

CONDITIONAL USE PERMIT

Live Better Massage, LLC  
850 Elm Grove Road  
Elm Grove, Wisconsin

Document Number

**WHEREAS**, Live Better Massage, LLC (“Applicant”) has applied for a conditional use permit (the “CUP”) pursuant to Sections 335-23C(41) and 335-86 of the Village of Elm Grove Code of Ordinances for the operation of a massage parlor at 850 Elm Grove Road, Elm Grove, Wisconsin, (the “Property”) more specifically described as:

PT NW1/4 SEC 25 T7N R20E; COM CTR SEC; N 157.85 FT; NWLY 376.00 FT; N26°30'W 142.09 FT THE BGN; N26°30'W 188.00 FT; W 192.52 FT; S26°30'E 35.08 FT; ELY 191.99 FT; N63°30'E 78.36 FT; E 104.96 FT TO BGN :: DOC# 3443783

**WHEREAS**, the Property is located in the B-2 Local Business zoning district; and

**WHEREAS**, Section 335-23C(41) of the Village of Elm Grove Code of Ordinances allows for other unspecified uses which are found to be similar in character to those principal uses conditionally permitted by the Plan Commission.; 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 Plan of Operation pursuant to the Village of Elm Grove Code of Ordinances; and

**WHEREAS**, the Village Plan Commission reviewed the subject CUP application on October 4<sup>th</sup>, 2021 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 October 25<sup>th</sup>, 2021; 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.

Recording Area

Name and Return Address

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

Parcel Identification Number

(PIN): EGV 1106962

**NOW THEREFORE**, the Village Board of Trustees hereby authorizes the Zoning Administrator to issue a conditional use permit to Live Better Massage, LLC for the operation of a massage parlor, which conditional use permit shall be subject to the following conditions:

1. The conditional use permit granted hereunder is for the sole benefit of Live Better Massage, LLC.
2. All business activities conducted on the Property shall conform to this CUP, the Plan of Operation attached hereto and incorporated herein by reference, and the Village of Elm Grove Code of Ordinances.
3. Changes subsequent to the initial issuance of this CUP shall require an amendment to this CUP.
4. This CUP shall terminate upon the occurrence of any of the following:
  - a. Upon Live Better Massage, LLC failing to conduct business at the Property in substantial conformity with this CUP or the attached Plan of Operation; or
  - b. Upon the cessation of the operations permitted under this CUP.
5. 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 25<sup>th</sup> day of October, 2021 subject to the conditions provided herein.

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Neil H. Palmer, Village President

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Michelle Luedtke, Village Clerk

[VILLAGE SEAL]

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Thomas P. Harrigan, Zoning Administrator

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Laurie Dunlop, Live Better Massage, LLC