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3 ORDINANCE BY THE RACINE COUNTY ECONOMIC DEVELOPMENT AND LAND USE
4 PLANNING COMMITTEE TO REZONE FROM A-2 GENERAL FARMING AND
5 RESIDENTIAL DISTRICT II TO R-3/PUD SUBURBAN RESIDENTIAL DISTRICT
6 (SEWERED)/PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT AND R-6/PUD
7 TWO-FAMILY RESIDENTIAL DISTRICT/PLANNED UNIT DEVELOPMENT OVERLAY
8 DISTRICT

9
10 SECTION 4, T4N, R22E, TOWN OF CALEDONIA

11
12 APPLICANTS: THOMAS & KAREN JUNGCK
13 HAROLD & CAROL DE BACK

14
15 AN ORDINANCE TO AMEND that Certain Ordinance Entitled RACINE COUNTY
16 ZONING ORDINANCE adopted December 2, 1969, found on pages 185 to
17 232 of the OFFICIAL PROCEEDINGS OF THE RACINE COUNTY BOARD OF
18 SUPERVISORS FOR THE YEAR 1969 as recodified May 28, 1991, by
19 Ordinance 91-196.

20
21 The County Board of Supervisors of the County of Racine ordains as
22 follows: Amend the Racine County Zoning Ordinance and change the
23 zoning district for the following described lands from A-2 General
24 Farming and Residential District II to R-3/PUD Suburban Residential
25 District (Sewered)/Planned Unit Development Overlay District and R-
26 6/PUD Two-Family Residential District/Planned Unit Overlay District

27
28 *LEGAL DESCRIPTION OF LANDS TO BE ZONED R-3/PUD*

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30 A PARCEL OF LAND located in the west 1/2 of the southeast
31 quarter (SE 1/4) and the east 1/2 of the southwest quarter (SW 1/4) of
32 Section 4, Town 4 North, Range 22 East in the Town of Caledonia,
33 Racine County, Wisconsin, more particularly described as follows:

34 COMMENCING at the northeast corner of the southeast quarter
35 (SE 1/4) said Section 4;

36 THENCE south 89°25'03" west 1321.84 feet to the place of
37 beginning of the lands hereinafter described;

38 THENCE south 00°35'42" east 1098.24 feet;

39 THENCE south 89°59'40" west 1004.51 feet;

40 THENCE south 84°18'49" west 308.33 feet;

41 THENCE south 65°11'35" west 176.23 feet;

42 THENCE south 24°48'25" east 147.26 feet;

43 THENCE north 89°39'14" east 87.47 feet;

44 THENCE north 89°28'22" east 1324.44 feet;

45 THENCE south 00°35'42" east 1324.18 feet;

46 THENCE south 89°33'40" west 1015.61 feet;

47 THENCE north 00°26'41" west 534.00 feet;

48 THENCE south 89°33'19" west 311.80 feet;

49 THENCE south 00°28'57" east 533.97 feet;

50 THENCE south 89°40'56" west 1323.65 feet;

51 THENCE north 00°27'57" west 2643.72 feet;

52 THENCE south 89°37'31" east 1322.88 feet;

53 THENCE south 00°28'57" east 350.00 feet;

54 THENCE north 89°25'03" east 899.97 feet;

55 THENCE north 00°28'40" west 350.00 feet;

56 THENCE north 89°25'03" east 421.84 feet to the place of
57 beginning;

4 CONTAINING 6,200,600 square feet or 142.3462 acres of land.

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7 *LEGAL DESCRIPTION OF LANDS TO BE ZONED R-6/PUD*

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9 A PARCEL OF LAND located in the west 1/2 of the southeast
10 quarter (SE 1/4) and the east 1/2 of the southwest quarter (SW 1/4) of
11 Section 4, Town 4 North, Range 22 East in the Town of Caledonia,
12 Racine County, Wisconsin, more particularly described as follows:
13

14 COMMENCING at the northeast corner of the southeast quarter
15 (SE 1/4) said Section 4;

16 THENCE south 00°42'27" east 1325.85;

17 THENCE south 89°29'22" west 1324.44 feet to the place of
18 beginning of the lands hereinafter described;

19 THENCE continuing south 89°29'22" west 1324.44 feet;

20 THENCE south 89°39'14" west 87.47 feet;

21 THENCE north 24°48'25" west 147.26 feet;

22 THENCE north 65°11'35" east 176.23 feet;

23 THENCE north 84°18'49" east 308.33 feet;

24 THENCE north 89°59'40" east 1004.51 feet;

25 THENCE south 00°35'42" east 225.94 feet to the place of
26 beginning;

27 CONTAINING 322,595 square feet or 7.4058 acres of land.

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30 The official Racine County Zoning Map is hereby amended to conform
31 to this ordinance.

32
33 CONCERNING THE PUD, the applicant is responsible for compliance
34 with his testimony and the testimony of his agents given at the
35 September 19, 2005, public hearing and all subsequent public
36 meetings, whereby assurances were given, exhibits were presented,
37 and information was explained and received, all of which are now
38 part of the record.

39
40 THE APPLICANT is also responsible for compliance with the
41 application and various site, grading, and landscaping plans
42 previously filed with Racine County.

43
44 IN ADDITION, the applicant is responsible for compliance with
45 conditions established by the Town of Caledonia and the Racine
46 County Economic Development and Land Use Planning Committee.

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48 THESE CONDITIONS are on file at Racine County Planning and may be
49 amended from time to time.

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51 The Racine County Clerk is directed to transmit duplicate copies of
52 this ordinance by registered mail to the Caledonia Town Clerk
53 within seven (7) days after this ordinance is adopted.

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4 Respectfully submitted,
5 ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE

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9 Jeff Halbach, Chair Thomas Pringle, Vice Chair

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13 Q. A. Shakoor, II, Secretary Karen A. Nelson

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17 Mark M. Gleason Michael J. Miklasevich

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21 Robert D. Grove

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23
24 VOTE REQUIRED: MAJORITY

BOARD ACTION:

25	26 1st Reading	_____	26 Adopted
27			27 For
28	28 2nd Reading	_____	28 Against
29			29 Absent

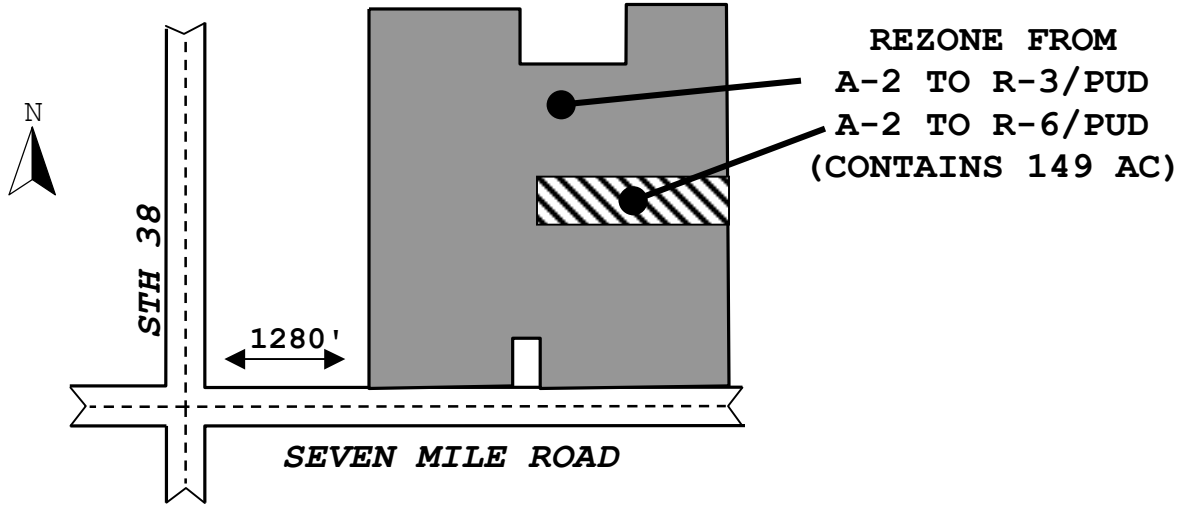
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31 The Certificate of Publication, in compliance with State Statutes,
32 is available at Racine County Planning.

33
34 FISCAL NOTE - NOT APPLICABLE

35
36 NOTE: to allow the development of a residential "conservation"
37 subdivision - 142 lots single-family residential homes &
38 10 lots two-family residential homes

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40 NOTE: The Committee recommended approval of this petition as
41 the Town Plan Commission recommended approval of the
42 concept plan and this rezoning is consistent with the
43 statement of purpose and intent of the zoning district as
44 identified in the ordinance.
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SEC 4 - T4N - R22E
TOWN OF CALEDONIA

THOMAS & KAREN JUNGCK
HAROLD & CAROL DE BACK
THE GRASSLANDS
APPROVAL CONDITIONS
SEPTEMBER 19, 2005

1. The applicant must obtain a zoning permit card from this office after paying the required \$110.00 fee. 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. Failure to comply with the terms and conditions stated herein might result in the issuance of citation(s) and/or revocation of this permit.
3. This proposed R-3/PUD and R-6/PUD known as "The Grasslands" must be located and constructed in accordance with the concept plan received by Racine County Planning on August 23, 2005, as such may be modified through the platting process. This includes reduced lot widths and minimum area requirements.
4. This approval will expire March 19, 2006, unless substantial work has commenced following such grant. If this office determines that no substantial work has commenced, the project may not proceed and no construction may begin unless the Racine County Economic Development and Land Use Planning Committee grants a written extension. Written extension requests must be submitted to this office 30 days before permit/approval expiration.
5. The applicant must allow any Racine County or Town of Caledonia employee full and unlimited access to the project site at a reasonable time to investigate the project's construction, operation, or maintenance.
6. The applicant must comply with the provisions of Article VII, Division 4, Performance Standards of Chapter 20, Zoning, Racine County Code of Ordinances.
7. All road names must be consistent with the Racine County Uniform Street Naming and Numbering System. The road names must be reviewed and approved by Racine County Planning. Racine County Planning and Development will assign addresses for all the new residential lots in The Grasslands.
8. Any proposed street and yard lights must be equipped with full cut-off luminaires following the lighting practices as found in IESNA RP-8-00.
9. All exterior lighting must be energy efficient and must be located, oriented, and of an intensity to illuminate only the building sites or lots without detrimentally affecting activity on adjacent sites or lots or traffic on streets and highways.

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10. The proposed overall heights of all light standards and the candlefoot power of the lights must be residential in scale.
11. A Chapter 236 subdivision plat must be prepared for approval according to Town of Caledonia regulations and Racine County Code of Ordinances, Chapter 18, Subdivisions. A condominium plat is required for the R-6/PUD area. The condominium plat must be submitted to this office for review and approval.
12. Any subdivision name sign must be located according to Racine County Code of Ordinances, Chapter 20, Zoning. The sign must be a ground-mounted, landscaped monument sign. If the sign is lighted, it must be illuminated either internally or by shielded, top-mounted, down-directed white lighting. A separate zoning permit is required for each subdivision sign.
13. The proposed roads in this development will be public. The site owner is responsible for constructing the roads according to the Town of Caledonia's road construction rules and standards. The developer's agreement with the Town will detail how the roads will be paid for and constructed. It is recommended that the developer work with the owner of Parcel Number 004-04-22-04-029-002 concerning the precise location of The Grasslands' most southerly east/west road, as well as the connection of 029-000's driveway to The Grasslands' entrance road off Seven Mile Road, thereby eliminating a Seven Mile Road "decision point." The applicant must work with the Town of Caledonia concerning required off-site improvements to Seven Mile Road that are necessary in support of this development and any additional right-of-way needed for Seven Mile Road.
14. The wetland area may not be disturbed in any way, except to improve its biodiversity. A minimum 25-foot wide no-mow buffer must be maintained around and adjacent to the wetland on this site.
15. No detailed soil erosion-control plans or grading plans have been submitted to this office as of this date. Soil erosion-control measures must be incorporated into this subdivision and submitted for review prior to approval. With the amount of proposed land disturbance, sediment and storm water detention basins must be included to prevent sediment from leaving this site. Soil erosion-control measures must be installed prior to any earth-disturbance activities. This development must work with the Town of Caledonia Engineer prior to construction of this subdivision to develop proper approved soil erosion-control measures and storm water detention basins on this site. The design engineer should review the Wisconsin Department of Natural Resources' "Construction Site Handbook" for details on designing a properly functioning sediment basin. Keep as much of the existing vegetation in place during construction. Do not grade this whole site at once. If possible, develop the site in two phases.

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16. Fencing such as woven wire, welded wire, or chain-link fencing is required along the entire east boundary line of this project adjacent to the active farm to the east to protect said farm and farming operations from intruders (such as dogs and off-road vehicles) that can cause damage to crops, farm animals and farm machinery. This fencing must be a minimum of four feet tall and a maximum of six feet tall. Solid wood fencing is also acceptable, provided that animals or children cannot readily get through it. Buffer plantings to screen the fence are permitted.
17. Grading, filling, and removing topsoil or other earthen materials are permitted, except in conjunction with the construction of residences and permitted outbuildings, the construction of public roads, the installation of utilities, the construction of driveways serving properly located residences and/or outbuildings, the establishment of drainage facilities (ditches, waterways, etc.) approved by the Town of Caledonia, or with the specific approval of the Racine County Planning Division.
18. The applicant must include the following paragraph in the covenants/declarations for this development:

"This development is located in a rural area that is adjacent to agricultural lands and active farm operations. Purchasers are advised that they have been informed that farming operations do involve long hours of work, dust from harvesting and disking, odors from farm animals, and the movement of slow-moving farm equipment along the adjacent highways. Purchasers of lot or units within the project agree that they will take no actions to interfere with the existing farming operations adjacent to 'The Grasslands,' including any future expansions of farm animals, structures or general farming operations."
19. Gazebos, pavilions or other minor structures that might be located within the designated open space in this subdivision for use by the homeowners' association will require separate zoning permits. Fees will be based on the fee schedule in effect at the time of permit application.
20. The applicant must landscape under and near the high tension lines by following the guidelines in the document, "Landscaping and Transmission Lines," from the American Transmission Company.

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21. A minimum of three inches of topsoil must be on the surface of all areas that will be vegetated prior to seeding. Permanent seeding must be completed within seven days after grading. All road ditches must be seeded, fertilized, mulched, and in some instances should have erosion-control netting or sod. The ditches must have side slopes of 3:1 or flatter. If final grading of the road ditches is delayed until the road surface is installed, a temporary seeding of winter wheat or perennial ryegrass must be sown at a rate of five pounds per 1,000 square feet of disturbed areas in the ditches. If construction starts later this Fall, dormant seeding must be applied to the disturbed areas and re-seeding of those areas must be done next Spring, if the seed does not germinate. All seeding must be completed no later than September 15, 2006. Use the standard Department of Transportation's mixtures. In some of the natural areas, native prairie and wildflowers should be re-established.
22. Keep all stockpiles out of drainage ways. These stockpiles must be temporarily seeded within seven days after formation and must have side slopes of 2:1 or flatter. Temporary seeding must consist of five pounds of perennial ryegrass per 1,000 square feet of area. If the stockpile is to be a permanent pile, a minimum of four inches of topsoil must be on the surface prior to seeding with permanent grass.
23. The declaration of covenants, conditions, and restrictions for this development must be submitted to Racine County Planning and Development for review and approval within 120 days of this approval.
24. The driveways and all parking areas serving this project must be maintained in an all-weather, dust-controlled condition.
25. Storm water drainage review is the Town of Caledonia's responsibility, and a complete drainage plan for this entire site must be submitted to the Town of Caledonia Engineer for review and approval. No permits will be issued for construction or grading on the project site until the Town has submitted written notification to Racine County Planning of their review and approval of the drainage plan. It is recommended that storm water on-site be managed through low impact development techniques.
26. If needed, only clean fill may be used for this project. Fill material may not contain sod, brush, roots, or other perishable material. No re-bar, asphalt, scrap wood, or other types of construction debris will be permitted as fill material. Rock particles larger than three-fourths of the layer thickness must be removed from the material before compacting with the fill.

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27. The applicant must obtain all necessary federal, state, and local permits, approvals, and licenses. He must comply with all applicable codes and regulations.
28. During construction, this site must have graveled roads, access drives, and/or parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road must be removed by street cleaning (not flushing) before the end of each work day or as determined by the jurisdictional highway authority.
29. 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 and emptying trash containers in a timely fashion; sweeping, cleaning, and repairing paved surfaces; replacing broken and vandalized parts; replacing burned out light bulbs; and cleaning, painting, and repairing windows and building facade.
30. No additions, deletions, or changes may be made to the project, site plan, or these conditions without the Racine County Economic Development and Land Use Planning Committee's and the Town of Caledonia's prior approval. All addition, deletion, and/or change requests must be submitted to this office in writing.
31. Your accepting this approval/permit and beginning the project means that you have read, understand, and agree to follow all conditions. Therefore, William Carity, Carity Land Corporation, their officers, heirs, successors, and assigns are responsible for full compliance with these conditions.
32. It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.
33. All utilities must be constructed underground.