

2  
3 ORDINANCE BY THE RACINE COUNTY ECONOMIC DEVELOPMENT AND LAND USE  
4 PLANNING COMMITTEE TO REZONE FROM R-4 URBAN RESIDENTIAL DISTRICT II  
5 TO R-4/PUD URBAN RESIDENTIAL DISTRICT II/PLANNED UNIT DEVELOPMENT  
6 OVERLAY DISTRICT

7  
8 SECTION 17, T4N, R23E, TOWN OF CALEDONIA

9  
10 APPLICANTS: STEVE HORVATH, DANIEL HORVATH, DAVID HORVATH

11  
12 AN ORDINANCE TO AMEND that Certain Ordinance Entitled RACINE COUNTY  
13 ZONING ORDINANCE adopted December 2, 1969, found on pages 185 to  
14 232 of the OFFICIAL PROCEEDINGS OF THE RACINE COUNTY BOARD OF  
15 SUPERVISORS FOR THE YEAR 1969 as recodified May 28, 1991, by  
16 Ordinance 91-196.

17  
18 The County Board of Supervisors of the County of Racine ordains as  
19 follows: Amend the Racine County Zoning Ordinance and change the  
20 zoning district for the following described lands from R-4 Urban  
21 Residential District II to R-4/PUD Urban Residential District  
22 II/Planned Unit Development Overlay District

23  
24 THAT PART OF THE Southwest ¼ of Section 17, Township 4  
25 North, Range 23 East, bounded as follows:

26 BEGIN at a point on the west line of said southwest ¼  
27 located north 00°01'09" west 897.00 feet from the southwest  
28 corner of said southwest ¼;

29 RUN THENCE north 00°01'09" west 82.00 feet;  
30 THENCE north 89°58'51" west 233.00 feet;  
31 THENCE north 00°01'09" west 202.00 feet;  
32 THENCE south 89°58'51" west 233.00 feet;  
33 THENCE north 00°01'09" west 419.50 feet;  
34 THENCE north 89°22'07" east 2687.19 feet to a point on the  
35 east line of said southwest ¼;  
36 THENCE south 00°19'06" east 907.46 feet on said east line;  
37 THENCE south 89°22'07" west 2084.92 feet;  
38 THENCE north 00°01'09" west 74.00 feet;  
39 THENCE south 89°22'07" west 251.92 feet;  
40 THENCE north 00°01'09" west 130.00 feet;  
41 THENCE south 89°22'07" west 355.08 feet to the point of  
42 beginning.

43 CONTAINING 50.17 acres of land, more or less.

44 RESERVING the rights of the public in and to the Middle  
45 Road.

46 SAID LANDS being in the Town of Caledonia, County of Racine,  
47 State of Wisconsin.

48 EXCEPTING THEREFROM land conveyed in Certified Survey Map 1241  
49 recorded June 12, 1987, in Volume 3 of Certified Survey Maps, page  
50 617, as Document No. 1232289.

51  
52 The official Racine County Zoning Map is hereby amended to conform  
53 to this ordinance.

54  
55 CONCERNING THE PUD, the applicant is responsible for compliance  
56 with his testimony and the testimony of his agents given at the  
57 June 20, 2005, public hearing and all subsequent public meetings,  
58 whereby assurances were given, exhibits were presented, and

4 information was explained and received, all of which are now part  
5 of the record.

6 THE APPLICANT is also responsible for compliance with the  
7 application and various site, grading, and landscaping plans  
8 previously filed with Racine County.  
9

10 IN ADDITION, the applicant is responsible for compliance with  
11 conditions established by the Town of Caledonia and the Racine  
12 County Economic Development and Land Use Planning Committee.  
13

14 THESE CONDITIONS are on file at Racine County Planning and may be  
15 amended from time to time.  
16

17 The Racine County Clerk is directed to transmit duplicate copies of  
18 this ordinance by registered mail to the Caledonia Town Clerk  
19 within seven (7) days after this ordinance is adopted.  
20

21  
22 Respectfully submitted,  
23 ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE  
24

25  
26  
27 Jeff Halbach, Chair Thomas Pringle, Vice Chair  
28

29  
30  
31 Q. A. Shakoor, II, Secretary Karen A. Nelson  
32

33  
34  
35 Mark M. Gleason Michael J. Miklasevich  
36

37  
38  
39 Robert D. Grove  
40

41 VOTE REQUIRED: MAJORITY BOARD ACTION:

42  
43 1st Reading \_\_\_\_\_ Adopted  
44 For  
45 2nd Reading \_\_\_\_\_ Against  
46 Absent  
47

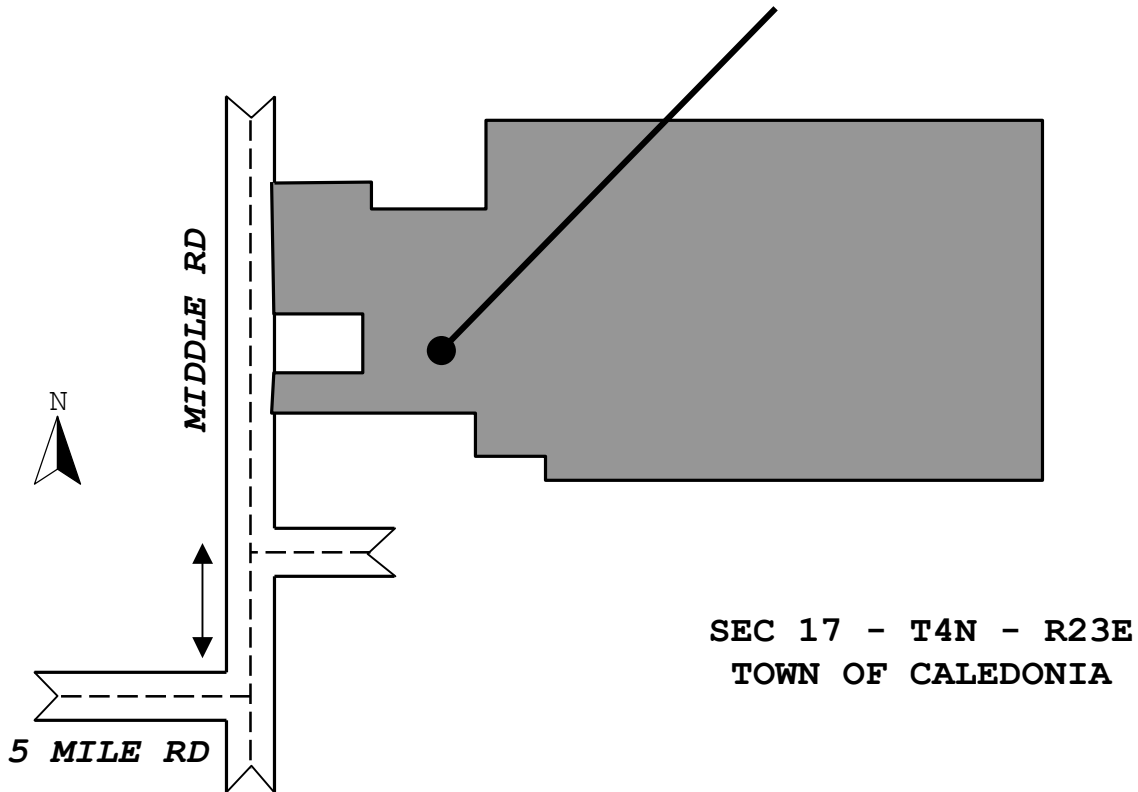
48 The Certificate of Publication, in compliance with State Statutes,  
49 is available at Racine County Planning.  
50  
51  
52  
53  
54  
55  
56  
57  
58

4 FISCAL NOTE - NOT APPLICABLE

5  
6 NOTE: to allow a single-family residential development for up  
7 to 70 lots

8  
9 NOTE: The Committee recommended approval of this petition as  
10 the Town Plan Commission and Town Board recommended  
11 approval of the concept plan, this rezoning is compatible  
12 with surrounding zoning and uses, and there are no  
13 illegal spot zoning or contract zoning issues.  
14  
15  
16  
17  
18  
19  
20

21 REZONE FROM  
22 R-4 TO R-4 / PUD  
23 (CONTAINS 50.17 AC)



24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44 SEC 17 - T4N - R23E  
45 TOWN OF CALEDONIA  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58

NEWPORT GROUP LTD - HORVATH  
CATLYN WOODS  
APPROVAL CONDITIONS  
JUNE 20, 2005

1. Failure to comply with the terms and conditions stated herein might result in the issuance of citation(s) and/or revocation of this permit.
2. The applicant must obtain a zoning permit card from this office after paying the required fee of \$110.00. This fee only authorizes the PUD permit. Any work within the shoreland jurisdictional area requires separate permits and additional fees, as indicated herein. 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.
3. This proposed R-4/PUD, known as Catlyn Woods, must be located and constructed in accordance with the concept plan received by Racine County Planning on May 24, 2005, as such may be modified through the platting process. This includes reduced lot widths (not less than 70 feet) and reduced setback requirements.
4. This approval will expire June 20, 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 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 Catlyn Woods.
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.

NEWPORT GROUP LTD - HORVATH  
CATLYN WOODS  
APPROVAL CONDITIONS  
JUNE 20, 2005

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.
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.
14. The wetland areas may not be disturbed in any way, except that, subject to Wisconsin Department of Natural Resources approval, the southeastern portion of the wetland may be affected by a retention basin and the narrow area of the wetland in this general vicinity may be impacted by a road crossing.
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 entering the Klema Ditch. 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.

NEWPORT GROUP LTD - HORVATH  
CATLYN WOODS  
APPROVAL CONDITIONS  
JUNE 20, 2005

16. 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.
17. Any construction of residences or earth disturbance/grading activities (beyond those activities associated with infrastructure installation in this subdivision) within the statutory shoreland jurisdiction area of the Klema Ditch will require separate shoreland conditional use contracts and zoning permits. Fees will be based on the fee schedule in effect at the time of permit application.
18. 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.
19. The proposed erosion-control measures (silt fences) must be installed according to best management practices. The silt fences must be installed before any earth disturbance activities occur. Storm water/sediment basins, if any, must be installed before other earth-disturbance activities occur so as to help trap sediment-laden water. Keep as much of the existing vegetation in place during construction. Do not grade the entire site at once. If possible, develop the site in phases.
20. Silt fences must be installed in conformance with the attached job sheet, between any construction and the stream, wetlands or environmental corridors that are located in this subdivision. These silt fences must be installed outside of the boundary line of the proposed construction limits. The stream, wetland and environmental corridor must be protected, and inspection of the silt fences should be top priority during construction. Additional silt fences or other erosion-control measures may be needed in certain areas of this project if deemed necessary. The two rock chutes that direct surface water into the Klema Ditch on the east end of the property have some soil erosion occurring around the rock, and this must also be addressed and corrected.

NEWPORT GROUP LTD - HORVATH  
CATLYN WOODS  
APPROVAL CONDITIONS  
JUNE 20, 2005

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. See the attached "WI-CPA-123" for seeding recommendations or use the standard Department of Transportation's mixtures. In some of the natural areas, native prairie and wildflowers should be re-established.
22. The four soil types found on this parcel are Ashkum silty clay loam, Aztalan silt loam, Casco loam and Navan silt loam. The three soil types outside of the wetland where the building occur on this parcel are Ashkum silty clay loam, Aztalan silt loam and Casco loam. Ashkum soil series indicates somewhat poorly drained soil with a severe rating for dwellings with basements due to low bearing capacity, high shrink-swell and seasonal high water table. Aztalan is rated moderate with moderate shrink-swell potential and seasonal high water table. Casco rating is slight. Road construction for Ashkum and Aztalan is rated severe due to low bearing capacity and high shrink-swell potential. See the attached soil map and interpretation records for these soils.
23. 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.
24. 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.
25. The driveways and all parking areas serving this project must be maintained in an all-weather, dust-controlled condition.

NEWPORT GROUP LTD - HORVATH  
CATLYN WOODS  
APPROVAL CONDITIONS  
JUNE 20, 2005

26. 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.
27. The minimum street yard setback for this development is 25 feet. The minimum rear yard setback for this development is 20 feet. The minimum side yard setbacks are nine feet on one side and eight feet on the other.
28. 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.
29. The applicant must obtain all necessary federal, state, and local permits, approvals, and licenses. He must comply with all applicable codes and regulations.
30. 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.
31. 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.
32. 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.



NEWPORT GROUP LTD - HORVATH  
CATLYN WOODS  
APPROVAL CONDITIONS  
JUNE 20, 2005

33. Your accepting this approval/permit and beginning the project means that you have read, understand, and agree to follow all conditions. Therefore, Ray Leffler, Newport Group Limited, their officers, heirs, successors, and assigns are responsible for full compliance with these conditions.
34. It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.
35. All utilities must be constructed underground.