

Eric J. Peter  
14161 Juneau Blvd  
Elm Grove, Wisconsin

January 20, 2026

Village of Elm Grove  
Board of Trustees  
Mr. Tom Harrigan  
Village Manager  
13600 Juneau Blvd.  
Elm Grove, WI 53122

Dear Mr. Harrigan and Village of Elm Grove Board of Trustees,

Pursuant to the Village Code of Ordinances, chapter 243-25B, this is a formal appeal request of a ROW (Right of Way) indemnification denial of February 10, 2025, for a line of arbor vitae trees along the west perimeter of our property at 14161 Juneau Blvd.

The full original line of trees was planted between 1985-1990 when the property was owned by Dr. John Gonis. The property was divided in 1999 into two parcels and the tree line remained in place through the construction of the two new homes. The replacement arbor vitae tree line was mainly replanted by us in 2018 after trimming on the St. George Ct. side prompted complaints and comments from neighbors about their unsightly roadside appearance.

Besides providing some level of natural privacy, the natural berm of the line is very effective directing rainwater runoff away from the low southern and western side of the property.

This became more evident as an approximately forty-foot replacement section was intentionally left open in 2018 to ease construction vehicle access to that area in anticipation of planned remodeling and landscape work in the backyard.

While the missing section was removed there was significant opportunity for street runoff to flow directly into our yard in that particular area. Every rain event caused water pooling and washout in that section of the property.

During our construction phase, it was necessary to fill the area with stone gravel to stabilize the ground. On several occasions after rain events the contractors had to add additional loads of stone gravel to stabilize the area for construction equipment traffic as the runoff from the open area would make the area too muddy and soft.

When the area was reseeded, the runoff made it very difficult to grow lawn due to constant water ingress. Our landscaping and back yard project was completed in June 2024, and we anticipated replacing the remaining forty feet of arbor vitae. Receiving notice of the repaving project on St. George Court in June 2024, we delayed the arborvitae section replacement until after the road work was completed. In October 2024 we replaced the remaining forty feet.

Since then, the yard area has resisted water ingress and washout effectively as the tree line again provides a natural berm directing water flow away from the yard. There can be no better example than the torrential rains of August 11, 2025, of how effective the replacement

tree line was in abating water damage to the yard, as that area suffered no issues. Our yard would have been severely impacted before those forty feet were replaced, as lesser rain events had previously caused problems.

The restoration of the final tree line section has been a good mitigating factor in protecting our yard from storm runoff. Since this is an exceptional circumstance applying to our lot exclusively, and the fact that it is essentially the same line it replaced, and since it causes no detriment to adjacent property and will not materially impair the public interest, we are requesting approval of the ROW indemnification request for the replacement section of arborvitae trees now in place.

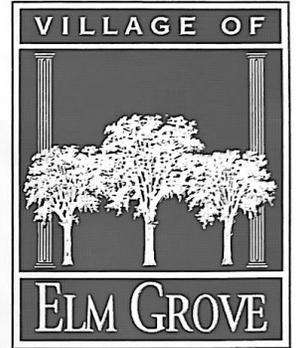
Sincerely,

A handwritten signature in black ink, appearing to read "Eric J. Peter". The signature is stylized with large, sweeping loops and a long horizontal stroke extending to the right.

Eric J. Peter

### Findings required to grant variance

1. Preservation of intent. No variance shall be granted that is not consistent with the purpose and intent of the regulations for the district in which the development is located. No variance shall have the effect of permitting a use in any district that is not a stated permitted use, accessory use or conditional use in that particular district.
2. Exceptional circumstances. There must be exceptional, extraordinary or unusual circumstances or conditions applying to the lot or parcel, structure, use or intended use that do not apply generally to other properties or uses in the same district and the granting of the variance would not be of so general or recurrent nature as to suggest that the Zoning Chapter should be changed.
3. Economic hardship and self-imposed hardship not grounds for variance. No variance shall be granted solely on the basis of economic gain or loss. Self-imposed hardships shall not be considered as grounds for the granting of a variance.
4. Preservation of property rights: that such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district and same vicinity.
5. Absence of detriment: that the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this chapter or the public interest.



## Village of Elm Grove Forestry Department

Date: 1-7-15

**Property At: 14161 Juneau Blvd**

Mr. & Mrs. Peter or Current Owner

Vegetation encroaching our streets has become an issue. A safe line of site at intersections needs to be addressed to keep all village residents and visitors safe. Vegetation along our streets makes it difficult to safely remove snow in winter and is damaging vehicles as they pass. Vegetation in the ditch restricts water flow causing localized flooding and can push pedestrians out into traffic lanes. Low hanging limbs can damage vehicles and equipment plus restrict site lines to road side signs.

This letter is being sent to inform you that the vegetation on the corner or along the frontage of your home is going to be cut back from the road edge. Invasive species, per Wisconsin's invasive species list, will be cut and a herbicide painted on to avoid further sprouting. Tall grass and weeds will still be the responsibility of the resident. Trees will be pruned, to the Internal Society of Arboriculture standards, to allow safe traffic flow.

The department's intention, to the best of our ability, is not to open a site line to your property or home. However, some roadside vegetation will be thinner as intersection and roadside safety is our main concern. If you have a specific concerns about your property please contact me at 782-6700 or [forester@elmgrovewi.org](mailto:forester@elmgrovewi.org).

Sincerely,

Ron Hill  
Village Forester

**Note: Some of the arborvitae on St. George will be very thin. Some large sections will be removed on the street side.**



## DEPARTMENT OF PUBLIC WORKS

*Richard Paul Jr.*  
*Director of Public Works*

13600 Juneau Boulevard  
Elm Grove, Wisconsin 53122-1679

(262) 782-6700 Fax (262) 782-8714

E-Mail [rpauljr@elmgrovewi.org](mailto:rpauljr@elmgrovewi.org)

June 28<sup>th</sup>, 2024

### Street Paving Notice – St. George Ct

Dear Resident,

Your street is on the list for repaving in **2024**. The Village of Elm Grove DPW will begin to address stormwater concerns and upgrades/or installation of culverts and ditches that may have been buried or filled in over time in preparation of the new pavement this summer. The area of the ROW in which the work will be completed is typically within the area of about 15-20' from the road edge into the lot.

You may see multiple 1-2 DPW crews working in the area as available, then once the paving schedule has been established, you will be updated on a closer schedule at that time.

#### What to expect:

- Excavations to grade ditches properly along the road edge.
- Replacement/installation of culvert pipes under the driveway approach.
- Possible removal of foliage within the work areas to allow for completion of work.
- Reseeding and seasonal restoration before fall but after paving is completed.

If there are any structures, plantings or buried items in the ROW installed by a homeowner, those items will likely have to be removed. If there are any irrigation systems that are present those will need to be marked and possibly removed.

It would be helpful if you could reach out with an e-mail should there be any irrigation systems present so we can coordinate with any that are in conflict.

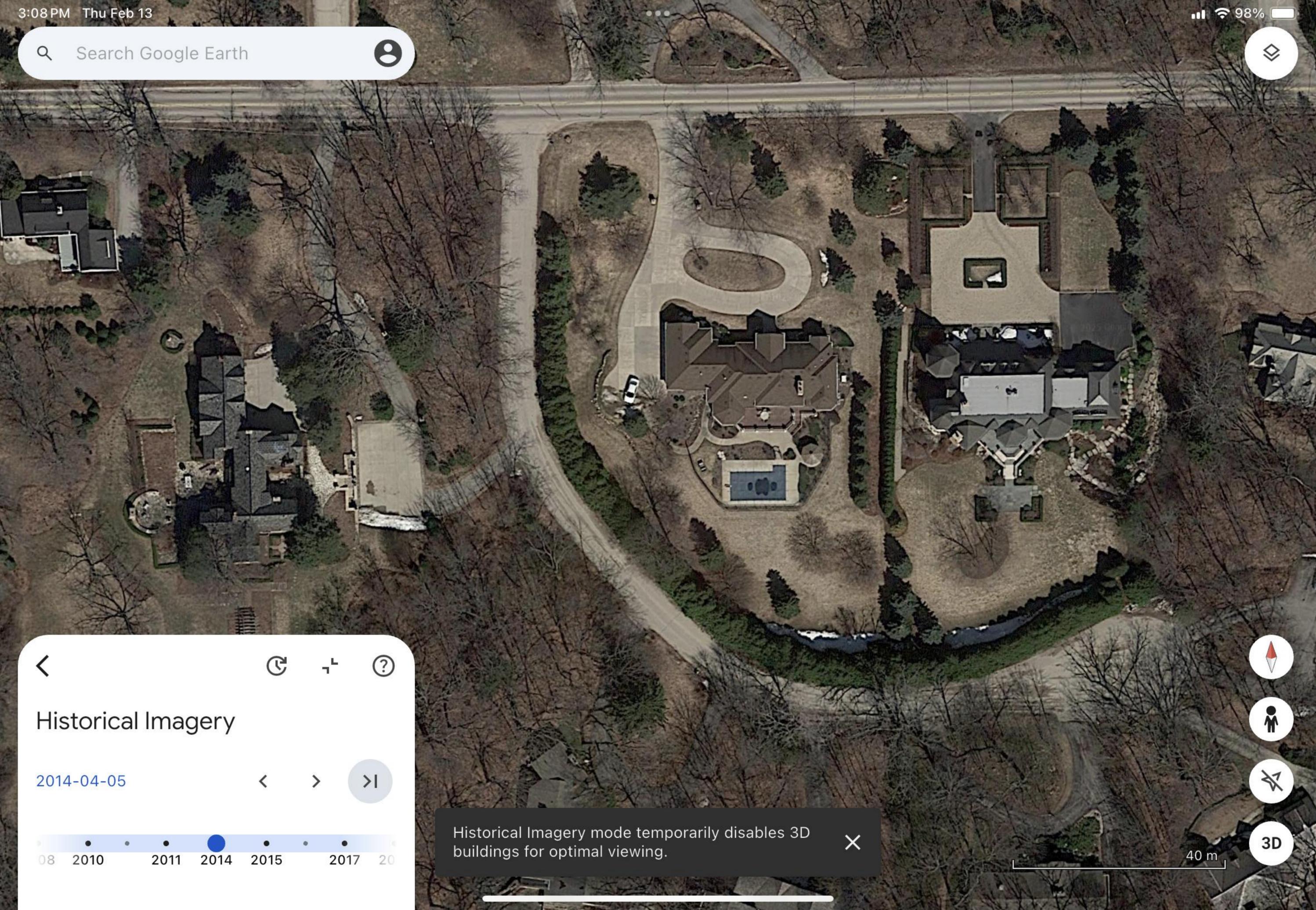
We are evidently at Mother Nature's mercy, so delays may occur due to weather conditions.

Thank you for your patience and cooperation. It would be helpful if you would send an e-mail to me at [rpauljr@elmgrovewi.org](mailto:rpauljr@elmgrovewi.org) so I may have a way to communicate anything pertinent to the project as may be needed. If there is a need for a mass notification, all emails will be Bcc'd to maintain privacy.

Sincerely,

Richard Paul, Jr.  
Director of Public Works  
Village of Elm Grove

Search Google Earth



Historical Imagery

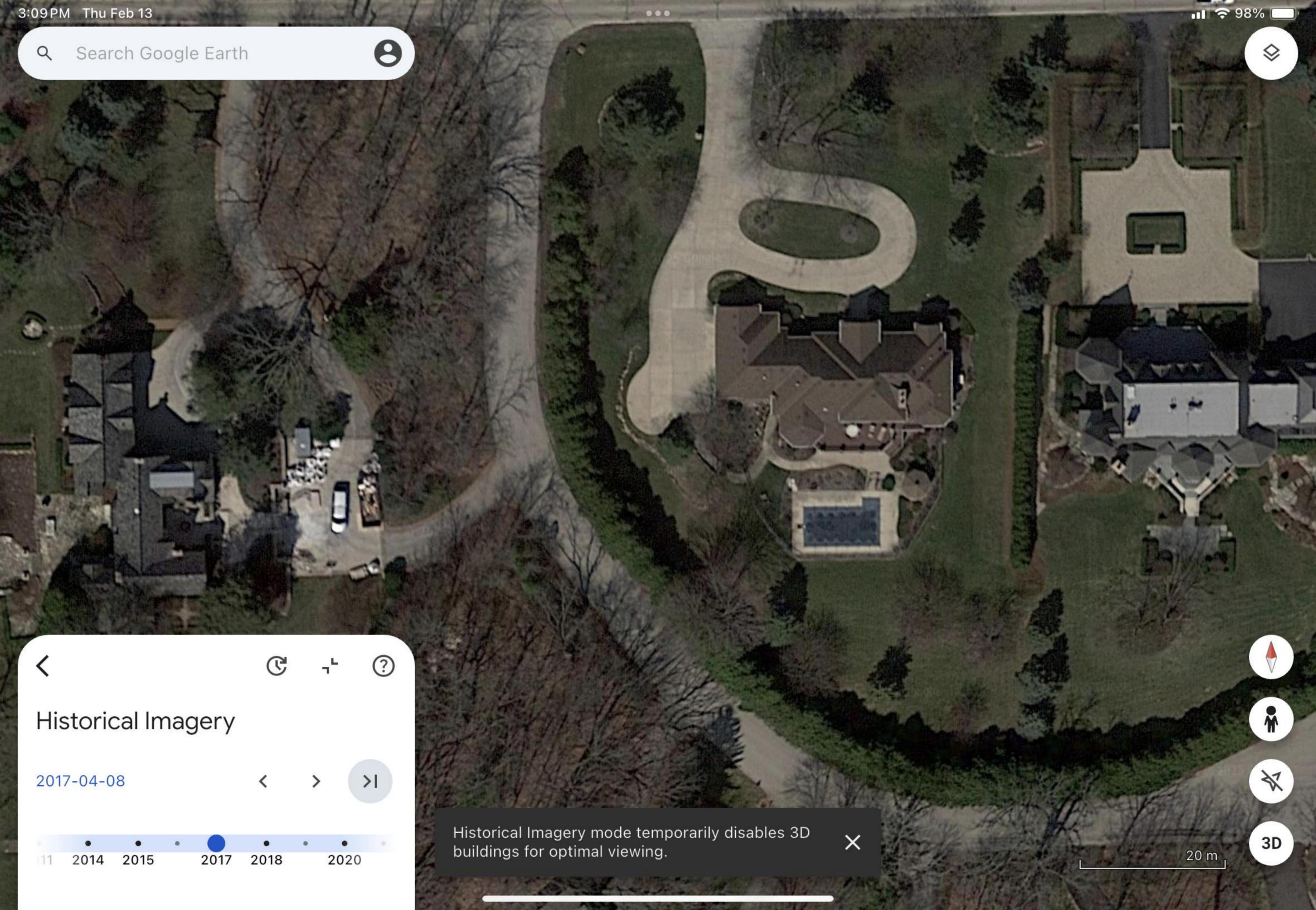
2014-04-05

08 2010 2011 2014 2015 2017 20

Historical Imagery mode temporarily disables 3D buildings for optimal viewing.

Navigation icons: Home, Street View, Pegman, 3D, Scale bar (40 m)

Search Google Earth



Historical Imagery

2017-04-08

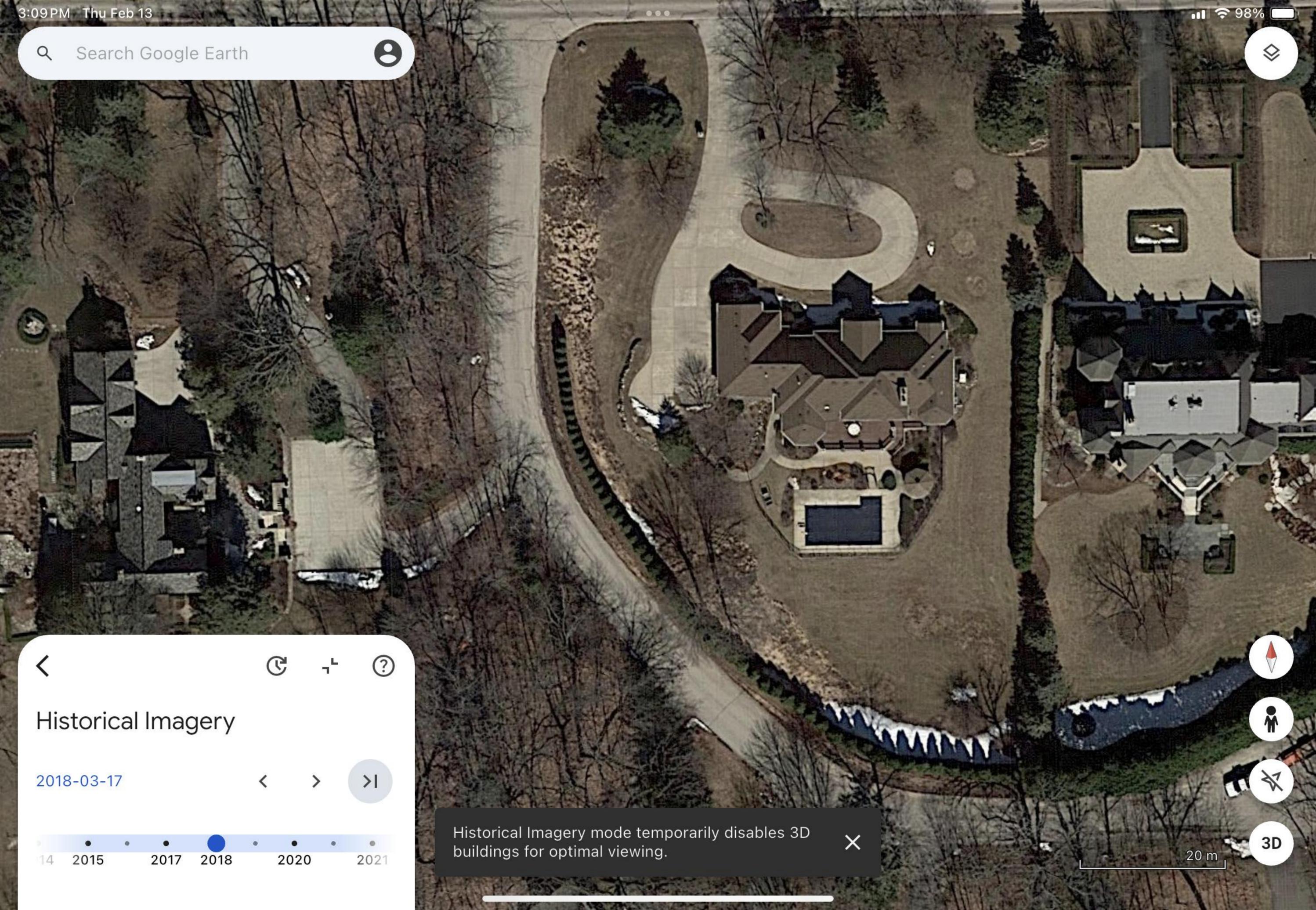
2011 2014 2015 2017 2018 2020

Historical Imagery mode temporarily disables 3D buildings for optimal viewing.



20 m

Search Google Earth



Historical Imagery

2018-03-17

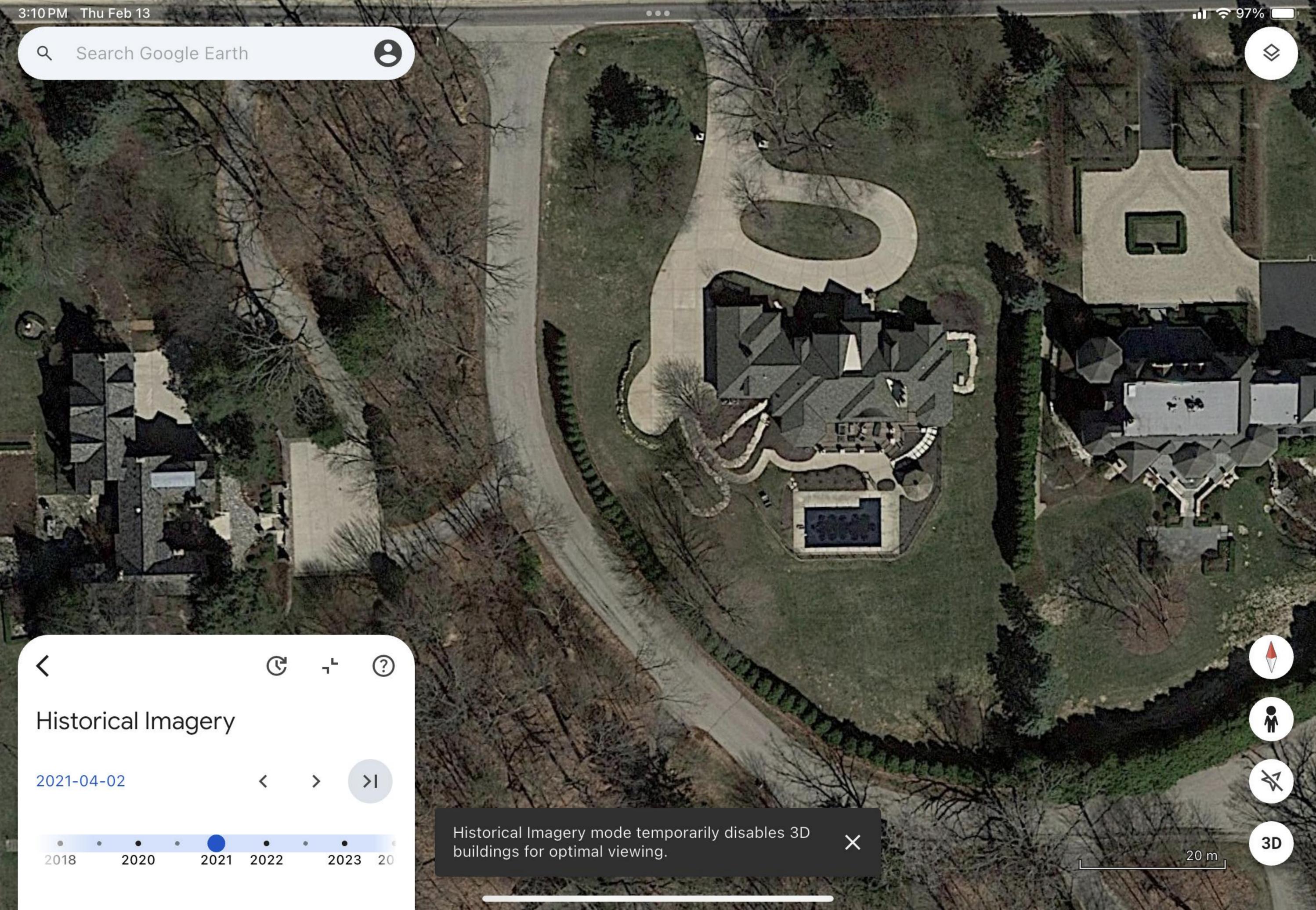
14 2015 2017 2018 2020 2021

Historical Imagery mode temporarily disables 3D buildings for optimal viewing.

Navigation icons: Home, Street View, Compass, 3D

20 m

Search Google Earth



Historical Imagery

2021-04-02

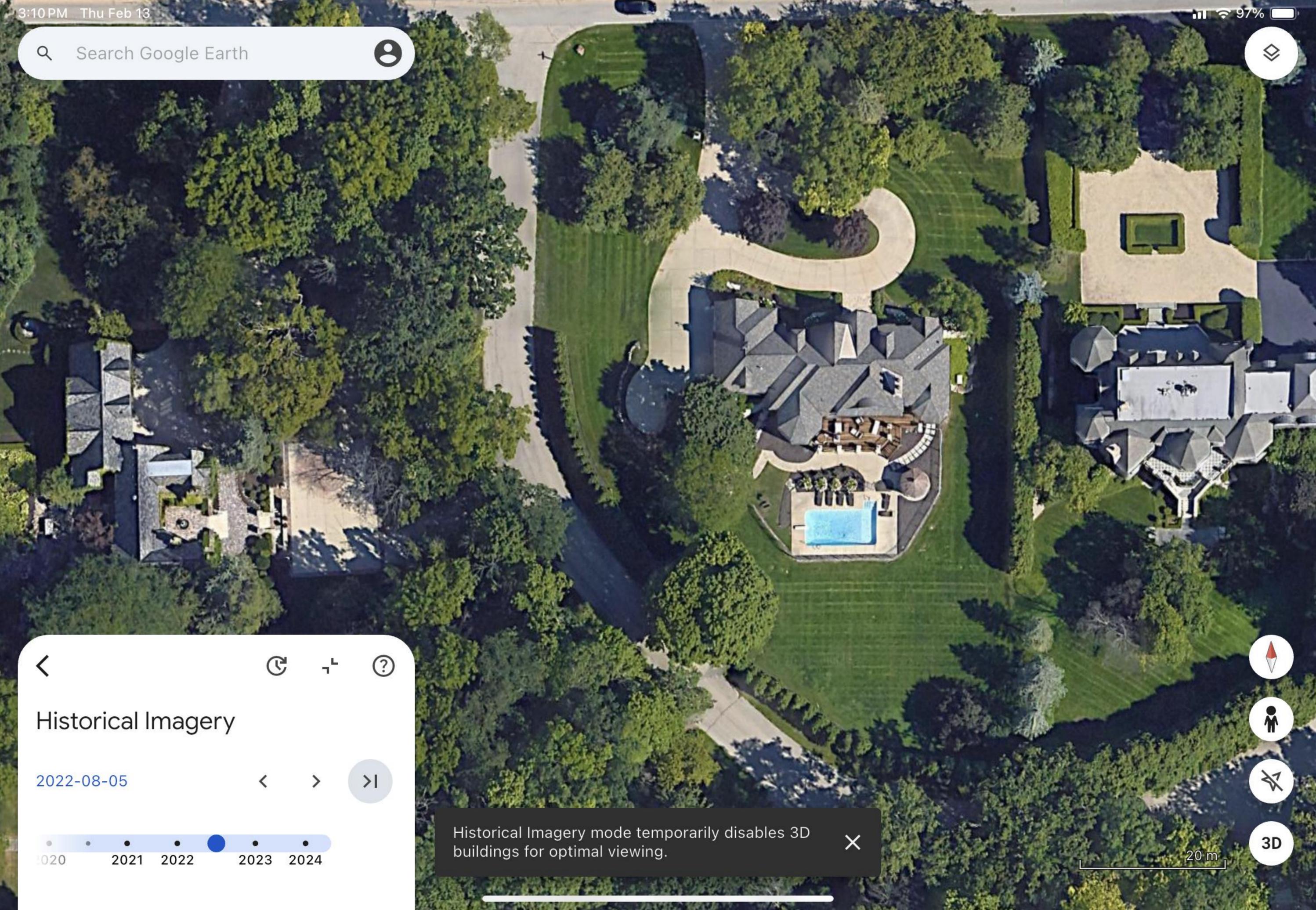
2018 2020 2021 2022 2023 20

Historical Imagery mode temporarily disables 3D buildings for optimal viewing.

Navigation icons: Home, Compass, Street View, Pegman, 3D

20 m

Search Google Earth



Historical Imagery

2022-08-05

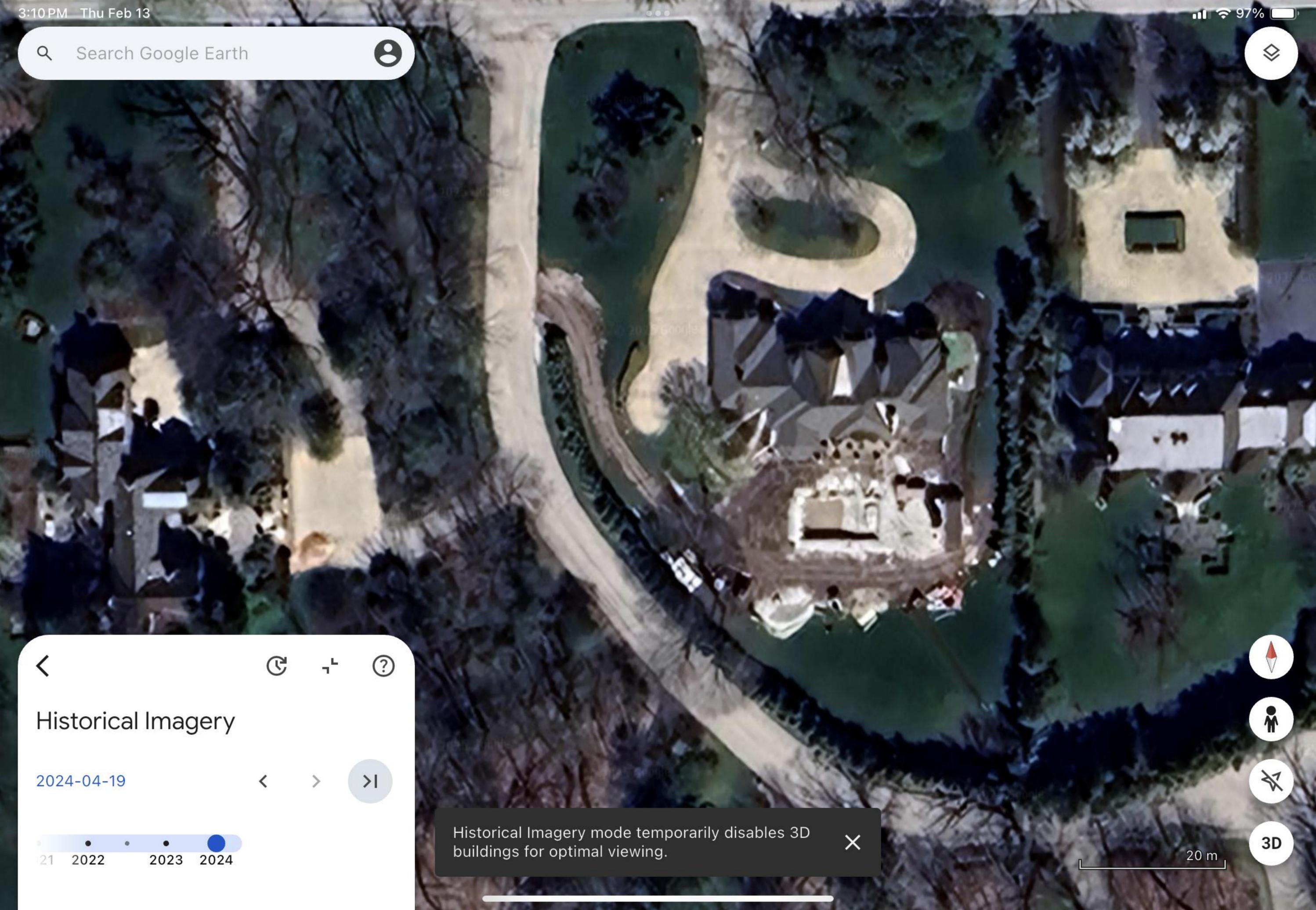
2020 2021 2022 2023 2024

Historical Imagery mode temporarily disables 3D buildings for optimal viewing.

20 m

- 3D
- Navigation icons: compass, person, location pin, 3D

Search Google Earth



Historical Imagery

2024-04-19

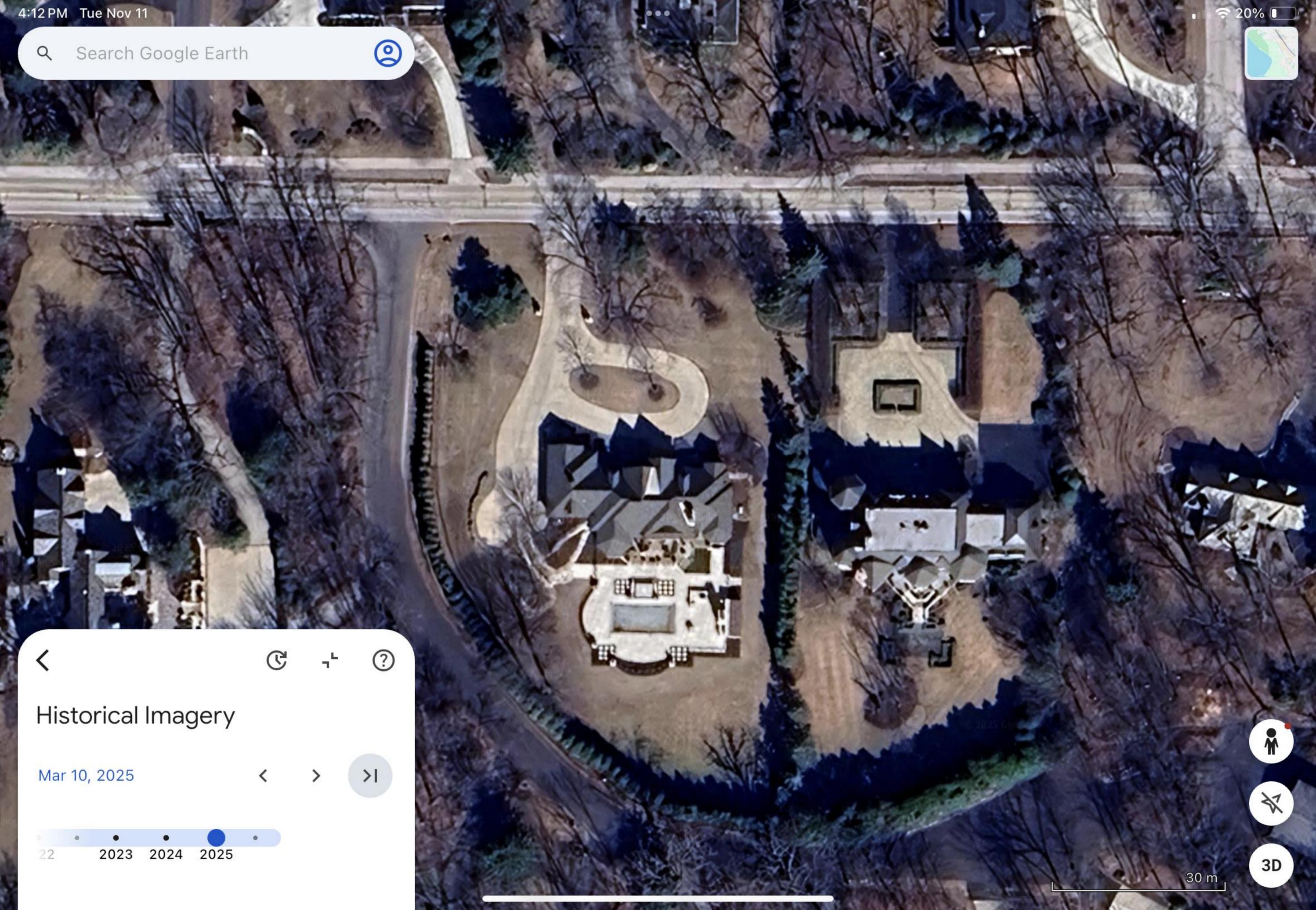
21 2022 2023 2024

Historical Imagery mode temporarily disables 3D buildings for optimal viewing.

20 m

- 3D
- Navigation icons: compass, person, location pin, 3D

Search Google Earth



Historical Imagery

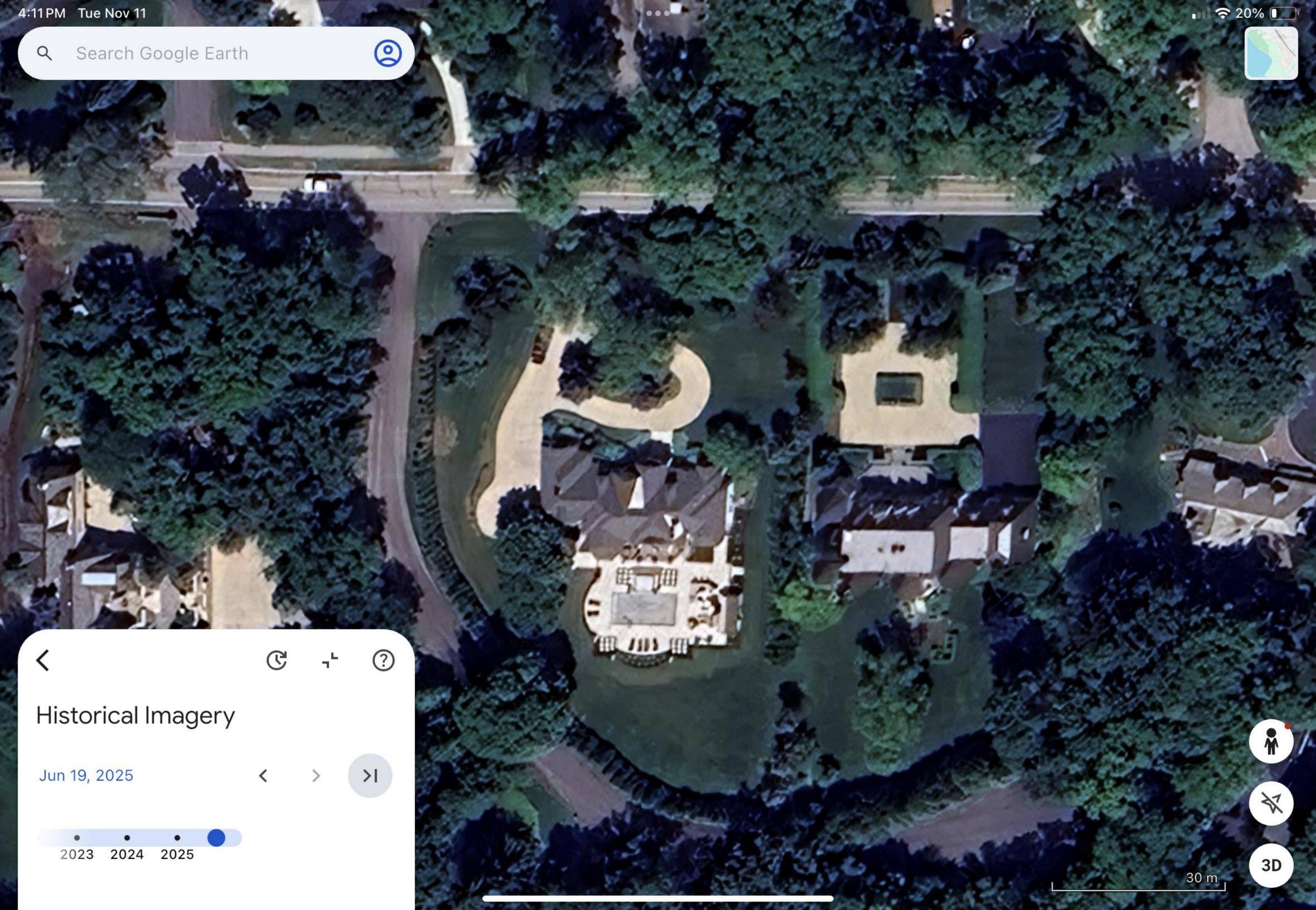
Mar 10, 2025

22 2023 2024 2025



30 m

Search Google Earth



Historical Imagery

Jun 19, 2025

2023 2024 2025



30 m



**Legend**

- Intermediate Contours
  - Intermediate Contour
  - Intermediate Depression
- Index Contours
  - Index Contour
  - Index Depression
- Municipal Boundary\_2K
- Parcel\_Dimension\_2K
- Note\_Text\_2K
- Lots\_2K
  - Lot
  - Unit
  - General Common Element
  - Outlot
- SimultaneousConveyance
  - Assessor Plat
  - CSM
  - Condominium
  - Subdivision
- Cartoline\_2K
  - EA-Easement\_Line
  - PL-DA
  - PL-Extended\_Tie\_line
  - PL-Meander\_Line
  - PL-Note
  - PL-Tie
  - PL-Tie\_Line
  - <all other values>
- Railroad\_2K

0 100.00 Feet

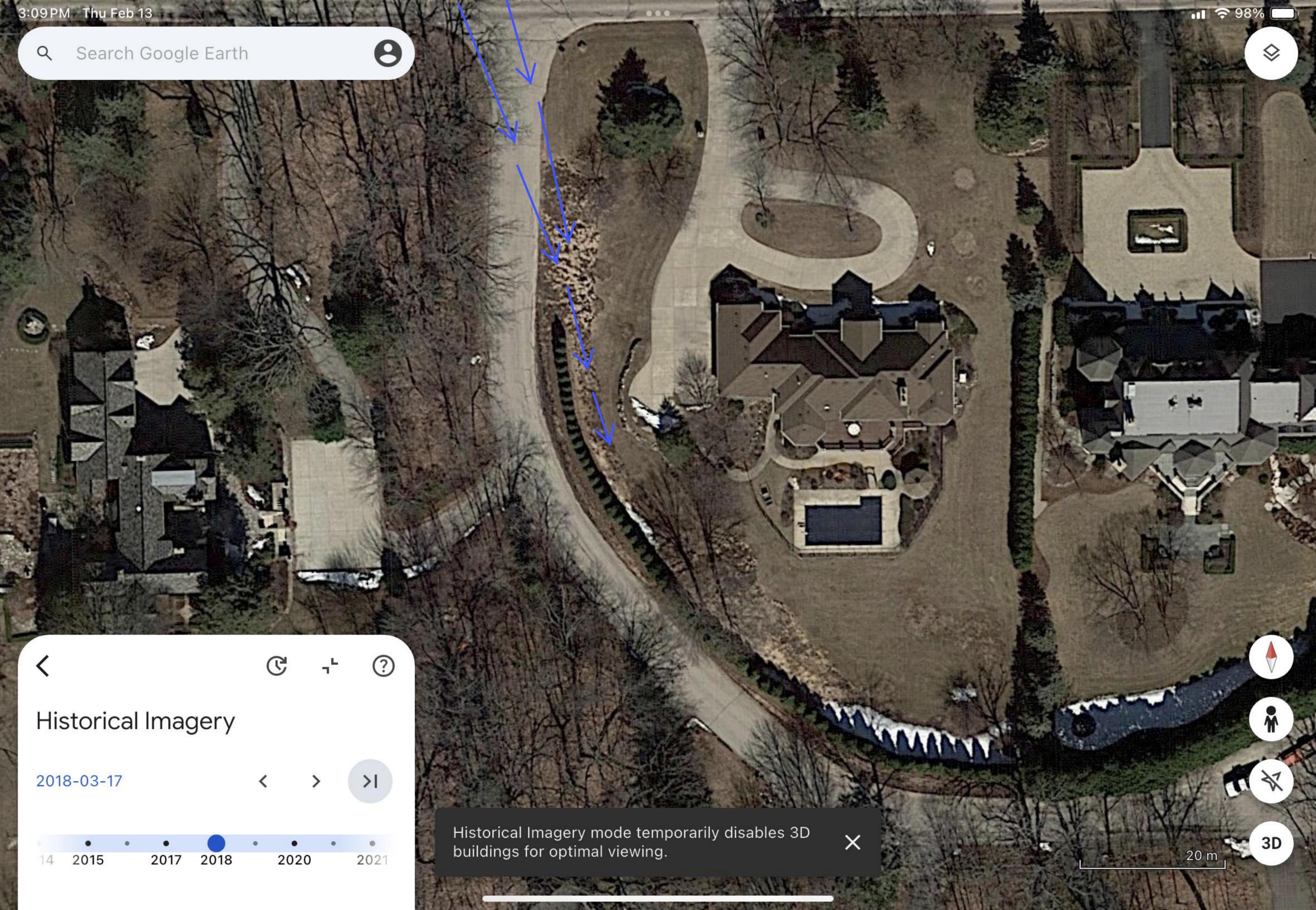
The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.

**Notes:**

Printed: 1/8/2026



Search Google Earth



Historical Imagery

2018-03-17

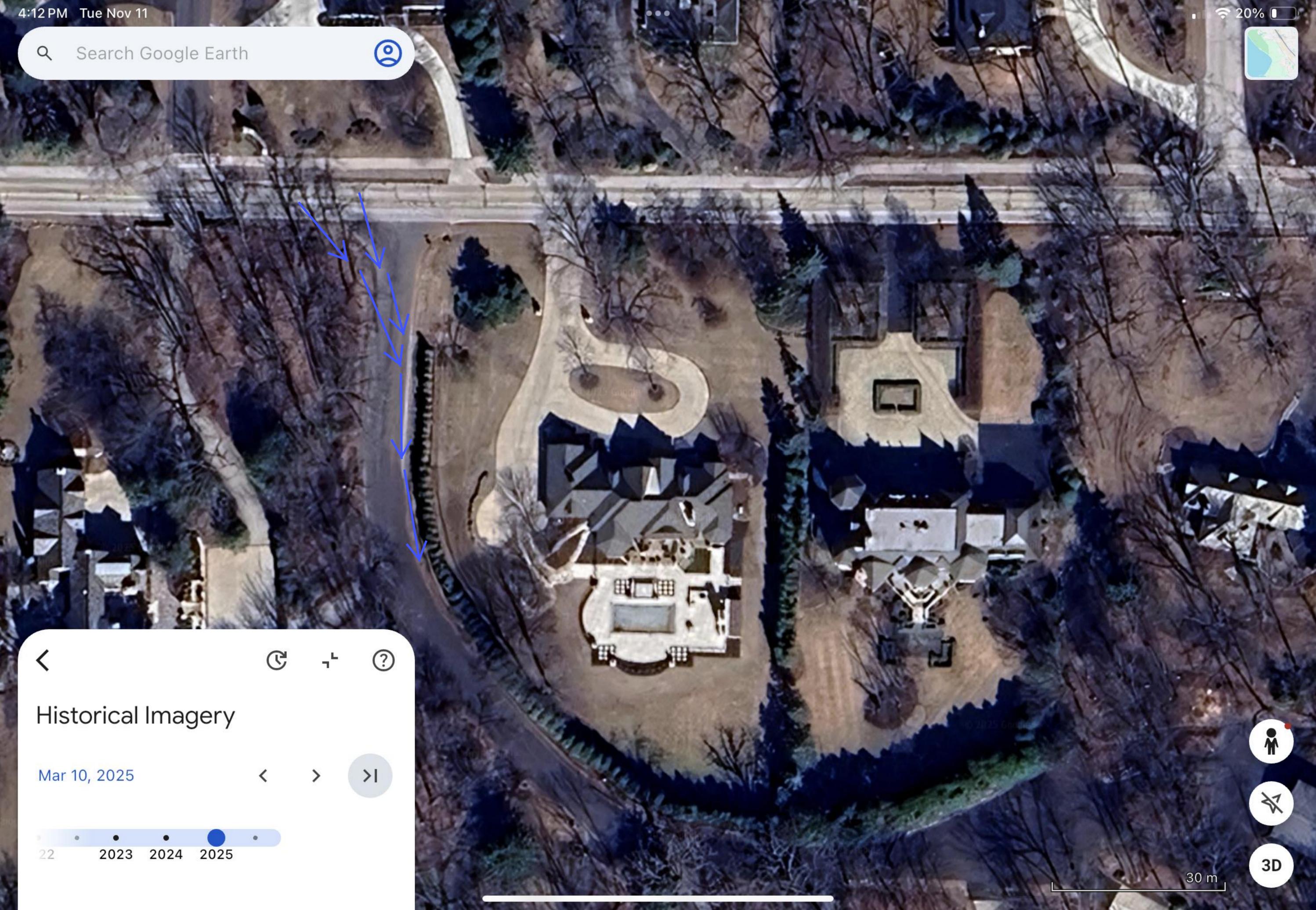
14 2015 2017 2018 2020 2021

Historical Imagery mode temporarily disables 3D buildings for optimal viewing.

Navigation icons: Home, Street View, Compass, 3D

20 m

Search Google Earth



Historical Imagery

Mar 10, 2025

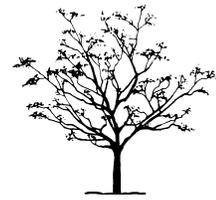
22 2023 2024 2025



30 m



January 6, 2026



**David J. Frank Landscape  
Contracting, Inc.**

To Whom It May Concern,

This letter is in regard to the row of arborvitae planted along the border of St. George Court and 14161 Juneau Blvd.

The original line of arborvitae was planted prior to Eric and Gina Peter purchasing the property, but due to the age/poor condition of those arborvitae, the Peters removed the original arborvitae and began replacing them. In 2018, they replaced a majority of the line but left out a 40 foot section of the line along the western side of their property, to allow for equipment access to their backyard for a renovation project. This last section along the west property, was replanted at the completion of the backyard renovation project, and the St. George Court repaving project, in 2024. All new arborvitae trees were planted in the same line location as the original planted line of arborvitae.

There are multiple reasons/hardships to this property that warrant the need for the line of arborvitae along St. George Court.

1. This property is a corner lot but is bordered by public road on 3 sides. Because St. George Court curves and changes direction, it borders this property on the west and south side, which exposes the entire backyard to public viewing and lack of privacy. The line of arborvitae creates the screen necessary for the privacy of this backyard.
2. The ROW lacks any type of effective drainage swale along the west property to keep road runoff from migrating onto the Peter property. Surface water does eventually make its way to the drainage basin along St. George Court, but not before it would first flow across the Peter's backyard. For the backyard renovation project, a rip rap tracking pad needed to be installed along St. George Court to stabilize the soil due to the amount of water at our access point. Upon completion of the backyard renovation project, the lawn was restored and turf seed was installed. Due to the amount of water runoff from St. George Court, the turf seed struggled to germinate and establish because of the level of moisture in the soil and soil erosion.

The line of arborvitae creates a natural barrier/swale for the road runoff and gives it a more direct flow along St. George Court, to the drainage basin, and not migrating onto the Peter property. Since the installation of the arborvitae, the west property, and backyard, have been drier and more successful in reestablishing the lawn.

N120 W21350 Freistadt Road  
P.O. Box 70  
Germantown, WI 53022  
Tel: (262) 255-4888  
Fax: (262) 628-4729  
mail@davidjfrank.com

With the benefits of the arborvitae line mitigating the privacy and stormwater hardships of the property, and planted in the same location as the original arborvitae line, we are requesting an approval of a ROW indemnification for the arborvitae trees now planted in place.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allan Schraufnagel', with a long horizontal flourish extending to the right.

Allan Schraufnagel  
Associate Landscape Architect

Cell: 414-507-3532

Email: [aps@davidjfrank.com](mailto:aps@davidjfrank.com)

N120 W21350 Freistadt Road  
P.O. Box 70  
Germantown, WI 53022  
Tel: (262) 255-4888  
Fax: (262) 628-4729  
[mail@davidjfrank.com](mailto:mail@davidjfrank.com)