

CONDITIONAL USE PERMIT

Brian H. Studebaker
1375 Woodlawn Circle
Elm Grove, Wisconsin

Document Number

WHEREAS, Brian H. Studebaker (“Applicant”) has applied for a conditional use permit (the “CUP”) pursuant to Sections 335-17C(5) and 335-86 of the Village of Elm Grove Code of Ordinances to construct a parking pad utilizing a permeable surface which exceeds the otherwise allowable percentage of maximum impervious surface area as defined within the Village of Elm Grove Code of Ordinances on property located at 1375 Woodlawn Circle , Elm Grove, Wisconsin, (the “Property”) more specifically described as:

LOT 11 BLK 7 INDIAN HILLS ESTATES PT SE1/4 SEC 23 & PT SW1/4 SEC 24 T7N R20E :: DOC# 4313278

WHEREAS, the Property is located in the Rs-1 Single Family Residential zoning district; and

WHEREAS, Section 335-17C(5) of the Village of Elm Grove Code of Ordinances provides that Driveways, patios, walkways or other hardscape constructed using a permeable surface to exceed the allowable percentage of maximum imperious surface allowed under Section 335-17H are conditional uses; and

WHEREAS, Applicant has submitted all information as required under Section 335-86B of the Village of Elm Grove Code of Ordinances and submitted a construction and site plan pursuant §335-12C(1) of the Village of Elm Grove Code of Ordinances; and

WHEREAS, the Village Plan Commission reviewed the subject CUP application on May 6th, 2019 pursuant to Section 335-86C of the Village of Elm Grove Code of Ordinances; and

WHEREAS, the Village Board of Trustees held a public hearing upon the subject CUP application pursuant to Section 335-86D of the Village of Elm Grove Code of Ordinances on May 30th, 2019; and

WHEREAS, the Village Board of Trustees has considered the Plan Commission’s recommendations and has determined that the proposed conditional use is in accordance with the purpose and intent of the Village Zoning Code and the proposed use, with conditions of operation, will not be hazardous, harmful, offensive or otherwise adverse to the environment or the value of the neighborhood or community.

NOW THEREFORE, the Village Board of Trustees hereby authorizes the Zoning Administrator to issue a conditional use permit to Brian H. Studebaker, for the construction of a parking pad utilizing a permeable surface in order to exceed the otherwise allowable percentage

Recording Area

Name and Return Address

Village of Elm Grove
13600 Juneau Blvd.
Elm Grove, WI 53122

Parcel Identification Number

(PIN): EGV1100070

of maximum impervious surface area as allowed under Section 335-17(H) of the Village of Elm Grove Code of Ordinances, which conditional use permit shall be subject to the following conditions:

1. The conditional use permit granted hereunder is for the sole benefit of the owners of the property for the purpose of permitting the use of a permeable surface to exceed the allowable percentage of maximum impervious surface area within the code of ordinances.
2. The permeable materials used shall not exceed the permeable surface area listed on the approved site survey attached to this permit.
3. The permeable materials shall be installed pursuant to the approved installation plan attached to this permit, as contained in the attached exhibits.
4. The permeable materials shall be maintained pursuant to the approved operation and maintenance plan as contained hereunder and in the attached exhibits:

a. Maintenance Procedures for Maintaining Infiltration

[1] Weekly Procedures- prevent contamination from routine landscape maintenance such as grass clippings from mowing, hedge trimming, mulching plant beds, etc. immediately after contamination occurs.

[a] Hand broom debris from the paver surface.

[b] Blow debris from the paver surface with backpack blower type device.

[c] Collect and dispose, mechanically sweep paver surface.

[2] Monthly Maintenance Procedures- observe any collection areas of debris, dirt, topsoil, mulch, etc. after season events such as snowfall, rain storms, leaf litter, etc. and investigate if clogging is occurring. Immediately restore infiltration using the cleaning options below:

[a] Break up any crust covering the joint aggregate material with hand broom for smaller areas or mechanically with a rotary sweeper for larger areas, remove debris material.

[b] Restore infiltration using wet/dry shop vacuum for small areas or vacuum truck for larger areas by removing debris from joint aggregate material.

[c] Replenish joint aggregate material to "lip" of paver.

[3] Yearly Procedures- the following procedures are to be utilized during the seasonal maintenance schedule.

[a] Sweep entire permeable paving surface with appropriate preventative sweeping devices.

[b] Replenish joint aggregate material to "lip" of paver.

[4] Ten Year plus Procedures;

[a] Complete restoration of the joint aggregate material.

[b] Replenish joint with cleaned or new aggregate material to "lip" of paver.

b. Seasonal Maintenance Schedule

[1] After the snow melt- March 1 through April 15;

[a] Broom, blow, rotary brush or sweep entire surface.

[b] Clean debris from paver surface in location of snow stockpile area.

- [c] Replenish joint aggregate material after cleaning.
 - [d] Every fifth year, vacuum or power wash problem areas and refill joint material.
- [2] Late Spring- April 1 through May 15;
- [a] Broom, blow, rotary brush or sweep flowers from trees and shrubs.
 - [b] Collect any additional debris from areas mulched or planted with annual flowers.
 - [c] Replenish joint aggregate material as necessary.
- [3] Late Summer- July 15 through August 30
- [a] Broom, blow, rotary brush or sweep lawn and shrub clippings or tree fruits.
 - [b] Collect any additional debris from summer activities such as charcoal coals, beach sand, etc. that has been inadvertently dumped on the permeable surface.
- [4] Late Fall- October 15 through November 30
- [a] Broom, blow, rotary brush or sweep plant leaves.
 - [b] Replenish joint aggregate material as necessary.
5. Changes subsequent to the initial issuance of this CUP shall require an amendment to this CUP.
6. This CUP shall terminate upon the occurrence of any of the following:
- a. Upon the removal of the permeable materials from the property.
7. This CUP shall be recorded by its holder with the Waukesha County Register of Deeds within fifteen (15) days of its full execution.

This conditional use permit is hereby issued this 30th day of May, 2019 subject to the conditions provided herein.

Neil H. Palmer, Village President

Mary S. Stredni, Village Clerk

[VILLAGE SEAL]

Thomas P. Harrigan, Zoning Administrator

This document prepared by: Thomas P Harrigan, Zoning Administrator