loudspeakers or amplifying devices outside of an enclosed building on parcels which have obtained a license, whether for a temporary or on a yearly basis, under Chapter 2 of Title 7 of this Code of Ordinances.

(b) **Permit Required.** An Outdoor Event in the Village is prohibited unless a permit under this Chapter is approved by the Village Board, after review and recommendation by the Legislative and Licensing Committee. Permits shall be applied for annually and are effective for one year from the date of issuance.

(c) **Exception.** Speakers located on a patio or deck and wired to jukeboxes, stereos or radios located inside of a premises shall not require a permit under this section. The intent of this exception is to allow patrons of an establishment to enjoy background music while congregating on a deck or patio immediately adjacent to the building.

(d) **Application.** Application for a special event permit shall be made in writing on a form prescribed by the Village Clerk not less than thirty (30) days prior to the granting of such Permit. The application shall include a written description, including a site plan drawn to scale of the premises and the planned Outdoor Event area. The Application should note whether the premises is an establishment licensed under Chapter 2 of Title 7 and whether the area planned for the Outdoor Event matches the area licensed for the serving and consumption of alcohol. The application shall include a schedule of events, includes dates and times. If the property owner is not the applicant, then the applicant shall attach a notarized letter of agency authorizing the applicant to apply for a special event permit under this Section.

(e) **Requirements and Restrictions.**

(1) Outdoor Events shall be held within the area encompassed by the physical description and diagram that is submitted with the application under Sec. 7-2-6 of this Code of Ordinances and approved as a part of the license process under Chapter 2 of Title 7.

(2) Outdoor Event areas shall not be closer than ten (10) feet to the public right-of-way boundary (Note: May not be the same as the road pavement).

- (3) No open flames, inclusive of uncontained candles, table decorations, fire pits, or any other type of objects emitting an open flame, are allowed in Outdoor Event areas unless approved by the Fire Chief or designated fire prevention staff thereof as part of the permit approval. Any such approval shall be noted upon the permit issued and the Village's file.
 - (4) All live music, loud speakers and amplified music in the Outdoor Event area, inclusive of food and beverage service, shall begin no earlier than 10:00 a.m. daily and cease no later than 10:00 p.m. on Sunday through Thursday and 12:00 a.m. (midnight) on Friday and Saturday, except as provided herein. Applicants that hold a temporary beer or wine permit under Section 7-2-4(c) (1) or 7-2-4(f)(1) of this Code of Ordinance, may be allowed to have live music, loud speakers and amplified music until 12:00 a.m. (midnight) on Sunday through Thursday for good and sufficient cause as determined by the Village Board, based upon the special circumstances of the particular case. In addition, applicants shall obtain approvals from the Parks Commission in accordance with Section 12-1-6(g)(4) and the Chief of Police in accordance with Sec. 11-1-8(c), if such sections are applicable to the proposed special event. Applicants that desire to extend the hours as provided herein, shall indicate the reasons why the extension is necessary.
 - (5) The permittee shall be responsible for cleaning litter, including cigarette butts, from adjacent and abutting properties that was deposited by patrons of the premises or resulted from the business activities on the premises. Decorative garbage receptacles and ash trays shall be installed and such receptacles shall be emptied into the main dumpster as needed and at the end of every business day. All dumpsters shall be screened from public view by landscaping or enclosed within fencing. No trash, garbage or debris shall be allowed to accumulate on the premises and all trash generated by the activities on the premises shall be placed in the dumpsters by the end of each event day.
 - (6) The permittee shall submit a security plan as part of the application and be responsible for policing the outdoor premises, extension or area at all times to ensure compliance with Village ordinances.
 - (7) No person under the legal drinking age shall be permitted upon the premises, when the presence is contrary to state law or local ordinance.
 - (8) No loud, profane or lewd music shall be broadcast directly away from the Outdoor Event area by means of amplified devices, outdoor speakers or jukeboxes, unless written permission is granted in advance for a special event by the Village Board.
 - (9) All Outdoor Event areas shall be sufficiently lighted to ensure the safety of patrons at all times when any patrons shall be therein, and at all times when the outdoor area is open to the public. Lighting of the area shall be down-cast and shielded and shall not be of an intensity or brilliance to create glare that is distracting to adjoining property owners or which can become a hazard or danger to vehicular traffic.
 - (10) No overnight camping at Outdoor Events shall be allowed upon the permitted premises.
- (f) **Permit Fee and Number of Events.** The application fee shall be set by Resolution of the Village Board from time-to-time. Such application fee shall include the cost of a

background check, if needed. The fee shall be paid at the time of application. The Village Board, or its designee as indicated under this ordinance, at its discretion, may grant a permit on an event by event basis or for multiple events with a set schedule. Upon approval and prior to receiving the permit, the applicant shall pay a permit fee which shall include a base permit fee plus a per event fee in amounts set by Resolution of the Village Board from time-to-time. These fees are intended to cover the cost incurred by the Village for the administration and enforcement of this ordinance and are nonrefundable.

(g) **Approval.**

(1) **New Applications.** All “new” applications shall be reviewed by the Legislative and Licensing Committee and such committee shall make a recommendation to the Village Board. The Village Board may approve or deny the application. Applications shall not be approved if the Village Board determines that a proposed event(s) will cause a disturbance to residences or other businesses nearby or adversely affect the peace and quiet of the surrounding neighborhood. A “new” application under this Section shall mean an application by a person or entity that has not previously received a permit under this Section for the applied for location or, if there is new ownership for the applied for location.

(2) **Previously Permitted Applicants.** An application by a person or entity that has previously received a permit under this Section shall be reviewed by the Village Clerk. The Village Clerk, as the Village Board designee under this Section, may approve or deny such application if it complies with this Section under the same criteria as the Village Board under subsection (1) above, or may, at his or her discretion, refer the application for review and action by the Legislative and Licensing Committee. Upon referral, the Legislative and Licensing Committee may approve or deny the application utilizing the same criteria under this Subsection.

(h) **Amending the Application.** Whenever anything occurs to change any fact set forth in the permit application, including a change in schedule of events, such permittee shall file with the Village Clerk a request to amend the application in writing. In the case of the change of events to add additional event dates or modify an approved schedule of events, the request to amend shall be submitted to the Clerk at least five (5) business days before the date of the additional event or changed event.. Amendments shall be reviewed by the Village Clerk and may be approved by the Village Clerk or, at the Village Clerk’s discretion, may be submitted for review and approval by the Legislative and Licensing Committee. If an amendment includes additional events, the additional event fees shall be paid prior to the effective date of the amendment.

(i) **Nuisances.** This section shall not be construed to limit the authority of the Village Police Department to respond to nuisance noise complaints and to take appropriate action in response thereto. Any violation of this ordinance or permits issued hereunder are declared a public nuisance and the Village shall have the right to abate the nuisance in accordance with applicable ordinance and/or Wisconsin Statute.

(j) **Suspension.** The Chief of Police shall have the authority to suspend an event under a permit issued under this section when he or she believes such live music, loudspeaker or amplifying device has become a nuisance because of the volume, the method in which it is

being used, or the location in which it is being operated. Any such suspension, shall bring the permit for review, within fifteen (15) days, before the Legislative and Licensing Committee prior to any additional Outdoor Events occurring at the establishment.

APPLICATION FOR A SPECIAL EVENT PERMIT UNDER SEC. 7-20-1

Application Fee: \$50.00 Base Permit Fee: \$100.00 Each Additional Event Fee: \$10.00 per event/\$300.00
maximim per permit year

APPLICATION MUST BE SUBMITTED NOT LESS THAN THIRTY (30) DAYS PRIOR TO THE EVENT.

1. APPLICANT:

- (a) Name _____
(b) Address _____
City, State & Zip _____
(c) **Name, address, phone, birthdate and Social Security No. of manager or person in charge of event:**

2. LOCATION OF EVENT(S):

- (a) Name and Address of establishment: _____

(b) Does applicant own the property? _____. If no, attach a notarized letter of agency authorizing the applicant to apply for a special event permit.

NOTE: EVENT SHALL BE HELD WITHIN THE AREA ENCOMPASSED BY THE PHYSICAL DESCRIPTION AND DIAGRAM THAT IS SUBMITTED UNDER SEC. 7-2-6 OF THE VILLAGE'S CODE OF ORDINANCES AND APPROVED UNDER CHAPTER 2 OF TITLE 7 FOR LIQUOR LICENSES.

3. DATE AND TIME OF EVENT: _____

4. SCHEDULE OF MULTIPLE EVENTS. Attach schedule of events, including dates and times, including beginning and ending times.

5. SECURITY PLAN. Attach a copy of your security plan for the premises and all events.

6. Applicant agrees to comply with all law, resolution, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine coolers and special events in the Village. The Chief of Police shall have the authority to suspend an event under a permit issued under this section when he or she believes such live music, loudspeaker or amplifying device has become a nuisance because of the volume, the method in which it is being used, or the location in which it is being operated. Any such suspension, shall bring the permit for review, within fifteen (15) days, before the Legislative and Licensing Committee prior to any additional outdoor events occurring at the establishment. A violation of the governing ordinance or other Village ordinance related to the use of the area for an event shall constitute sufficient grounds to revoke the special event permit. Three or more noise complaints filed against the permittee during the permit period, and verified by the Village Police Department, shall constitute sufficient grounds to revoke the use of an outdoor special event permit

The Individual signing below or the Officer(s) of the organization signing below, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Individual or Name of Organization Date: _____

Date Filed _____ Permit No. _____ Date Issued: _____
App. Fee Paid: _____ Date: _____ Base Permit Fee Paid: _____; Date: _____
of Additional Events Approved: _____; Additional Events Fees: _____; Date: _____

Renewal Alcohol Beverage License Application

(Submit to municipal clerk. Read instructions on page 3.)

For the license period beginning: 07 01 2020 ending: 06 30 2021
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: ☐ Town of } CALEDONIA
☒ Village of }
☐ City of }

County of RACINE Aldermanic Dist. No. _____
(if required by ordinance)

Check one: ☐ Individual ☐ Limited Liability Company
☐ Partnership ☒ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name (Last)	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Full Name (Last)	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Full Name (Last)	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

B. LLC or Corporation (and Agent):

Full Legal Name of Corporation / Nonprofit Organization / Limited Liability Company	Address of Corporation / Limited Liability Company (if different from licensed premises)
<u>Mulligan's Mini Golf, Inc.</u>	<u>6633 Douglas Ave Racine WI 53402</u>

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent.

Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Matson</u>	<u>Stanley</u>	<u>J</u>	<u>5521 Whirlaway Ln Racine WI 53402</u>

All Officer(s) Director(s) of Corporation and Members / Managers of Limited Liability Company:

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Jones</u>	<u>Kevin</u>	<u>S</u>	<u>6612 Open Meadows Rd Racine WI 53402</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Ladwig Sr.</u>	<u>James</u>	<u>A</u>	<u>5715 Randall Ln Racine WI 53402</u>
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Jones</u>	<u>Kimberly</u>	<u>A</u>	<u>6612 Open Meadows Rd Racine WI 53402</u>
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Ladwig</u>	<u>Debra</u>	<u>A</u>	<u>5715 Randall Ln Racine WI 53402</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

C. Business Information

- Trade Name Buddy's Sports Grill Business Phone Number 262-681-6464
- Address of Premises 6633 Douglas Ave Post Office & Zip Code Racine, WI 53402
- Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes ☒ No ☐
- Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 1st floor patio bar/restaurant, mini golf course driving range events on grass, 2nd floor bar/restaurant, closet, Basement: walk in cooler, storage shelves

Applicant's Wisconsin Seller's Permit Number <u>4560000 548478-03</u>	
FEIN Number <u>82 0547454</u>	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ 50
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$ 400
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ 25
TOTAL FEE	\$ 475

DRAFT

Ordinance No. 2021-XX

AN ORDINANCE TO CREATE SECTION 16-1-1(a)(10) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO RESIDENTIAL AND COMMERCIAL PARKING RESTRICTIONS UNDER THE ZONING CODE

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Section 16-1-1(a)(10) of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

"(10) Residential and Commercial Parking Restrictions.

- a) Parking of vehicles accessory to a residential use on private property shall be limited to those actually used by the residents or for temporary parking for guests. Vans or pickup trucks used for private and recreational use, or a motor home (recreational vehicle), or a van or pickup truck used in a business or trade and commercial vehicle used for transportation to and from a place of employment or workplace of the occupant may be parked on a residential property subject to the requirements of this Section.
- b) One (1) commercial vehicle of not over one-ton rated capacity may be parked on private property per residential dwelling unit, providing all of the following conditions are met: vehicle is registered and licensed; used by a resident of the premises; gross weight does not exceed ten thousand (10,000) pounds, including any load; height does not exceed nine (9) feet as measured from ground level, excluding antennas, air vents, and roof-mounted air conditioning units, but including any load, bed, or box; and total vehicle length does not exceed twenty-six (26) feet, including attachments thereto (such as plows, trailers, etc.).
- c) Recreational vehicles parked on private property in residential zoned districts must maintain a minimum of a five-foot setback from the rear and side lot lines but are not restricted to a minimum setback to the principal structure. If parked in the street yard, the recreational vehicle must be parked on the driveway or on an improved surface such as asphalt, concrete, or compacted gravel. For the purpose of this section, recreational vehicles shall include boats and trailers, snowmobiles and their trailers, minibikes or trailbikes and their trailers, and unoccupied tent campers and travel trailers, all-terrain vehicles and personal watercraft and their trailers.
 - 1) Utility trailers and recreational vehicles parked on residential parcels less than one acre cannot exceed 32 feet in length and 13 feet in height. For residential parcels greater than one acre, trailers and recreational vehicles shall not exceed 37 feet in length and 13 feet in height.

- d) Vehicles, trailers, and recreational vehicles shall be parked either within an enclosed attached garage or detached accessory structure or on an improved surface such as: asphalt; concrete; or compacted gravel. Improved surfaces beyond driveways to cover more than fifty percent (50%) of a residential street yard is prohibited.
- e) No other vehicular equipment of a commercial or industrial nature, except as stated above, shall be parked or stored for more than two (2) consecutive hours and four (4) accumulated hours during any twenty-four-hour period on any lot in any zoning district except business and industrial districts or as permitted by an approved conditional use in the A-1 district.
- f) Outdoor parking of semi-tractors/trailers and/or dump trucks on commercial property (B-districts), that is not a principal use (e.g., truck sales), an accessory use (e.g., delivery vehicles), or which has not been approved through the conditional use or site plan review process is prohibited.
- g) Agricultural equipment (such as farm tractors, plows, farm plows, seeders, combines, cultivators, trucks owned and used by the farmer in the operation of the farm, etc.) used in a farm operation are permitted in all agricultural districts."

2. To the extent any provision of this ordinance conflicts with another Section of the Zoning Code under Title 16, this ordinance shall apply.

3. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin,
this ____ day of _____, 2021.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, Village President

Attest: _____
Joslyn Hoeffert, Village Clerk

DRAFT

Ordinance No. 2021-XX

AN ORDINANCE TO CREATE SECTION 16-1-1(a)(11) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO ACCESSORY STRUCTURES UNDER THE ZONING CODE

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Section 16-1-1(a)(11) of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

"(11) Accessory Structures.

- a. **Residential Districts; Other Districts as Specified.** Accessory structures such as detached garages, gazebos, garden or utility sheds in Residential ("R" Districts) shall be subject to the following regulations.

1. **Size.**

- (a) Parcels Less than 2 Acres. The area of an accessory structure shall not occupy more than 1,200 square feet or 75% of the square footage of the living area of the principal structure, whichever is smaller.

- (b) Parcels Greater than 2 Acres. The area of an accessory structure shall not occupy more than 1,600 square feet or 75% of the square footage of the living area of the principal structure, whichever is smaller.

2. **Height.** Shall not exceed seventeen (17) feet in height.

3. **Location.** Detached structures are permitted in the rear and side yards and shall not be closer than ten (10) feet to a principal structure or five (5) feet to a side or rear lot line. When the street yard setback of a principal structure exceeds the required setback for the particular district in question, a detached accessory structure may be permitted in the street yard provided the street yard setback of the accessory structure is not less than the required setback for the district or the average street yard setback of principal structures on abutting parcels, if any, whichever is greater.

4. **Number.** The maximum number of accessory buildings in a residential district less than one (1) acre in size shall be two (2). If a parcel is greater than one (1) acre, more than two accessory buildings may be allowed and shall require Plan Commission approval.

5. **Patios.** Patios constructed at or below yard grade, may be installed in the rear or side yard adjacent to the principal structure without the

issuance of a building permit; and shall not be located closer than five (5) feet to a lot line.

6. **Decks.** Decks located adjacent to or attached to a principal structure can project into the required side and rear setback for a principal structure for the district in which they are located by six (6) feet. Freestanding decks surrounding private swimming pools shall be located at least ten (10) feet from the principal structure and shall be located at least five (5) feet from a side or rear lot line. All decks shall require the issuance of a building permit.
7. **Residential Air Conditioning Condensers / Power Generators.** Units under this subsection may be located adjacent to a residence in the rear yard and side yard, provided that all condensers and generators shall be located at least five (5) feet from a side or rear lot line. Residential air conditioning condensers and power generators shall not be located in the street yard.
8. **Private Swimming Pools.** Pools are permitted as accessory uses in the rear yard in any district; except the C-1 Resource Conservation District; however, the swimming pool shall be located at least eight (8) feet from the principal structure, be located at least three (3) feet from any side or rear lot line, and be installed in accordance with the City building, plumbing, and electrical codes, including the issuance of all required permits.
9. **Private Tennis Courts / Basketball Courts.** These courts are permitted as accessory uses in the rear yard in any district, except the C-1 Resource Conservation District. A building permit is required for all tennis/basketball courts and:
 - a. All tennis courts shall be surrounded by a fence not less than ten (10) feet in height.
 - b. No lighting installed around a tennis court or basketball court shall project onto adjacent properties; and
 - c. No private tennis court or basketball court shall be located closer than five (5) feet to a lot line.

b. **Non-Residential District Accessory Structures**

1. **Height.** The height of a structure shall not exceed in height twice their distance from the nearest lot line.
 - a. **Area.** The aggregate total floor area of all accessory buildings shall not exceed three (3) percent of the total lot area, except that on agriculturally zoned parcels, ten (10) acres or more in area, the accessory building areas may be greater than the three (3) percent limit when used solely for the pursuit of agriculture; in all non-residential and non-agricultural districts accessory building areas greater than three (3) percent are allowed, when approved by the Planning Commission as part of a Building, Site, and

Operation Plan review, and where said buildings are used solely accessory to the principal use on said lot."

2. To the extent any provision of this ordinance conflicts with another Section of the Zoning Code under Title 16, this ordinance shall apply.
3. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of _____, 2021.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, Village President

Attest: _____
Joslyn Hoeffert, Village Clerk