

**VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI**

MEETING:	<u>BOARD OF ZONING APPEALS</u>
DATE AND TIME:	<u>WEDNESDAY, June 10, 2020 5:30 p.m.</u>
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

NOTICE: Pursuant to the current recommendation of the Centers for Disease Control and Prevention limiting the size of public gatherings, capacity within the Board Room will be limited. Members of the body and citizens may also attend the meeting virtually through the WebEx platform, Meeting #: 126 783 1459 Password: mbJME3pMv49 which can be accessed by phone at 408-418-9388 or by logging on at <https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=m2e897d9e4c91e5d46241d69da758dc95> Citizens wishing to view the meeting are encouraged to watch the live broadcast of the meeting through Channel 25 on Spectrum cable, or the livestream on the Village's website. Citizens not wishing to attend the meeting personally or virtually may submit any public comments by sending an email to comments@village.germantown.wi.us by 4 p.m. on the day of the meeting so that it can be provided to the members of the body for their consideration.

- I. **CALL TO ORDER:** This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.
- II. **ROLL CALL:**
- III. **APPROVAL OF MINUTES:** September 11, 2019.
- IV. **PUBLIC HEARING:**
 - A. The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the **VARIANCE APPEAL** filed by **Todd and Anisia Peterman, Agents for David Leszczynski**, property owner, who is requesting the following variances from the Village's Zoning Code (Section 17) to: (1) reduce the front/street yard building setback from 120' to 65' for Woodland Ponds Estates Lot 10 for the property located at N118 W12745 Taylor Trail (Lot 10 of Woodland Ponds Estates Subdivision), Parcel Number GTNV 241-074.
- V. **DELIBERATION AND ACTION BY THE BOARD on Item IV:**
- VI. **NEXT MEETING DATE AND TIME IF NEEDED:**
Second Wednesday's of the month at 5:30 p.m.
- VII. **ADJOURNMENT**

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.

Notice is given that a majority of the Village Board may attend this meeting to gather information about an agenda item over which they have decision making responsibility. This may constitute a meeting of the Village Board per State ex rel. Badke v. Greendale Village Board, even though the Village Board will not take formal action at this meeting.

**VILLAGE OF GERMANTOWN
BOARD OF ZONING APPEALS
MEETING MINUTES
SEPTEMBER 11, 2019**

CALL TO ORDER: The meeting was called to order at 5:34 p.m.

ROLL CALL: Chairman White, Hansen, Fritsche, Knop, Community Development Director (CDD)/Village Planner and Zoning Administrator Retzlaff, Assistant Planner Zandt, and Clerk Braunschweig.

APPROVAL OF MINUTES: August 14, 2019.

Motion (Fritsche/Hansen) to approve minutes as presented for August 14, 2019.

Discussion ensued of the objection letters that were on the dias in the August 14, 2019. Chairman White commented that the minutes accurately reflect the meeting. The objection letters are considered part of the record whether or not they were read aloud. When written comments are submitted they are considered part of the record. Because the individuals were not present to testify under oath, it is up to the Board to decide how much weight the written comments have. They should be noted that they exist but they are not required to be read. They would not have changed the decision. Motion Carried Unanimously to Approve the August 14, 2019 Minutes.

PUBLIC HEARING:

Chairman White read the public hearing notice. Hearing is to hear any and all parties, their attorneys or agents, for or against the **VARIANCE APPEAL** filed by **Katelyn LeTourneau**, Agent for Darlene LeTourneau, property owner, who is requesting variances from the Village's Zoning Code (Section 17) to: (1) reduce the minimum front/street yard fence setback requirement from 2 feet to 6 inches under Section 17.50(2)(f)4.; and (2) increase the maximum height allowance for a fence in the front/street yard from 4 to 7 feet under Section 17.50(2)(f)3 *for the following property: N120W15515 Freistadt Road, Germantown (Tax Key# GTNV 232-991)*

Chairman White described the meeting order to Darlene LeTourneau, Kevin Schodron and the gallery that normally the Village's information and review of the Variance is given first and then Darlene LeTourneau and Kevin Schodron would have opportunity to give her point of view. Darlene LeTourneau and Kevin Schodron understood the order.

Chairman White swore in Director Retzlaff.

Director Retzlaff gave history and background of the Variance Appeal for N120W15515 Freistadt Road. Director Retzlaff referenced the Village letter dated August 7, 2019, and the denial of the 7 foot high fence on Freistadt Road. The building inspection letter stated that:

Your application proposes a 7' high fence in the front yard. Section 17 .50(2)(f)(3) of the Germantown Municipal Code reads, "Fences in front yards may not exceed 4 feet in height, except a maximum height of 6 feet on approval of the Plan Commission after consideration of visibility, privacy and access concerns."

Your application also proposes the fence to be located 6 inches off of the front yard lot line. Section 17.50(2)(f)(4) of the Germantown Municipal Code reads. "No fence shall be closer than 2 feet to a public right of way.

This is for the front yard of the property. A map and photograph of the property was shown. The approximate location of the proposed fence was shown.

Section 17 .50(2)(f)(3) of the Germantown Municipal Code reads, "Fences in front yards may not exceed 4 feet in height, except a maximum height of 6 feet on approval of the Plan Commission after consideration of visibility, privacy and access concerns."

This request is for a seven foot high fence by definition the side yard is considered a front yard.

Section 17 .50(2)(f)(4) of the Germantown Municipal Code reads, " No fence shall be closer than 2 feet to a public right-of-way."

The request is to locate the fence six inches from the right of way. The fence is supposed to be behind or south of the wall. There is property on the wall that is considered right of way.

By definition of the zoning code a corner lot has two street or front yards for establishing set-backs for fences.

The property line is south of Freistadt Road. The property line and right of way line are the same.

Kevin Schodron interjected that Darlene LeTourneau owns 10 feet of the line from the barn north and four feet, three inches is owned by Washington County

The limestone fence is twenty-four inches thick. The property line is four feet from the limestone.

If the fence is built and if the County wants to do something in the right of way, who is responsible to remove the fence? It would be responsibility of the property owner.

If Freistadt Road were to be widened, additional right of way would be required.

Jim Hanson questioned if the side or rear yard could have a higher height. The fence heights for front and side could be for vision, aesthetics, visibility, access, or privacy concerns.

Is there any County provision for the fence to be in the right of way. Director Jeff Retzlaff commented no.

There was a CSM created back in the 70s that shows the easement.

Chairman White swore in Kevin Schodron of N120W15515 Freistadt Road, Germantown. He is Darlene LeTourneau's son in law. Kevin Schodron commented that they had went to the County and within two hours they had permits from the County. The County Highway Supervisor told him that they could put the fence on the limestone and they are responsible for it. Kevin Schodron stated that the County has no issues with the fence or location of the fence.

There is only eight feet from the barn. Every fourth of July they have issues of people walking on the wall and broken bottles. The fence height requested is seven foot; however, he was not sure why it is stated that way. The quote is for a six foot fence. They want privacy.

Kevin Schodron showed a video of a person coming up to their front door and trying to open it at 2:57 a.m. The door was locked. There was evidence that the person had napped outside by barn and left belongings behind.

They have had property stolen such as concrete decorative cows. There was a fence there at one time but it was dilapidated and they removed it.

Chairman White questioned if the six-foot fence was the intention. Kevin Schodron stated he did not know why the application stated seven-foot fence. Kevin Schodron stated that they want a six foot dog eared cedar fence.

Knop commented that the retaining wall makes the yard unique for security. The fence could start at barn and go East to Pilgrim.

Chairman White reported that by code a corner lot has two front yards.

Kevin Schodron stated that security and safety is the main goal. And they want the property to look nicer.

Fritsche questioned the four-foot fence versus the six-foot fence. Will this keep people out, versus keeping people in so they do not fall on the retaining wall. They also have a puppy that fell off of the retaining wall. Schodron commented concern of the liability. They also want privacy. Schodron commented that the old fence was right behind the wall.

Chairman White swore in Darlene LeTourneau of N120W15515 Freistadt Road, Germantown. LeTourneau commented that the fence would bring privacy. Her bedroom is on the first floor. Can see right into her room from both ways.

Hansen commented on the fence height and location. The front yard is often lower because of vision triangles and line of sight.

Schodron commented that people already pull out and the fence would not hinder further.

Director Retzlaff pointed out that the County would play a role. The fence cannot be in the vision triangle.

Discussion of the vision triangle ensued. It was indicated that the County had already issued a permit.

Fritsche questioned if the board can approve something in between. Director Retzlaff commented that the board can approve something in between. Fritsche questioned if the fence height had to be six feet or could it be less. Schodron and LeTourneau replied the fence had to be at least six feet.

Chairman White asked for anyone to speak in favor of the variance to please come forward.

No one spoke.

Chairman White asked for anyone to speak in opposition of the variance to please come forward.

No one spoke.

Chairman White commented that an email was received from Rick Miller in support of the requested variance.

Schodron commented that he talked to a neighbor that was in favor of the variance but could not be at the meeting due to work schedule.

Chairman White asked if there were any other comments for or against the variance or otherwise?

The Public Hearing was closed at 6:20 p.m.

The Findings, Conclusions, and Decision and Order were deliberated.

Chairman White suggested to review the requests separately.

The first variance request is to reduce the setback from two feet to six inches.

The variance will or will not be contrary to the public interest and will not be in accord with the spirit of the zoning code because temporary means temporary and is defined in the code.

Fritsche stated that the variance request to reduce the setback from two feet to six inches would not be contrary to the public interest.

White commented he agreed as there will still be considerable distance between the fence and wall.

Knop commented this is the lesser of the issue and not contrary. The setback area will not be contrary to the public interest.

There are not exceptional, extraordinary or unusual conditions or circumstances that apply specifically to this lot or parcel, use, structure, or intended use that do not apply generally to other property or uses in the same district because there are always these types of structures.

White commented that the retaining wall and right of way makes this property unique.

Fritsche commented, Why didn't the County install the fence.

The variance is not necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district because he can still use the property.

White commented on safety as an issue. The privacy argument does not win the day. The location on the road, the uniqueness of the retaining wall.

The house line of vision is much higher to see.

Knop commented that if the variance was not granted the space between the fence and barn would be wasted space; however, the fence could be configured differently. This yard is unique because of the retaining wall. Knop commented that the variance is not necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district because he can still use the property. White commented that it is a close call because of the location of the barn and property line. At certain times of the year the property does get a high number of unwanted guests coming and going to Firemen's Park.

The variance will not create substantial detriment to adjacent property and will be contrary to the public interest.

There are no adjacent property owners except for County and Railroad.

The literal enforcement of the terms of the Zoning Code would not result in practical difficulty or unnecessary hardship to the applicant as he can still use the property.

White commented that there is practical difficulty or unnecessary hardship. Fritsche commented that they are entitled to build a fence. Are they forced to build in a way that violates the ordinance or hardship. Fritsche questioned is it for necessity?

The damage and theft were commented on.

MOTION (White/Fritsche) to Grant the Variance and Reduce the Setback Requirement from two feet to six inches based on the findings of fact. Motion Failed. White and Fritsche voted aye; Hansen and Knop voted nay.

Chairman White stated outcome of the Setback variance to appellant.

The second part of the variance is in regard to the height of the fence, from four foot to seven foot. Schodron had commented on six feet; however, the application and notice state seven feet.

The variance will or will not be contrary to the public interest and will not be in accord with the spirit of the zoning code because temporary means temporary and is defined in the code.

White commented that the six-foot fence is not contrary to public interest. Fritsche agreed with White. The Plan Commission can approve a six-foot fence.

There are not exceptional, extraordinary or unusual conditions or circumstances that apply specifically to this lot or parcel, use, structure, or intended use that do not apply generally to other property or uses in the same district because there are always these types of structures.

White commented that it abuts a road and has a retaining wall that is very high. Knop commented that the uniqueness of the retaining wall safety and security. The retaining wall and elevation from the yard adds to the security. Knop commented that the four-foot fence is sufficient and the retaining wall works to their advantage. The code allows a six-foot fence through the plan commission. They could go to the Plan Commission for the six-foot fence. White commented that the Board of Zoning of Appeals could grant the fence. The application was for seven-foot fence.

The variance is not necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same district because he can still use the property.

White commented that it could be a safety issue. He does not agree that the wall serves as a barrier. He commented it is something kids want to climb.

Knop commented that the variance is not necessary because the retaining wall is an advantage. The variance is not necessary because the retaining wall adds privacy that others do not have.

The variance will create substantial detriment to adjacent property and will be contrary to the public interest.

There are no adjacent property owners except for County and Railroad.

The literal enforcement of the terms of the Zoning Code would not result in practical difficulty or unnecessary hardship to the applicant as he can still use the property.

White commented that it would because of safety and security. A four-foot fence is jumpable.

Discussion ensued that they could go back to plan commission and request a six-foot fence. White commented that the Board of Zoning of Appeals has the authority to grant the six-foot fence.

White commented he will make a motion and if that motion is denied then a motion can be made conditionally to send the request for six-foot fence to Plan Commission.

MOTION (White/Fritsche) to grant the Variance with respect to the fence be six foot and not seven. If denied than someone can make a motion to make the fence six foot conditional on Plan Commission. Motion Failed. White and Fritsche voted aye; Hansen and Knop voted nay.

Chairman White stated outcome of the Setback variance to appellant.
Chairman White stated next hearing will be as needed.

MOTION The meeting adjourned at 6:55 p.m.

Respectfully Submitted,

Deanna B. Braunschweig, WCMC/CMC



Planning Department

Jeffrey W. Retzlaff, AICP

Village Planner & Zoning Administrator

N112 W17001 Mequon Road P.O. Box 337

Germantown, WI 53022-0337

Telephone: (262) 250-4735 Website: www.village.germantown.wi.us

E-mail: jretzlaff@village.germantown.wi.us

MEMORANDUM

TO: Board of Zoning Appeals (BOZA) Members

FROM: Emily Zandt, Associate Planner/Zoning Administrator

DATE: June 10, 2020

RE: Variance Appeal; N118 W12745 Taylor Trail (Lot 10 of Woodland Ponds Estates Subdivision)
Todd & Anisia Peterman, Applicant
Germantown Acquisitions LLC, Property Owner

Background

In April 2020, the Inspection Services Division of the Community Development Department advised the applicant to submit a variance application to the Board of Zoning Appeals (BOZA) to reduce the front/street yard setback from 120' to 65' for Lot 10 of Woodland Ponds Estates. (see [EXHIBIT 1- Application Materials] dated April 30, 2020).

Appeal/Request

The applicant is seeking a variance to reduce the front building setback from 120' to 65'.

Staff Comments

The final plat of Woodland Pond Estates shows a 120' setback from the front property line of Lot 10. The Rs-3 District requires a minimum lot width of 150'. The front setback when the minimum lot width is met, is 45'. Lots adjacent to cul-du-sac bulbs are often pie shaped and do not meet the minimum lot width of 150' adjacent to the road. In this case, and in the case of the subject property, the front setback is determined to be at the location the lot widens to meet the 150' width minimum. On Lot 10 of Woodland Pond Estates, the lot width reaches 150' at the point 120' back from the front lot line.

If the proposed variance to the lot frontage at setback requirement, is approved, all required setbacks in the Rs-3 Single Family Residential District would still be met.

VILLAGE OF GERMANTOWN
OFFICE OF THE VILLAGE CLERK
N112 W17001 MEOUON ROAD/ P. O. BOX 337
GERMANTOWN WI 53022-0337

HOW TO APPEAL TO THE ZONING BOARD OF APPEALS

- [X] Fill out an application form available from the Village Clerk and attach supporting documents. (Survey of property showing location of structures, rendering of buildings, renderings of signs, etc.)

- [N/A] File your appeal within 30 days after the date of written notice of order or decision from which the appeal/application is taken. – See attached email from Jeff Retzlaff

- [X] Submit an application fee of \$570. This fee is used to pay costs of notice publication, mailings and other administrative costs.

- [X] Allow a minimum of three weeks for your hearing date to be set. The Board of Zoning Appeals has set monthly meetings. If your application falls within the required time frame for notice, your appeal will be heard at the next meeting. If not, your application will be held over to the next meeting. This is due to State Law requiring two publications of the public hearing in the official paper. The last date for publication cannot be less than 7 days prior to the hearing. The official paper is published on Wednesday. – Per Village Clerk Office, application was emailed on 5/1/20 and payment was delivered to Village Hall on this date with the expectation of a June hearing.

- [] You will receive from the Board Secretary a notice of public hearing, indicating the date, time and place of your hearing.

- [] Appear, at the hearing to explain the application and to answer any questions. You may appear personally or by an agent, and/or with an attorney.

- [] You will receive an official notice of decision of your appeal by "certified mail" within five (5) days following the meeting. The notice will show the date of filing in the Board's office should you wish to appeal the decision to Washington County Circuit Court.

- [] If your appeal is granted, substantial work must commence within six (6) months of the filing of the decision, or the variance will expire.

- [] If your appeal is denied, you may commence action in circuit court within 30 days of date of filing or file a revised permit application in accordance with the building and/or zoning requirements with the Zoning Administrator or Building Inspector.

VILLAGE OF GERMANTOWN
OFFICE OF THE VILLAGE CLERK
N112W17001 MEOUON ROAD/P.O.BOX 337
GERMANTOWN WI 53022-0337

BOARD OF ZONING APPEALS
NOTICE OF APPEAL OR APPLICATION

Case No. _____
Filing Date _____
Fee Paid \$ _____
Hearing Date: _____
Notice Mailed: _____
Notices Published: ____/____

To: Board of Zoning Appeals
Village of Germantown, Wisconsin

NOTICE IS HEREBY GIVEN that the undersigned hereby (appeals for relief from a decision of an administrative official) (applies for the following described right or privilege) :

1. Appellant's or Applicant's Name: Todd & Anisia Peterman
Address: W168N10262 Bittersweet Trail Germantown, WI 53022
2. Phone No.: 414-217-4634 or 262-420-7009
3. Appellant's or applicants' interest in property:
() Owner; () Tenant; () Mortgagee; (X) Agent.
4. Property Owner's Name: David Leszczynski
Address: 3223 Fleur De Lis Drive Mequon, WI 53092
5. Phone No.: 414-550-8087
6. Address of property: Woodland Ponds Estates
Lot 10
7. Present use of the property: Vacant
8. Proposed use of the property: Single Family Residence
9. Previous Appeal or Application (if any)? Yes () No (X)

If YES, list date of hearing:_____and Decision of previous

hearing:_____

10. Identify the **PURPOSE** for this appeal or application. Please circle appropriate item below and provide the requested information. Attach a separate sheet, if necessary.

(a) Appeal of decision or order of Administrative Official and Request for Interpretation of Zoning/Building Code.

1. Date of decision or order:

2. Description of decision or order:_____

3. Decision or order is erroneous because:_____

(b) Request for Variance of Zoning/Building Code.

1. ~~Describe the requested variance and dimension of variance:~~

Variance requested to reduce the minimum lot frontage at setback from 150' to ~110', thus reducing the front building setback from 120' to ~65'. This variance is being requested because a hardship for safety and practical difficulty is being created by having to build at 120' when it was noticed that the final plat differed from the preliminary Village approved plat as well as the plat shown on the grading plan and soil perc report which were consistent with the pre-plat (see attached plats and grading plan).

2. Explain how the Variance, IF granted, is consistent with the spirit, purpose and intent of the Code:

Reducing the minimum lot frontage at setback does not infringe upon any adjacent properties and maintains the minimum front building setback of 45', side setback of 20' and rear setback of 35' for an Rs-3 zoned property.

3. Describe the exceptional, extraordinary or unusual conditions or circumstances that apply specifically to this lot/parcel, use, structure, or intended use that DO NOT apply generally to other properties or uses in the SAME district:

This particular lot with a 120' setback would pose a safety concern with regard to the slope of the driveway due to the steep grade of the property at this setback. The driveway slope is calculated to be 6.15% at our requested 65' setback versus 8.33% at the 120' setback. However, the

elevation for the back 55' of the driveway (from a 65' to 120' front setback) drops 6', from 899' to 893', creating a 10.91% slope. Additionally, a 120' setback would put the rear foundation abutting the drainage easement and buildable area on the South edge and would cause construction concerns by limiting the buildable area behind the house (e.g. patio) (please see attached drawings from the surveyor to illustrate the building and grades at both a 65' setback and 120' setback). Lastly, in the event that there is a berm failure on the detention pond upstream from Lot 12, there are concerns that this water may flow down to the pond on Outlot 6. Placing the house at a 120' setback creates a flooding risk if this pond were to overflow (see section 4b-iv of attached the Engineering Department Memorandum dated February 25th, 2019 as well as plat drawing of detention pond upstream from Lot 12).

4. Describe what special conditions exist which cause practical difficulty or unnecessary hardship, IF variance is NOT granted:

There are safety concerns with the steep grade of the driveway, as well as the proximity of the pond on the adjacent Outlot 6 to where the back of the house would be with our small children. With the subdivision covenants requiring a side-entry 3 car garage, this creates additional challenges with placement of the building as it would end up abutting to an underground drainage easement to the East as well as putting us right on the edge of the build-able area to the South.

5. Explain why the variance **IS NECESSARY** for the preservation and enjoyment of substantial property rights possessed by other properties in the SAME district:

Allowing for the building closer to the front lot line allows for more distance between the back of our house and the building pad on lot 9, thus creating more space for privacy and enjoyment for both property owners (see email from Lot 9 buyers, Brandon & Elizabeth Helleeson).

6. Explain how this variance, IF granted, **WILL NOT** create substantial detriment to adjacent property, **WILL NOT** be contrary to the public interest and **WILL NOT** endanger public safety and interest:

This variance would still keep the building within all setback requirements for Rs-3 zoning thus keeping appropriate boundaries to adjacent properties and outlots. This would not be contrary to public interest and being further from the drainage easement and Outlot 6 may increase public safety and interest.

(c) Request for interpretation of regulations of the Zoning Code or the District boundaries of the Zoning Map.

1. List applicable section(s) of the Zoning Code:

2. Describe proposed use/activity/construction:

3. Explain reasons supporting requested action:

4. Has request been referred to Plan Commission? Yes () No ()
If YES, give recommendation of Plan Commission:

(d) Permission for Temporary Use Permit.

1. Describe use requested: _____

2. Proposed commencement date: _____

3. Proposed termination date: _____

(e) A determination that an unspecified or unclassified use is permitted in a Zoning District.

1. Describe use requested:

2. Attach copy of recommendation of Village Plan Commission.

(f) Permission to substitute a MORE restrictive non-conforming use for an existing non-conforming use.

1. Attach copy of recommendation of Village Plan Commission.

2. Attach copy of certification of Zoning Administrator to legality of present non-conforming use.

3. Date of commencement of present use: _____

4. Value of improvement on date use became non-conforming (attach documentation supporting value): \$

5. Present value of all existing improvements, additions and alterations since date use became non-conforming (attach documentation): \$ _____

REQUIRED DOCUMENTATION

Each appeal or application must be accompanied by:

- A. Current plat or survey of the lot/parcel, with complete details of the site, dimensioned, elevation data, easements, existing and proposed physical features, yards and setbacks, etc.
- B. Attachments as outlined above.
- C. Filing fee(s)
- D. Copy of decision or order which is the basis of this appeal/application.
- E. Name and Address of counsel IF appellant/applicant elects to be represented by counsel.
- F. Any additional fee of \$_____ to cover the administrative costs if a contested case is requested.

I hereby certify that the above application and/or appeal and all attachments hereto are true, correct and complete to the best of my knowledge and belief.

Dated: April 30, 2020



Signature of applicant or appellant

From: Jeff Retzlaff <jretzlaff@village.germantown.wi.us>
Sent: Tuesday, April 28, 2020 11:24 AM
To: Lori Johnson <ljohnson@village.germantown.wi.us>; Holly Madson <hmadson@village.germantown.wi.us>; Inspector <Inspector@village.germantown.wi.us>
Cc: Deanna Braunschweig <dbraunschweig@village.germantown.wi.us>
Subject: Woodland Ponds Estates; Lot 10 Setback Issue

I understand that a prospective owner of Lot 10 in the WPE subdivision has questions about the minimum 120 feet front/street yard setback as shown on the final plat (attached).

I believe that there may be some confusion given that the 120 feet setback shown in the final plat is different than the list of setbacks presented in the subdivision covenants (draft attached) that indicates the front/street yard setback is a minimum 45 feet with reference to the Village's Zoning Code Section 17.16 for the Rs-3 Zoning District that this property is located in.

The problem is that, on pie-shaped cul-de-sac lots like Lot 10 (as well as Lots 3, 4 and 11), the minimum setback is determined based on the width of the lot. The minimum lot width in the Rs-3 District is 150 feet. For lots that are 150 feet in width or greater, the minimum setback is 45 feet. For pie-shaped lots where the front yard abutting the public street is less than 150 feet, the minimum setback is measured at the point where the lot widens to 150 feet. NOTE: Lots that are less than 150 feet in width are not allowed to be created in the Rs-3 District because of the minimum 150 lot width requirement; pie-shaped lots like Lot 10 are only allowed to be created if the lot widens to at least 150 feet at some point AND there is an adequate building envelop created on the lot that can accommodate the construction of a code-compliant dwelling.

In the case of Lot 10, the lot widens to 150 feet at a point that is 120 feet setback from the street yard property line, and therefore, this point is the minimum front/street yard setback for Lot 10.

In the event that the owner wants to seek a variance from this setback, they would need to apply for said variance from the Board of Zoning Appeals (BOZA) through the Village Clerk's Office. With respect to the typical scenario where one applies for a variance only after first having been denied a building permit, I do not see the need for this particular owner to first apply for and be denied a building permit for a new dwelling on Lot 10 if the owner understands that their variance application contains the necessary information that clearly shows why the variance is being requested and why the required setback cannot reasonably be met without the variance being granted. That information may very well include some sort of scaled site plan of the lot and proposed dwelling.

As with all variance applications, the owner needs to consider the requirements and criteria that the BOZA will use to judge whether or not a variance can/should be granted before submitted their application. Seeking a variance is not a "pay-and-go" process that gets approved simply because there isn't/aren't other property owners who might object.

Finally, the current owner of the property needs to be the one signing the variance application. The prospective owner can be authorized by the owner to act on their behalf and listed as the "agent" on the variance application.

Please feel free to share this email with the prospective owner.

*Jeffrey W. Retzlaff, AICP
Community Development Director
Zoning Administrator
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4735
jretzlaff@village.germantown.wi.us*

GERMANTOWN ACQUISITIONS, LLC
3223 Fleur De Lis Drive
Mequon, WI 53092

Todd and Anisia Peterman
W168 N10262 Bittersweet Trail
Germantown, WI 53022

April 30, 2020

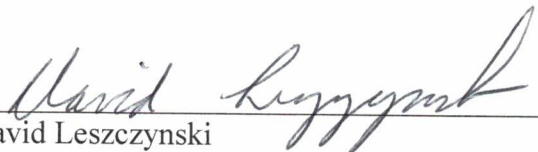
Re: Letter of Consent - Lot 10 Woodland Ponds Estates

Dear Mr. & Ms. Peterman:

I accordance with the accepted Offer to Purchase, dated 4/19/2020 and subsequent Amendment to Offer to Purchase, dated 4/22/2020, Germantown Acquisitions, LLC offers this Letter of Consent for Todd and Anisia Peterman to freely move and seek from the Village of Germantown a variance from the front yard setback for Lot 10 in Woodland Ponds Estates. There is no time restriction to this Letter of Consent

Furthermore, if a front yard setback is allowed that is different from the recorded plat of Woodland Ponds Estates, Germantown Acquisitions, LLC will immediately record with the Washington County Register of Deeds an Affidavit of Correction showing the changes approved by the Village of Germantown.

Sincerely,


David Leszczynski

PRELIMINARY PLAT
"WOODLAND PONDS ESTATES"

PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, OF SECTION 24, TOWN 9 NORTH, RANGE 20 EAST,
IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN

LEGEND :

- 860----- DENOTES EXISTING MAJOR CONTOURS
861----- DENOTES EXISTING MINOR CONTOURS
----- DENOTES U.S.D.A. SOIL BOUNDARY
----- DENOTES BUILDING SETBACK LINES
----- DENOTES WETLAND LIMITS LINE
- TP #30 DENOTES WETLAND AREAS
TP #30 DENOTES SOIL TEST LOCATION

NOTES :

1. ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. (NAD27)
2. LOTS IN THIS DEVELOPMENT WILL USE ON-SITE SOIL ABSORPTION SANITARY SEWERAGE DISPOSAL SYSTEMS AND PRIVATE WELLS.
3. UNLESS NOTED OTHERWISE BUILDING SETBACKS ARE AS FOLLOWS:
FRONT YARD = 45.0'
SIDE YARD = 20.0'
REAR YARD = 35.0'

APPROVING AGENCIES :
VILLAGE OF GERMANTOWN

OBJECTING AGENCIES :
DEPARTMENT OF ADMINISTRATION

OWNER/SUBDIVIDER :
GERMANTOWN ACQUISITIONS, LLC
C/O DAVID LESZCZYNSKI
3223 FLEUR DE LIS DR.
MEQUON, WI 53092
(414) 550-8087

SURVEYOR :
JAMES G. SCHNEIDER
NORTH SHORE ENGINEERING, INC.
11433 N. PORT WASHINGTON ROAD
MEQUON, WI 53092
(262) 241-9400

EXISTING ZONING :
EXISTING ZONING : Rs-3

F.E.M.A. NOTE :

1. THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS DETERMINED BY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 55131C 0377 D, EFFECTIVE DATE: NOVEMBER 2, 2013.

SOILS LEGEND :

SYMBOL	NAME	Slopes
MTA	Mequon silt loam	1-3%
OuB	Ozaukee silt loam	2-6%
OuB2	Ozaukee silt loam	2-6% eroded
OuC2	Ozaukee silt loam	6-12% eroded
OuD2	Ozaukee silt loam	12-20% eroded
RaA	Radford silt loam	0-3%

Property Statistics:

Total Property Area = 29.68 acres (100%)
Wasaukee Rd., Elm Ln., Taylor Tr. & Forest Hill Rd. Dedication Area = 4.02 acres 13.53%)
Average Lot Area = 1.029 acres x 12 = 12.35 acres (41.60%)
Outlots 1-3, 5 & 6 Area = 8.73 acres (29.43%)
Outlot 4 Area (Future 4 Lot Division) = 4.58 acres (15.44%)

SURVEYOR'S CERTIFICATE

I, James G. Schneider, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided, and mapped the preliminary plat of "WOODLAND PONDS ESTATES", described as follows:

The Southeast 1/4 of the Northeast 1/4 of Section 24, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

Excepting Therefrom: Lot 1 of Certified Survey Map No. 4434, being that part of the Northeast 1/4 of Section 24, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

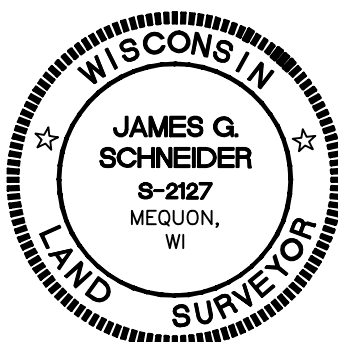
Said Parcel containing 1,292,977 sq. ft./29.683 acres of land, more or less.

THAT I have made such survey, land division and preliminary plat at the direction of DAVID LESZCZYNSKI, Managing Member of Germantown Acquisition, LLC, Owner of said land.

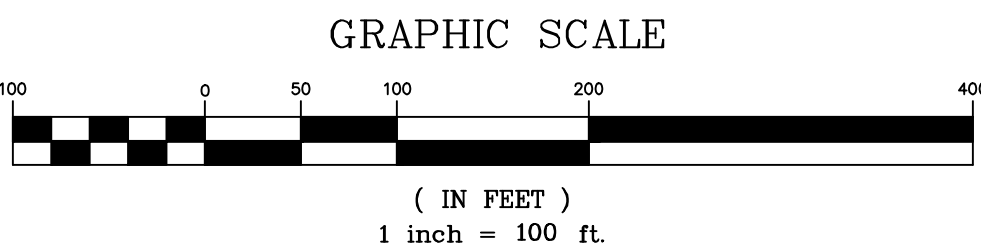
THAT such plat is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of the Village of Germantown Land Division Code, Chapter 18.04.

James G. Schneider
P.L.S. No. S-2127



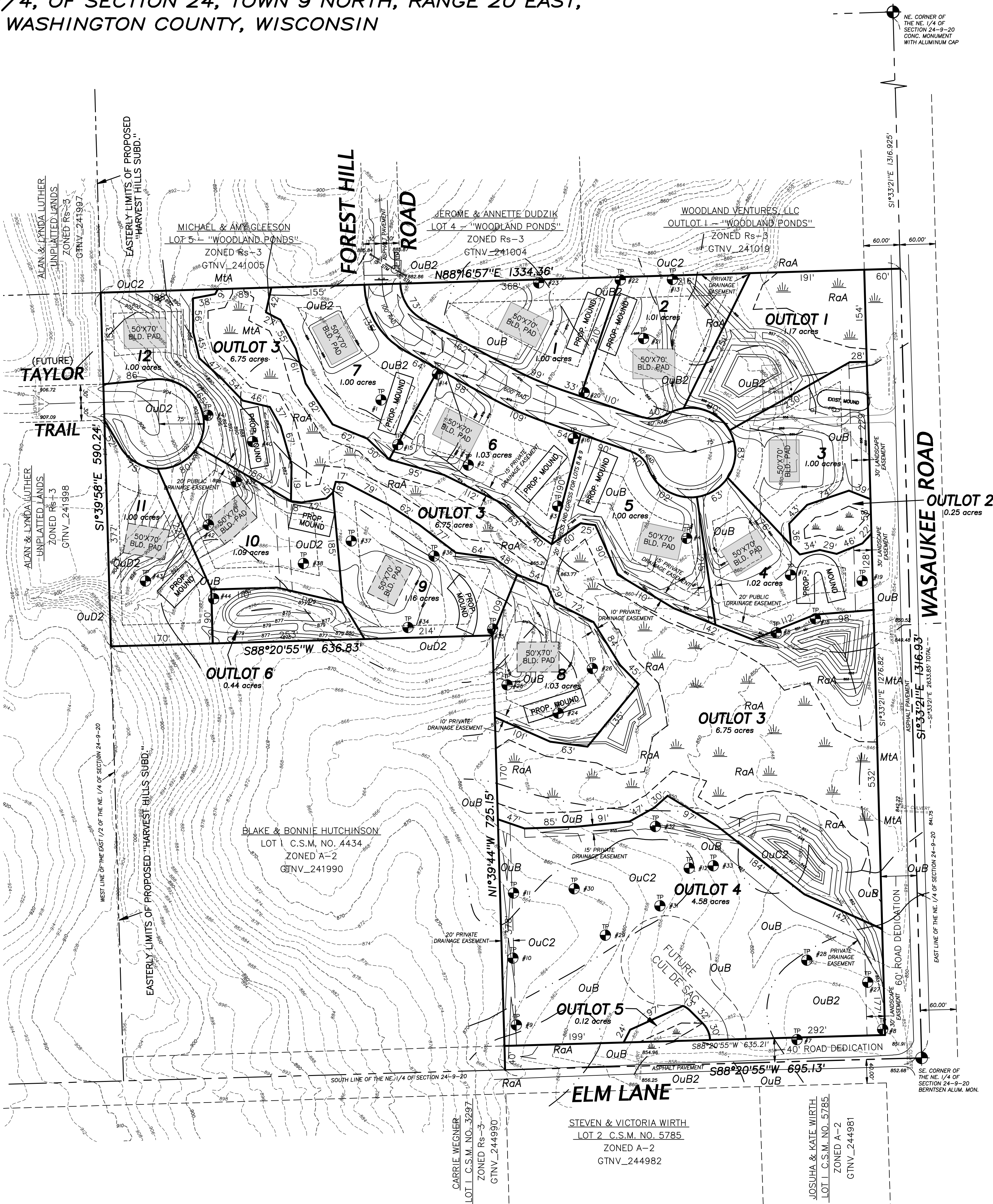
Dated this 22nd day of January, 2019



BENCHMARK INFORMATION

MAIN BENCHMARK: PUBLIC LAND SURVEY CONCRETE MONUMENT WITH ALUMINUM CAP, NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 24, TOWN 9 NORTH, RANGE 20 EAST AT THE INTERSECTION OF WASAUKEE RD. & FREISTADT RD. TOP OF MON. ELEVATION = 872.68

SITE BENCHMARK 1: SOUTH RIM OF STORM MANHOLE AT SOUTH END OF FOREST HILL RD. (STATION 1+25.67, 21.7' LEFT). ELEVATION = 887.32



"WOODLAND PONDS ESTATES"

PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, OF SECTION 24, TOWN 9 NORTH, RANGE 20 EAST,
IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN

MAIN CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	TANGENT BEARING IN	CHORD BEARING	TANGENT BEARING OUT	DELTA
A-NE	72.83'	70.00'	69.59'	S1°40'46"E	S31°29'05.5"E	S61°17'25"E	59°36'39"
A-CL	104.02'	100.00'	99.39'	S1°41'27"E	S31°29'26"E	S61°17'25"E	59°35'58"
A-SW	135.21'	130.00'	129.20'	S1°41'49"E	S31°29'37"E	S61°17'25"E	59°35'36"
B-NE	99.08'	570.00'	98.95'	S61°17'25"E	S66°16'11.5"E	S71°14'58"E	9°57'33"
B-CL	104.29'	600.00'	104.16'	S61°17'25"E	S66°16'11.5"E	S71°14'58"E	9°57'33"
B-SW	109.51'	630.00'	109.37'	S61°17'25"E	S66°16'11.5"E	S71°14'58"E	9°57'33"
C	40.30'	45.00'	38.97'	S71°14'58"E	N83°05'30"E	N57°25'58"E	51°19'04"
D	369.97'	75.00'	93.75'	N57°25'58"E	S18°45'02"W	N19°55'54"W	282°38'08"
E	40.30'	45.00'	38.97'	S71°14'58"E	S45°35'26"E	S19°55'54"E	51°19'04"
F	320.31'	75.00'	126.72'	N84°27'02"E	S26°48'06"W	N30°50'50"W	244°42'08"
G	30.20'	40.16'	29.49'	N1°39'05"W	N23°11'36.5"W	N44°44'08"W	43°05'03"
H	13.28'	30.00'	13.17'	N44°44'08"W	N57°25'07"W	N70°06'06"W	25°21'58"

LOT CURVE TABLE

LOT	ARC	RADIUS	CHORD	CHORD BEARING	DELTA
2	31.34'	75.00'	31.11'	N69°24'11"E	23°56'26"
OL 1	82.39'	75.00'	78.31'	S67°09'23.5"E	62°56'25"
3	91.31'	75.00'	85.77'	S0°48'31"E	69°45'20"
4	62.39'	75.00'	60.60'	S57°53'58.5"W	47°39'39"
5	102.54'	75.00'	94.74'	N59°06'03"W	78°20'18"
10	67.12'	75.00'	64.91'	S55°58'09"W	51°16'46"
11	88.41'	75.00'	83.38'	N64°37'09"E	67°32'38"
12	164.78'	75.00'	133.58'	S32°36'36"E	125°52'44"

LEGEND :

- - DENOTES #6 REBAR (FOUND)
- - DENOTES 1.315" STEEL PIPE (FOUND)
- ⊠ - DENOTES #10 REBAR (FOUND)
- - DENOTES #10 REBAR, WEIGHING 3.65 LBS. PER LINEAL FOOT, SET.
- () - DENOTES ALSO RECORDED AS DIRECTION OR DISTANCE

ALL OTHER LOT CORNERS 1.315"x18" STEEL PIPE WEIGHING 1.68 LBS. PER LINEAL FOOT (SET).

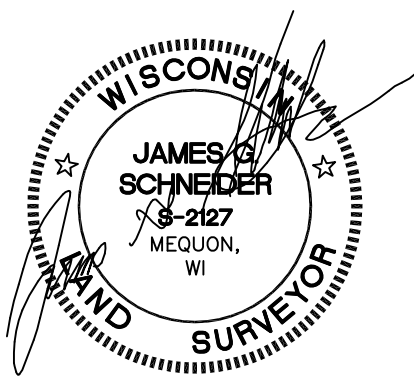
ALL DISTANCES ARE MEASURED TO THE NEAREST ONE HUNDREDTH (0.01') OF A FOOT.

ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. (NAD 27), THE EAST LINE OF THE NE 1/4 OF SECTION 24-9-20, WHICH BEARS N1°33'21"W.

- DENOTES BUILDING SETBACK LINE
- DENOTES WETLAND BOUNDARY
- DENOTES EASEMENT LINE
- DENOTES CENTERLINE
- DENOTES SECTION LINE

NOTES :

- LOTS IN THIS DEVELOPMENT WILL USE ON-SITE SOIL ABSORPTION SANITARY SEWERAGE DISPOSAL SYSTEMS AND PRIVATE WELLS.
- REFER TO SHEET 2 OF 3 FOR EASEMENT EXHIBIT
- ZONING IS R8-3 AND UNLESS NOTED OTHERWISE BUILDING SETBACKS ARE AS FOLLOWS:
FRONT YARD = 45.0'
SIDE YARD = 20.0'
REAR YARD = 35.0'



Dated this 21st day of August, 2019

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

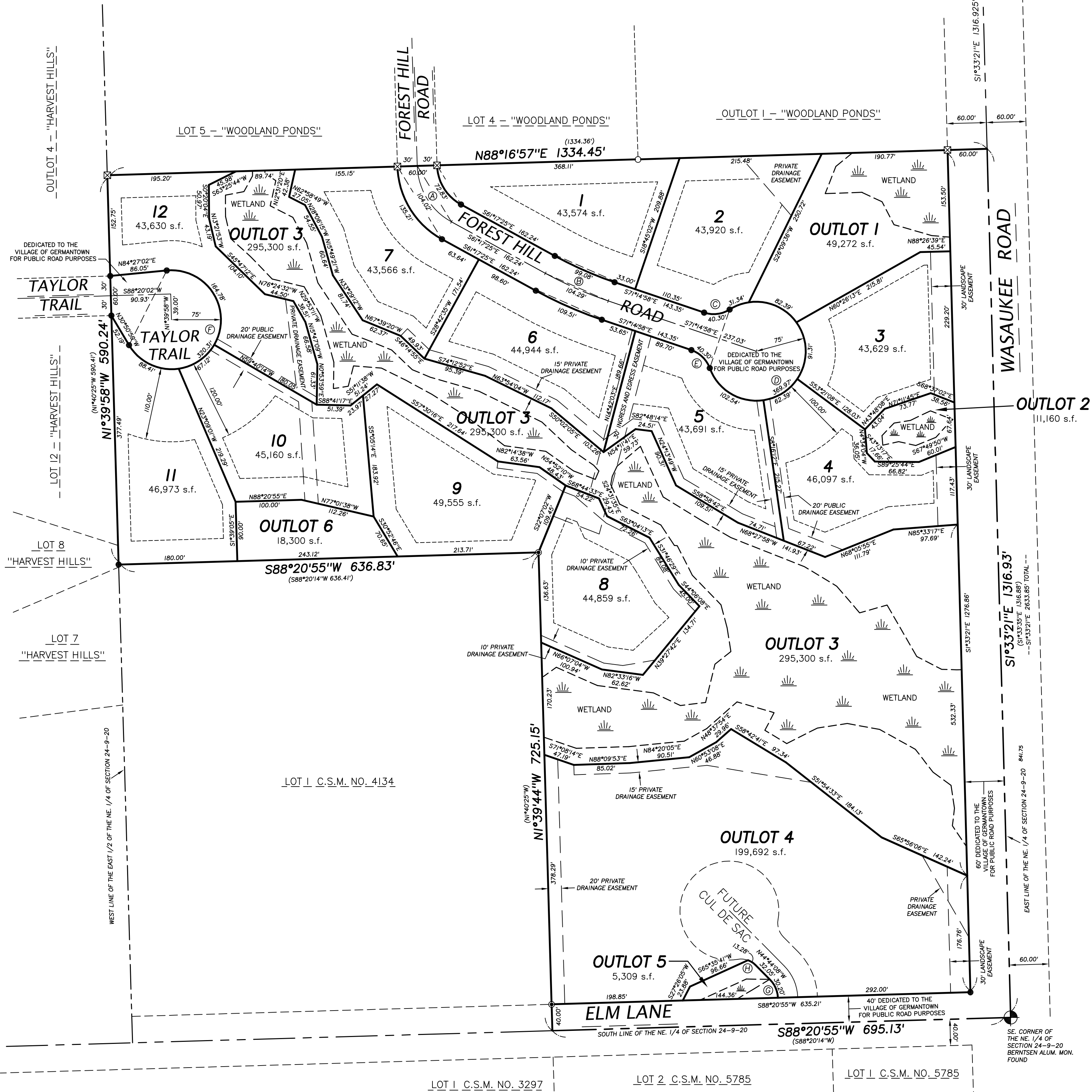
Department of Administration



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



"WOODLAND PONDS ESTATES"

PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, OF SECTION 24, TOWN 9 NORTH, RANGE 20 EAST,
IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN

EASEMENT EXHIBIT

LEGEND :

- - DENOTES #6 REBAR (FOUND)
- - DENOTES 1.315" STEEL PIPE (FOUND)
- ☒ - DENOTES #10 REBAR (FOUND)
- - DENOTES #10 REBAR, WEIGHING 3.65 LBS. PER LINEAL FOOT, SET.
- () - DENOTES ALSO RECORDED AS DIRECTION OR DISTANCE

ALL OTHER LOT CORNERS 1.315"x18" STEEL PIPE WEIGHING 1.68 LBS. PER LINEAL FOOT (SET).

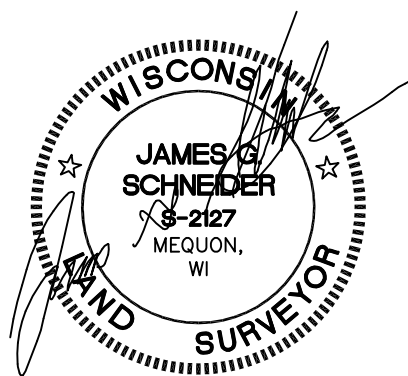
ALL DISTANCES ARE MEASURED TO THE NEAREST ONE HUNDREDTH (0.01') OF A FOOT.

ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, (NAD 27), THE EAST LINE OF THE NE 1/4 OF SECTION 24-9-20, WHICH BEARS N1°33'21"W.

- DENOTES BUILDING SETBACK LINE
- DENOTES WETLAND BOUNDARY
- DENOTES EASEMENT LINE
- DENOTES CENTERLINE
- DENOTES SECTION LINE

NOTES :

1. MOST LOT LINE BEARINGS AND DISTANCES ARE NOT SHOWN ON THIS SHEET FOR CLARITY, REFER TO SHEET 1 OF 3.



Dated this 21st day of August, 2019

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

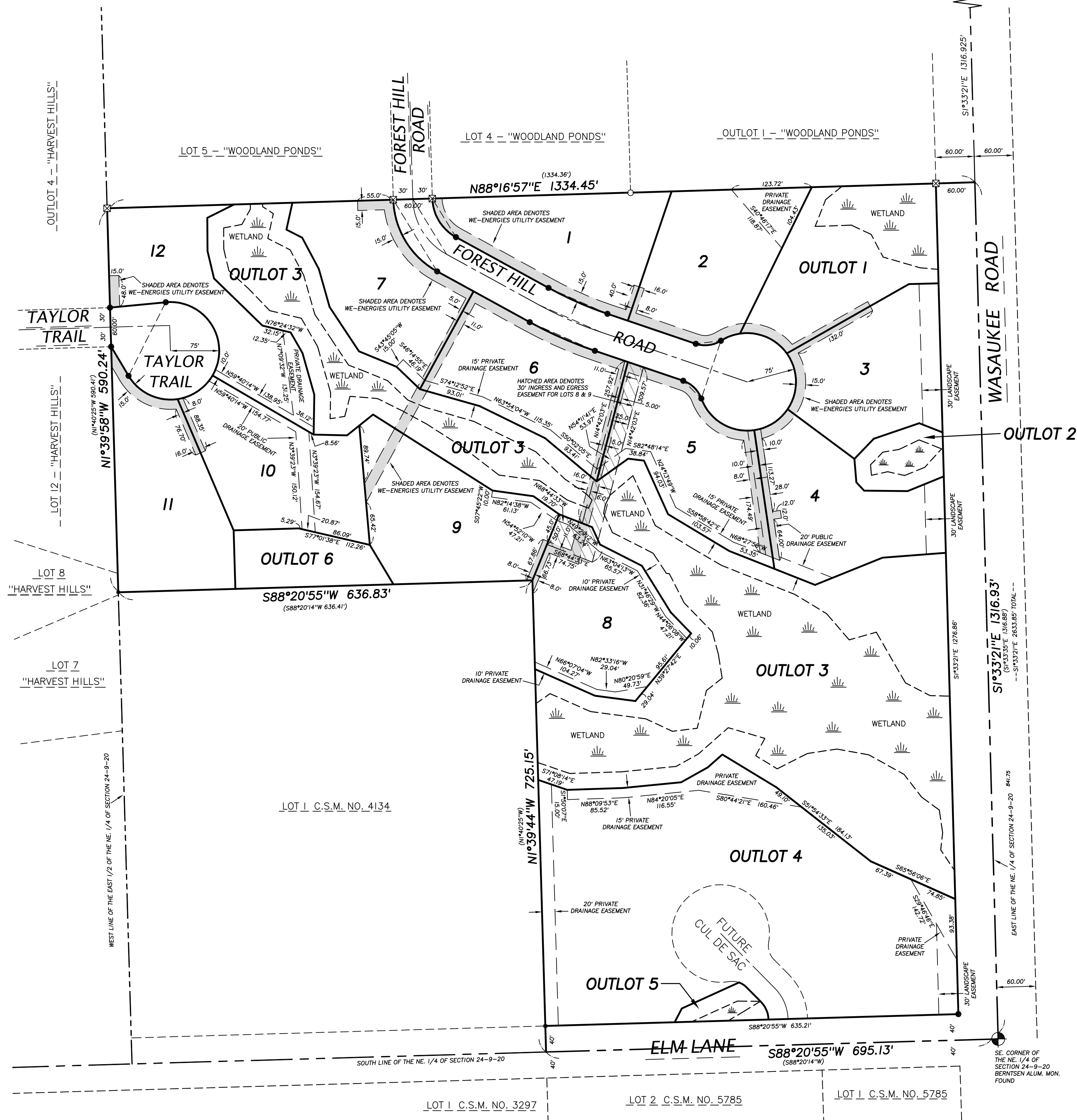
Department of Administration



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



"WOODLAND PONDS ESTATES"

PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, OF SECTION 24, TOWN 9 NORTH, RANGE 20 EAST,
IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, James G. Schneider, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided, and mapped the plat of "WOODLAND PONDS ESTATES",
bounded and described as follows:

All that part of the Southeast 1/4 of the Northeast 1/4 of Section 24, Township
9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin,
bounded and described as follows:

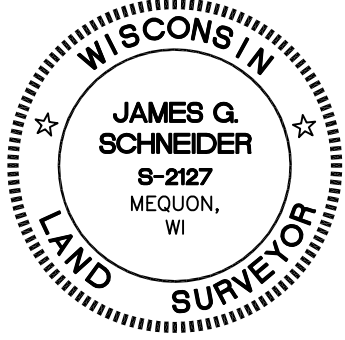
Beginning at the Southeast corner of the Northeast 1/4 of said Section 24;
running thence S88°20'55"W along the South line of said Northeast 1/4 and the
centerline of Elm Lane, 695.13 feet to the Southeast corner of Certified Survey
Map No. 4134, thence N1°39'44"W along the East line of Lot 1 of said Certified
Survey Map, 725.15 feet to the Northeast corner of said Lot 1; thence
S88°20'55"W along the North line of said Lot 1 and parallel with the South line
of said Northeast 1/4 Section, 636.83 feet to a point in the West line of the East
1/2 of said Northeast 1/4 Section; thence N1°39'58"W along said West line,
590.24 feet to a point in the North line of the Southeast 1/4 of the Northeast
1/4 of said Section 24; thence N88°16'57"E along said North line of the
Southeast 1/4 of said Northeast 1/4, said line also being the south line of
"Woodland Ponds", a recorded subdivision, 1,334.45 feet to a point in the East
line of the Northeast 1/4 of said Section 24 and the centerline of Wasaukee
Road; thence S1°33'21"E along said East line and the centerline of Wasaukee
Road, 1316.93 feet to the place of beginning.

Said lands containing 1,292,897 sq. ft./29.681 acres of land, more or less.
THAT I have made such survey, land division and plat at the direction of
GERMANTOWN ACQUISITIONS, LLC; the owner of said land.

THAT such plat is a correct representation of all the exterior boundaries
of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin
State Statutes and the Village of Germantown Subdivision Regulations.


James G. Schneider P.L.S No. S-2127



Dated this 21st day of August, 2019

CORPORATE OWNERS CERTIFICATE OF DEDICATION

Germantown Acquisitions, LLC, a corporation duly organized and existing under and by virtue of
the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused
the land described on this plat to be surveyed, divided, mapped and dedicated as represented
on this plat. As owners, we hereby dedicate that part of Wasaukee Road, Elm Lane, Taylor Trail
and Forest Hill Road to the Village of Germantown for public road purposes as represented on
Sheet 1 of 3 of this plat. We also certify that this plat is required by s.236.10 or s.236.12 of the
Wisconsin State Statutes to be submitted to the following for approval or objection:
1) Department of Administration, (2) Village of Germantown.

Witness the hand and seal of said owner this ____ day of _____, 20 ____.

GERMANTOWN ACQUISITIONS, LLC
BY: DAVID LESZCZYNSKI, MANAGING MEMBER

IN THE PRESENCE OF

WITNESS _____ DAVID LESZCZYNSKI, Managing Member

STATE OF WISCONSIN) SS
WASHINGTON COUNTY)

Personally came before me this ____ day of _____, 20 ____, the above named David
Leszczynski, Managing Member of Germantown Acquisitions, LLC, a Wisconsin Corporation, to me
known to be the person who executed the foregoing instrument and acknowledged the same.

NOTARY PUBLIC—STATE OF WISCONSIN
My Commission expires _____, 20 ____

CONSENT OF CORPORATE MORTGAGEE

_____ BANK, existing under and by virtue of the laws of
the State of Wisconsin, mortgagee of the above described land does
hereby consent to the Surveying, Dividing, Mapping and Dedication of the land
described on this plat of "WOODLAND PONDS ESTATES" and does hereby
consent to the above certificate of GERMANTOWN ACQUISITIONS, LLC; OWNER.

IN witness whereof, the said _____ BANK has caused these
presents to be signed by _____, its
at _____, Wisconsin, this _____ day of _____, 20 ____.

IN THE PRESENCE OF:

WITNESS _____ (Signature) _____

COUNTY TREASURER'S CERTIFICATE

STATE OF WISCONSIN)
WASHINGTON COUNTY) SS

I, Jane Merten, being duly elected, qualified and acting Treasurer
of the County of Washington, do hereby certify that the records in my
office show no unredeemed tax sales and no unpaid taxes or special
assessments as of _____, 20 ____, affecting the
lands included in the plat of "WOODLAND PONDS ESTATES".

Dated: _____, 20 ____.
JANE MERTEN, County Treasurer

VILLAGE TREASURER'S CERTIFICATE

STATE OF WISCONSIN)
WASHINGTON COUNTY) SS

I, Kim E. Rath, Finance Director for the Village of Germantown,
do hereby certify that in accordance with the records in my
office, there are no unpaid taxes or unpaid special assessments
as of this ____ day of _____, 20 ____, on any
of the land included in the plat of "WOODLAND PONDS ESTATES".

Dated: _____, 20 ____.
KIM E. RATH, Finance Director/ Treasurer

VILLAGE OF GERMANTOWN PLANNING COMMISSION APPROVAL

This plat is hereby approved by the Planning Commission of the Village of
Germantown on this ____ day of _____, 20 ____.

DEAN WOLTER, Chairman Date

LAURA A. JOHNSON, Secretary Date

VILLAGE OF GERMANTOWN BOARD APPROVAL

Resolved that the plat known as "WOODLAND PONDS ESTATES" being a division
of a part of the Southeast 1/4 of the Northeast 1/4 of Section 24, Township 9
North, Range 20 East, Village of Germantown, Washington County, Wisconsin,
having been approved by the Planning Commission being the same, is hereby
approved and the dedication of Wasaukee Road, Elm Lane, Taylor Trail and
Forest Hill Road for public road purposes as shown on Sheet 1 of 3 is hereby
accepted by the Village Board of Trustees of the Village of Germantown on this
____ day of _____, 20 ____.

DEAN WOLTER, Village President Date

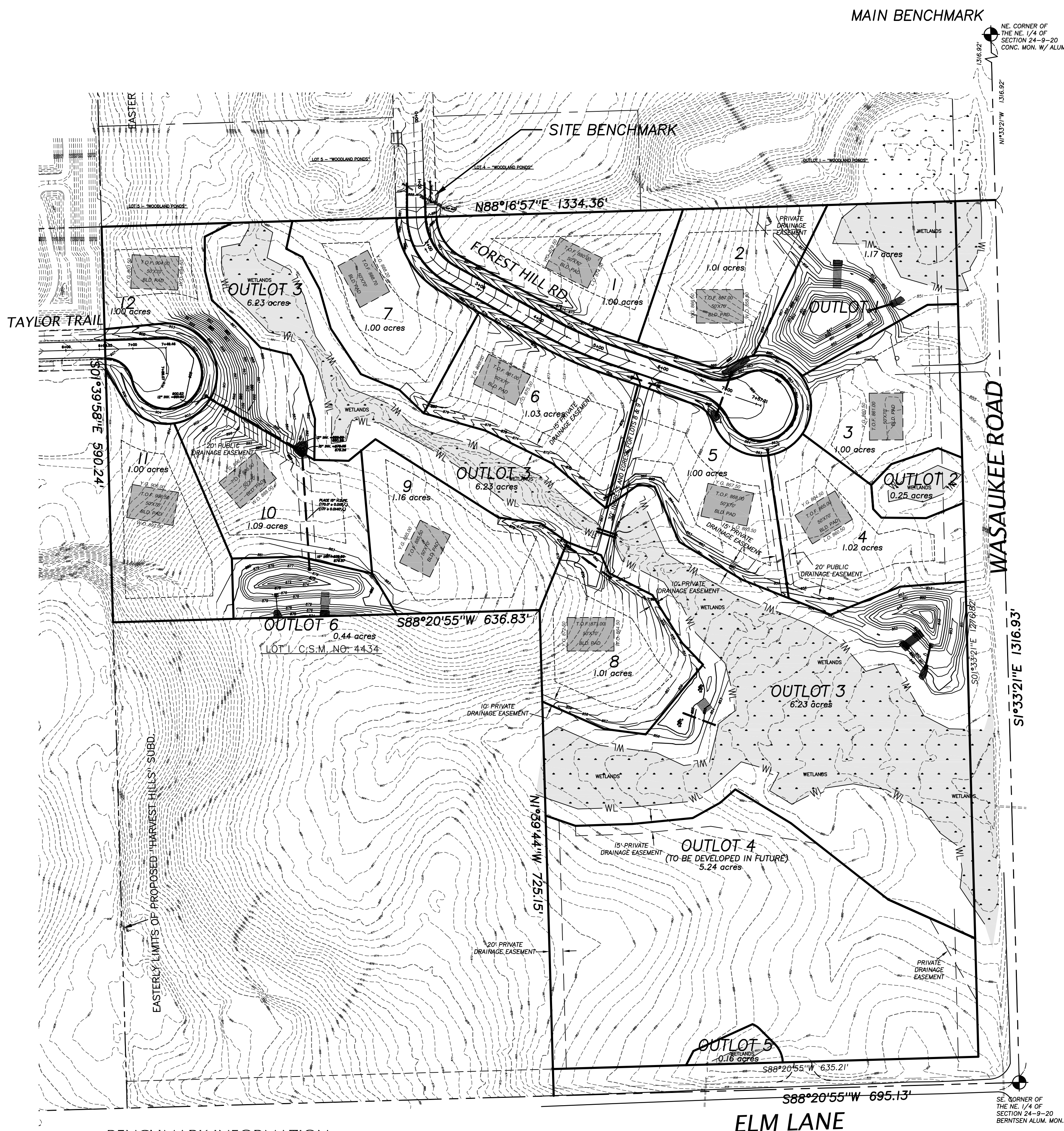
DEANNA BRAUNSCHWEIG, Village Clerk Date

UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby
granted by GERMANTOWN ACQUISITIONS, LLC; Grantor, to
WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC,
Wisconsin corporations doing business as We Energies, Grantee,
Wisconsin Bell, Inc. d/b/a AT&T Wisconsin, a Wisconsin corporation, Grantee,
and TIME WARNER ENTERTAINMENT COMPANY, L.P., Grantee

their respective successors and assigns, to construct, install, operate, repair,
maintain and replace from time to time, facilities used in connection with
overhead and underground transmission and distribution of electricity and
electric energy, natural gas, telephone and cable TV facilities for such
purposes as the same is now or may hereafter be used, all in, over, under,
across, along and upon the property shown within those areas on the plat
designated as "Utility Easement Areas" and the property designated on the plat
for streets and alleys, whether public or private, together with the right to
install service connections upon, across within and beneath the surface of each
lot to serve improvements, thereon, or on adjacent lots; also the right to trim or
cut down trees, brush and roots as may be reasonably required incident to the
rights herein given, and the right to enter upon the subdivided property for all
such purposes. The Grantees agree to restore or cause to have restored, the
property, as nearly as is reasonably possible, to the condition existing prior to
such entry by the Grantees or their agents. This restoration, however, does not
apply to the initial installation of said underground and/or above ground
electric facilities, natural gas facilities, or telephone and cable TV facilities or
to any trees, brush or roots which may be removed at any time pursuant to the
rights herein granted. Structures shall not be placed over Grantees' facilities or
in, upon or over the property within the lines marked "Utility Easement Areas"
without the prior written consent of Grantees. After installation of any such
facilities, the grade of the subdivided property shall not be altered by more
than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the
heirs, successors and assigns of all parties hereto.

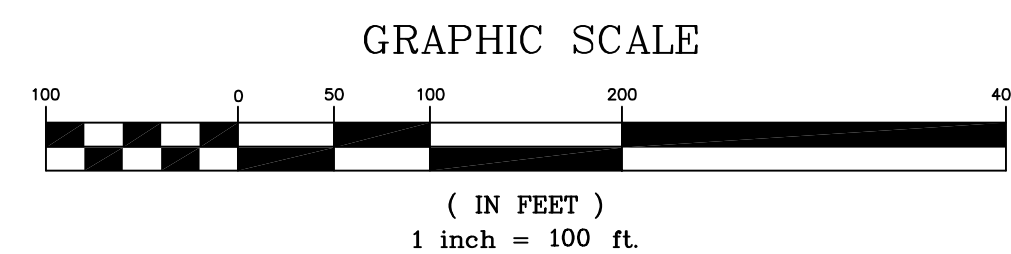


BENCHMARK INFORMATION

MAIN BENCHMARK: PUBLIC LAND SURVEY CONCRETE MONUMENT WITH ALUMINUM CAP, NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 24, TOWN 9 NORTH, RANGE 20 EAST AT THE INTERSECTION OF WASAUKEE RD. & FREISTADT RD.
TOP OF MON. ELEVATION = 872.68

SITE BENCHMARK 1: SOUTH RIM OF STORM MANHOLE AT SOUTH END OF FOREST HILL RD. (STATION 1+25.67, 21.7' LEFT). ELEVATION = 887.32

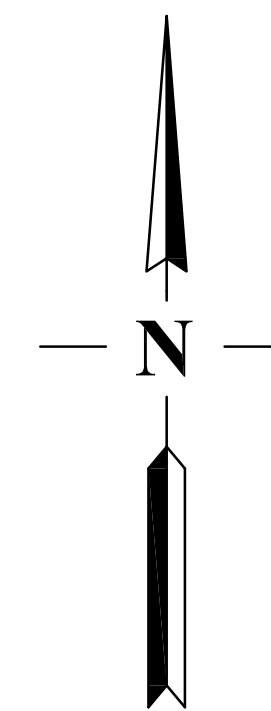
HORIZONTAL DATUM: WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 27)
VERTICAL DATUM: NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29)



As-Built Drawings for "Woodland Ponds Estates"

Village of Germantown, Washington County, Wisconsin
in part of the Northeast 1/4 of Section 24, T 9 N, R 20 E

Location Map



Index of Sheets

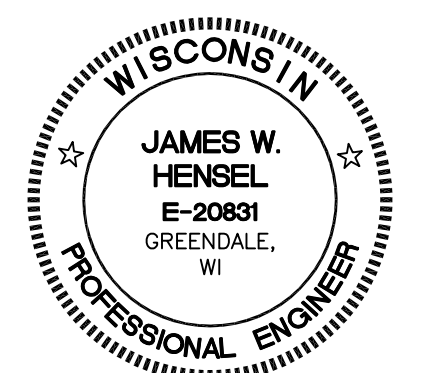
Sheet	Description
C2	SITE GRADING NORTHEAST - RECORD DRAWING
C3	SITE GRADING NORTHWEST - RECORD DRAWING
C4	SITE GRADING SOUTHEAST - RECORD DRAWING
C5	ROADWAY PLAN - RECORD DRAWING
C6	POND DETAILS - RECORD DRAWING

Plan Date: October 11, 2019

CONSTRUCTED: SPRING/SUMMER 2019

CONTRACTOR: WONDRA CONSTRUCTION / PAYNE & DOLAN

VILLAGE INSPECTOR: F.J.R.

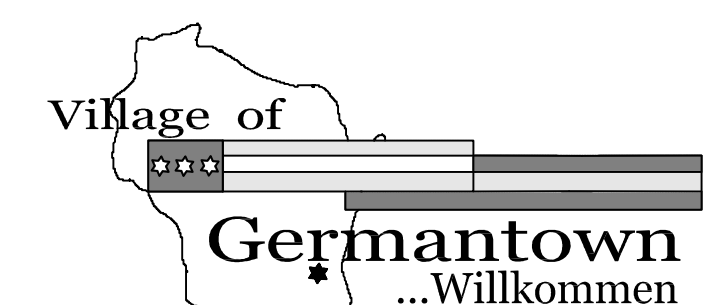


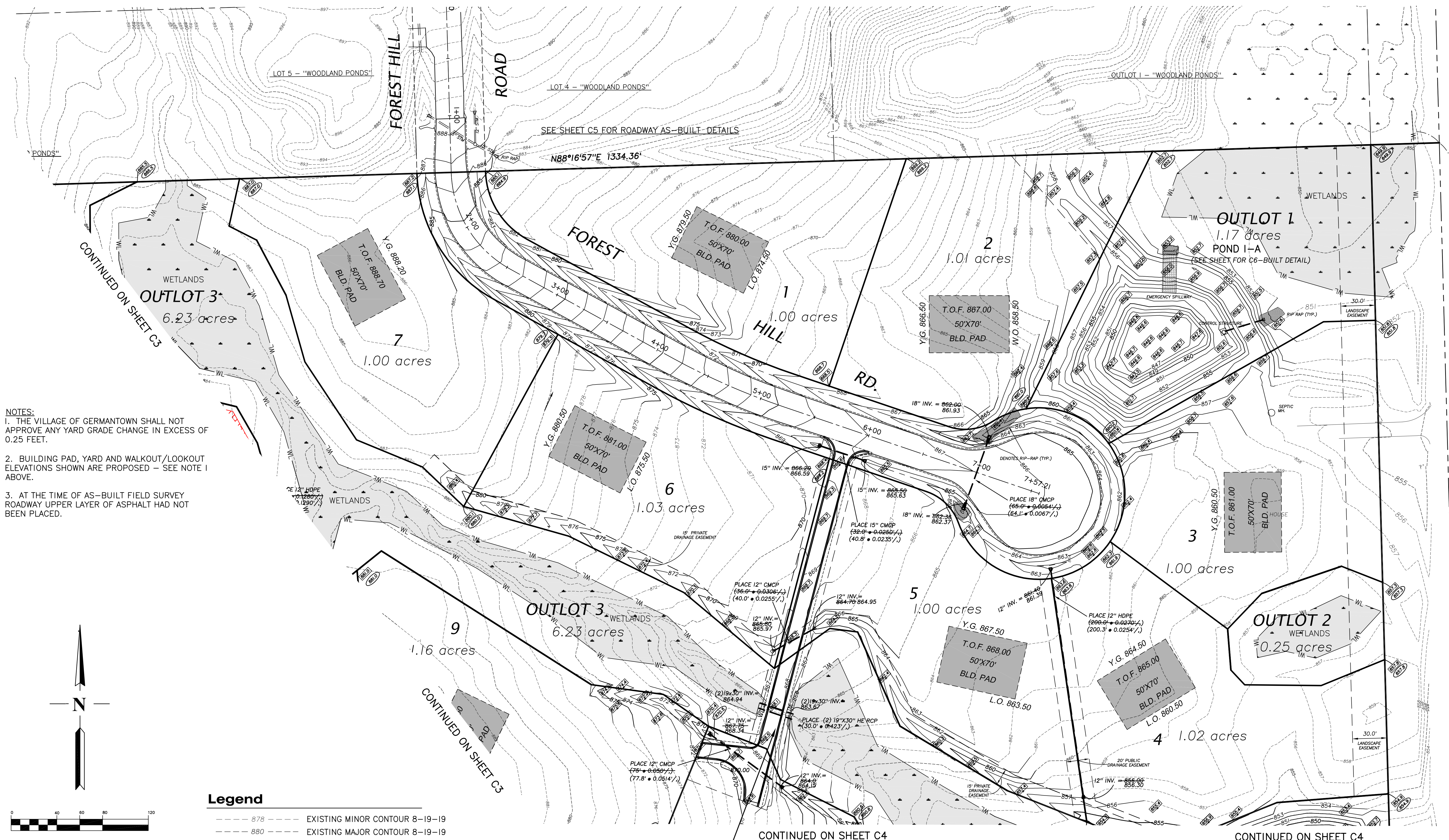
NSE NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337

Owner/Developer: Germantown Acquisitions, LLC
c/o: David Leszczynski
3223 Fleur De Lis Drive
Mequon, WI 53092

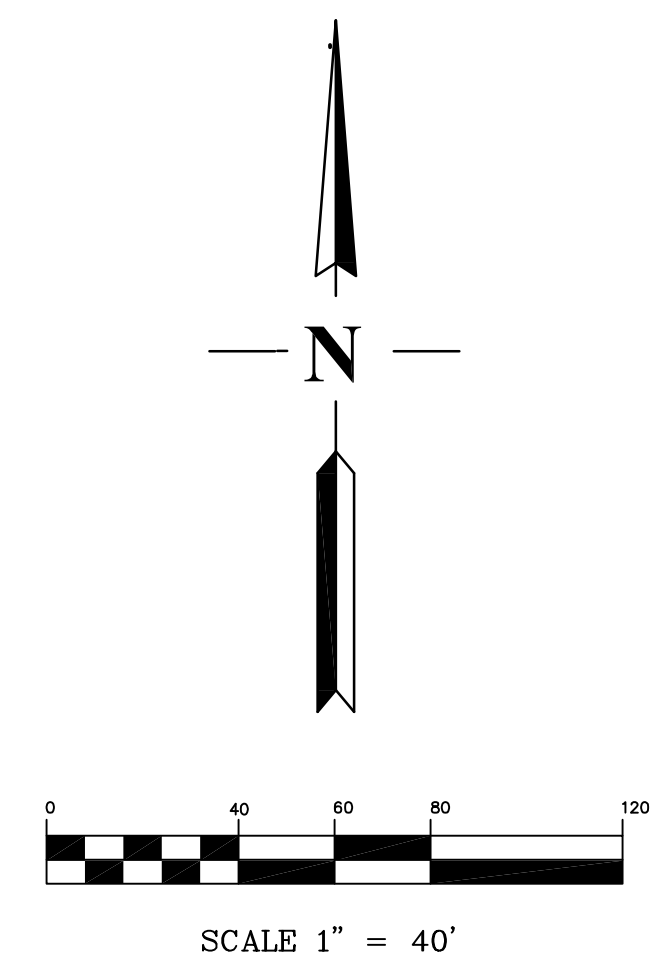
Village Contact: Village of Germantown
Larry Ratajczak
Director of Public Works
N112 W17001 Mequon Rd.
Germantown, WI 53022
(262) 250-4721

Project Manager: David Leszczynski





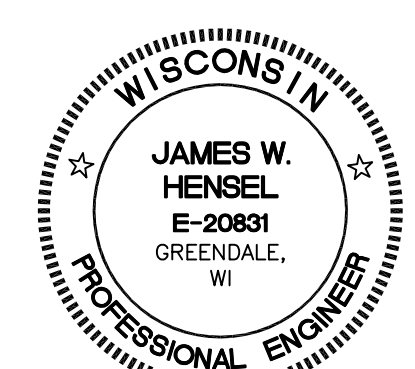
NOTES:
1. THE VILLAGE OF GERMANTOWN SHALL NOT APPROVE ANY YARD GRADE CHANGE IN EXCESS OF 0.25 FEET.
2. BUILDING PAD, YARD AND WALKOUT/LOOKOUT ELEVATIONS SHOWN ARE PROPOSED - SEE NOTE 1 ABOVE.
3. AT THE TIME OF AS-BUILT FIELD SURVEY ROADWAY UPPER LAYER OF ASPHALT HAD NOT BEEN PLACED.



SITE BENCHMARK: SOUTH RIM OF EXISTING STORM MANHOLE AT STA. 1+25.67, 21.7' LT. ELEVATION = 887.32

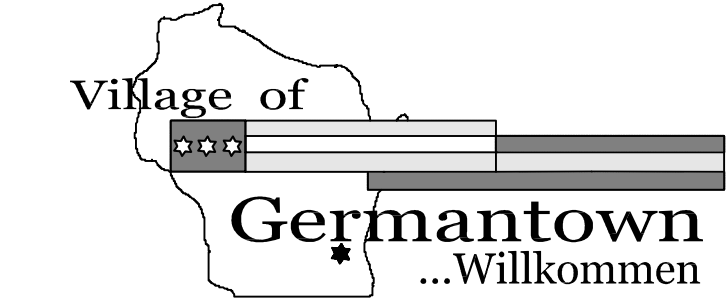
- Legend**
- 878 --- EXISTING MINOR CONTOUR 8-19-19
 - 880 --- EXISTING MAJOR CONTOUR 8-19-19
 - 878 — AS-BUILT MINOR CONTOUR IN AREAS OF INTERIM GRADING 8-19-19
 - 880 — AS-BUILT MAJOR CONTOUR IN AREAS OF INTERIM GRADING 8-19-19
 - 888.2 AS-BUILT SPOT ELEVATION AS OF 8-19-19
 - 888.7 PROPOSED SPOT ELEVATION

PRIVATE DRIVEWAY



CONSTRUCTED: SPRING/SUMMER 2019
CONTRACTOR: WONDRA CONSTRUCTION
VILLAGE INSPECTOR: F.J.R.

NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337

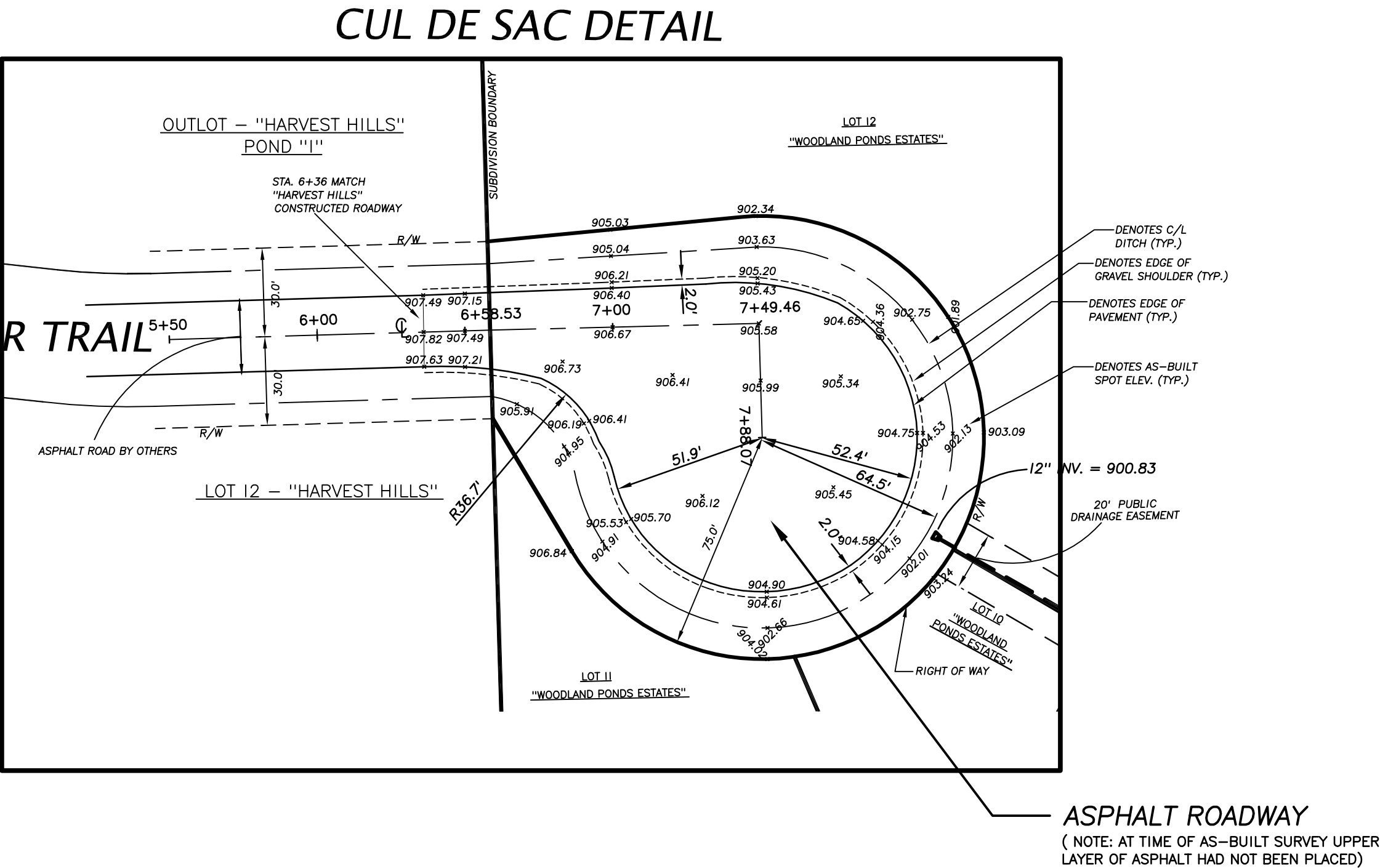
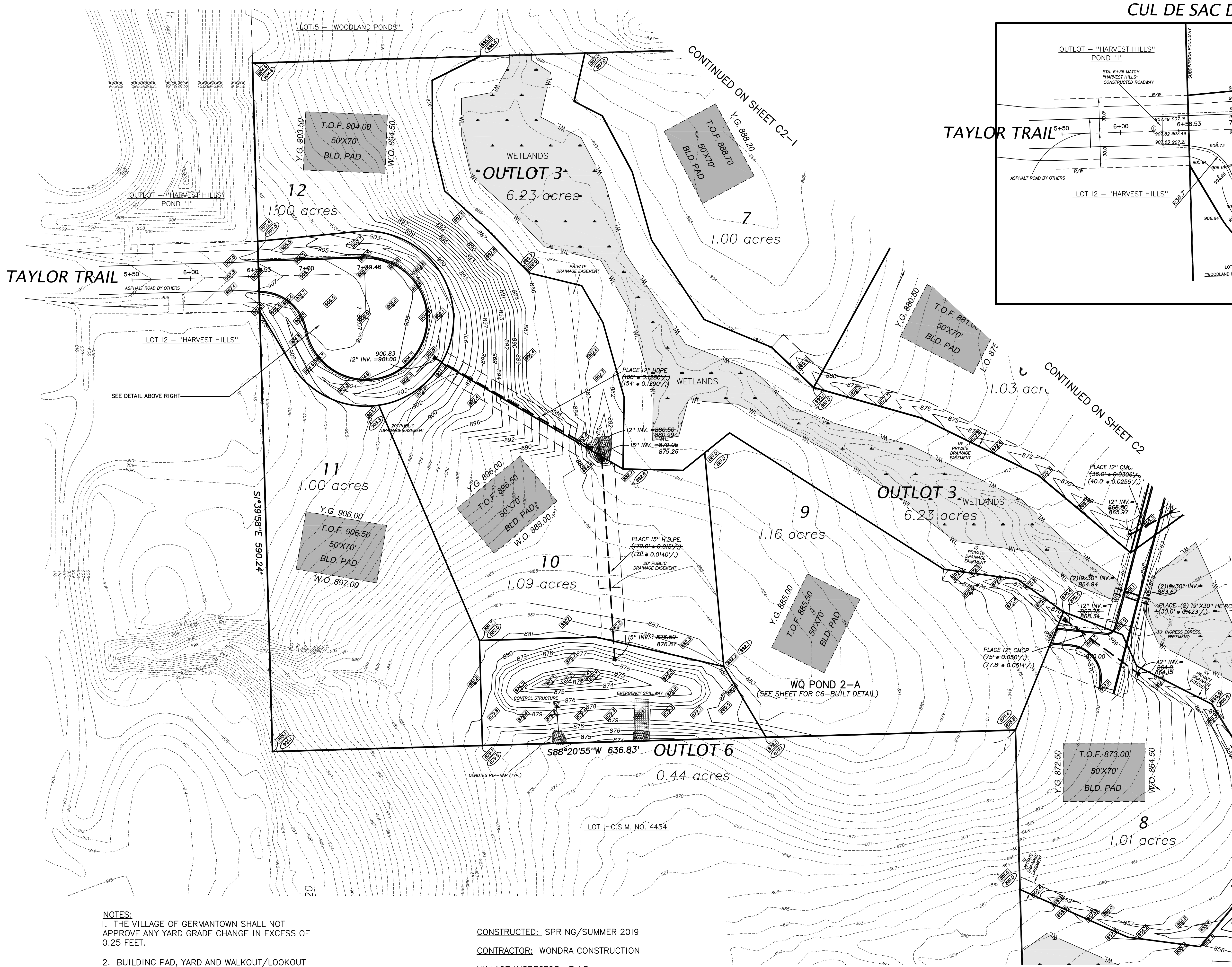


REVISIONS				
MK	DATE	BY	REVISION	CHK'D
				J.W.H.

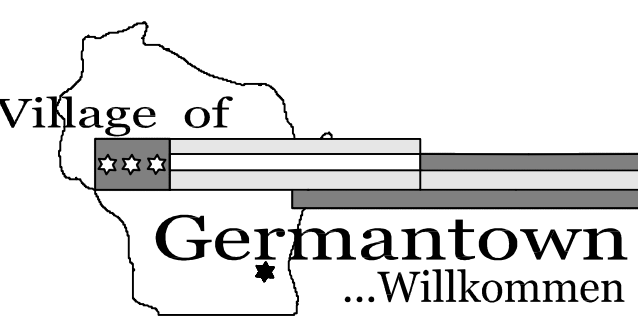
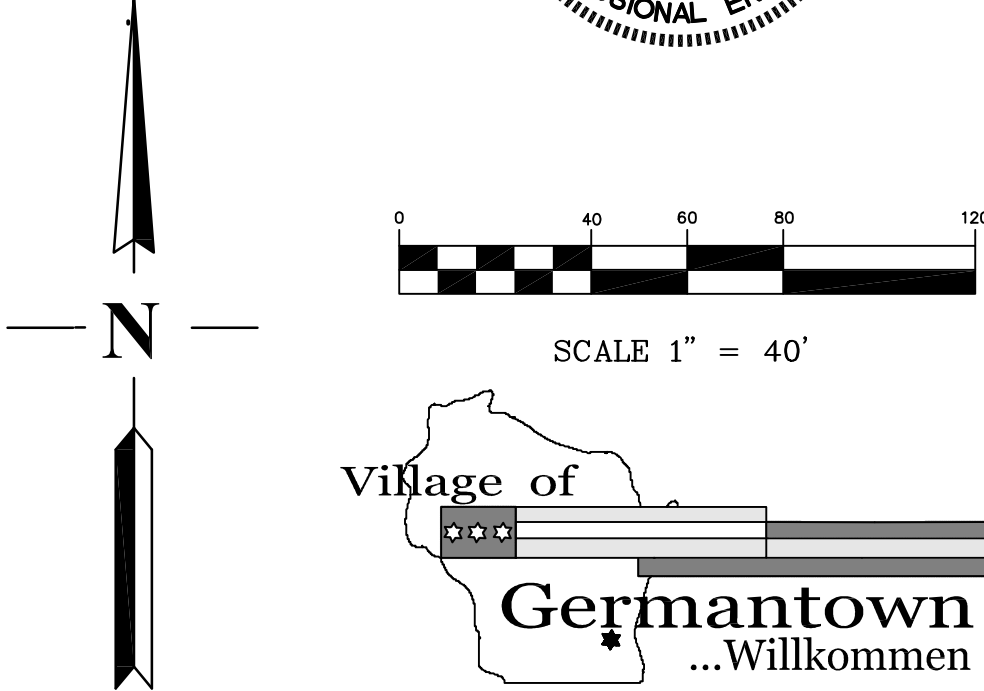
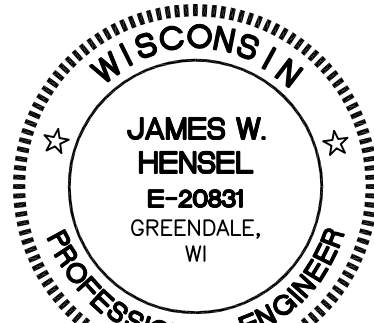
VILLAGE OF GERMANTOWN			
WASHINGTON COUNTY		WISCONSIN	
Woodland Ponds Estates			
AS-BUILT			
Interim Site Grading Plan			
Northeast			
DESIGNED:	DRAWN: J.M.B.	CHECKED: J.W.H.	SHEET C2
DATE: 10-11-2019	SCALE: 1"= 40'		
APPROVED:	PROJECT: LS-4315-AB		
			6

HORIZONTAL DATUM: WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 27)
VERTICAL DATUM: NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29)

RECORD DRAWING



- Legend**
- 878 --- EXISTING MINOR CONTOUR 8-19-19
 - 880 --- EXISTING MAJOR CONTOUR 8-19-19
 - 878 — AS-BUILT MINOR CONTOUR IN AREAS OF INTERIM GRADING 8-19-19
 - 880 — AS-BUILT MAJOR CONTOUR IN AREAS OF INTERIM GRADING 8-19-19
 - (882.8) AS-BUILT SPOT ELEVATION AS OF 8-19-19
 - (885.7) PROPOSED SPOT ELEVATION



- NOTES:**
1. THE VILLAGE OF GERMANTOWN SHALL NOT APPROVE ANY YARD GRADE CHANGE IN EXCESS OF 0.25 FEET.
 2. BUILDING PAD, YARD AND WALKOUT/LOOKOUT ELEVATIONS SHOWN ARE PROPOSED – SEE NOTE 1 ABOVE.
 3. AT THE TIME OF AS-BUILT FIELD SURVEY ROADWAY UPPER LAYER OF ASPHALT HAD NOT BEEN PLACED.

CONSTRUCTED: SPRING/SUMMER 2019
CONTRACTOR: WONDRA CONSTRUCTION
VILLAGE INSPECTOR: F.J.R.

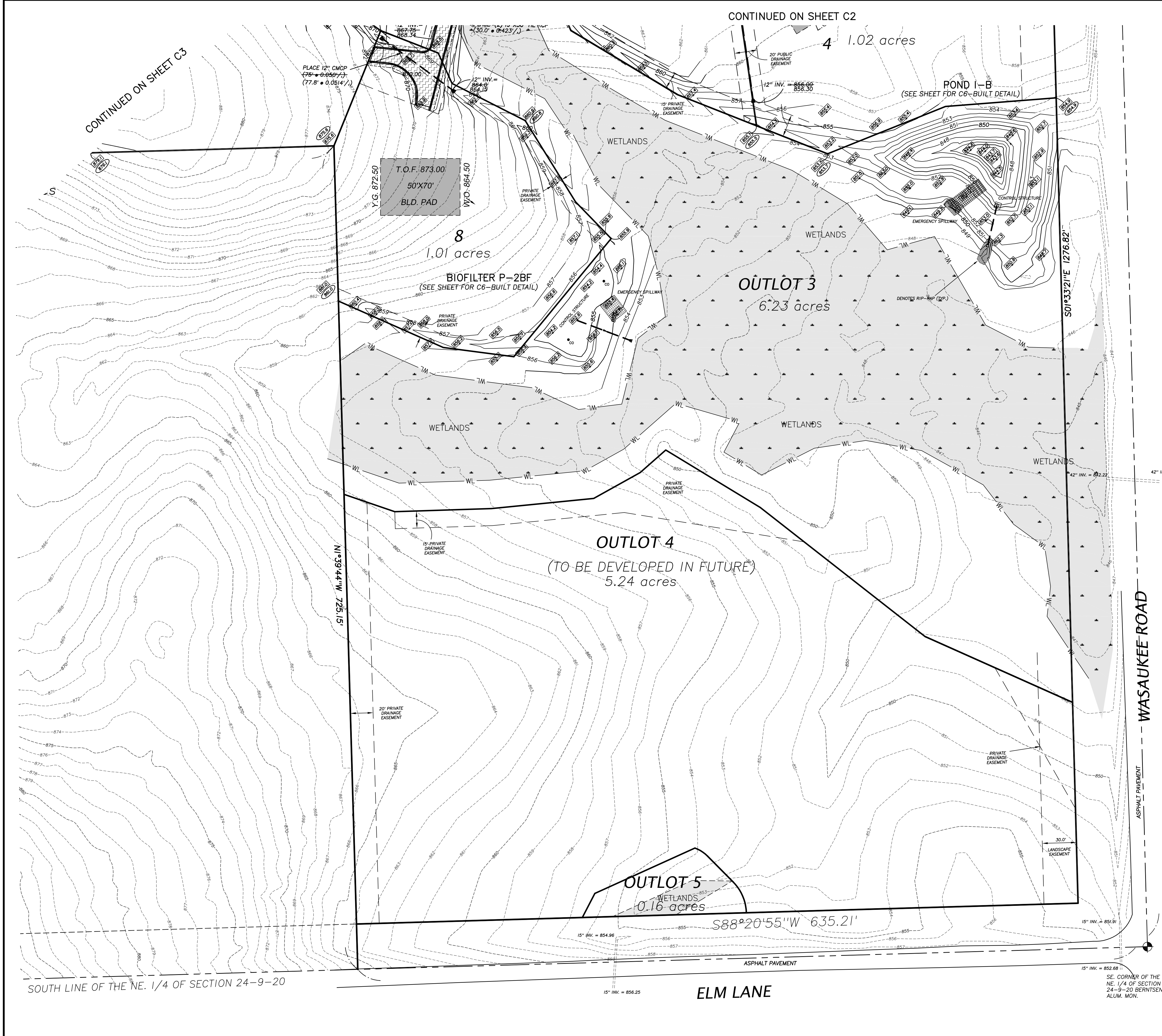
HORIZONTAL DATUM: WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 27)
VERTICAL DATUM: NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29)

NSE NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337

REVISIONS				
MK	DATE	BY	REVISION	CHK'D
△				

VILLAGE OF GERMANTOWN			
WASHINGTON COUNTY		WISCONSIN	
Woodland Ponds Estates			
AS-BUILT			
Interim Site Grading Plan			
Northwest			
DESIGNED:	DRAWN: J.M.B.	CHECKED: J.W.H.	SHEET C3 6
DATE: 10-11-2019	SCALE: 1"=40'		
APPROVED:	PROJECT: LS-4315-AB		

RECORD DRAWING



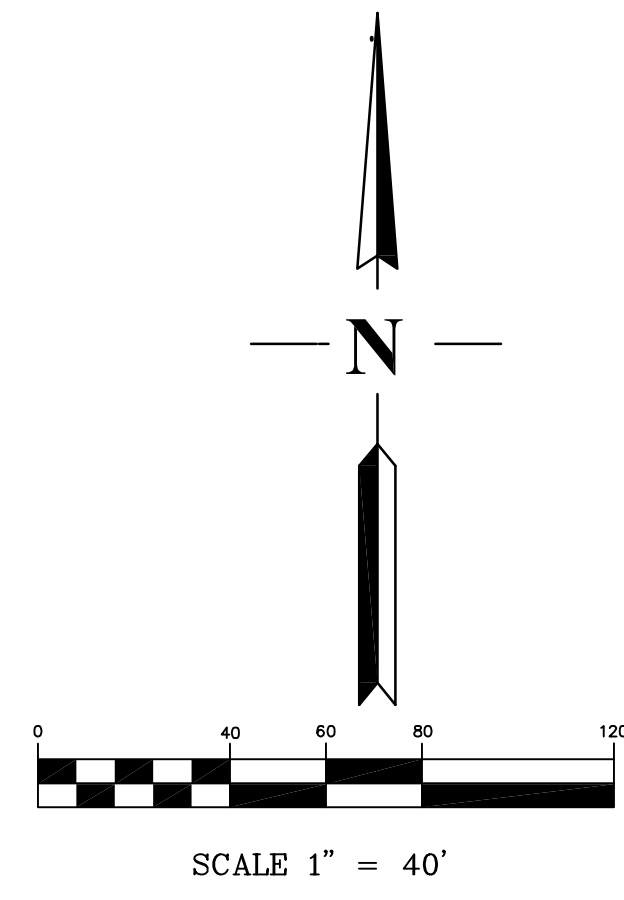
- NOTES:
1. THE VILLAGE OF GERMANTOWN SHALL NOT APPROVE ANY YARD GRADE CHANGE IN EXCESS OF 0.25 FEET.
 2. BUILDING PAD, YARD AND WALKOUT/LOOKOUT ELEVATIONS SHOWN ARE PROPOSED – SEE NOTE 1 ABOVE.
 3. AT THE TIME OF AS-BUILT FIELD SURVEY ROADWAY UPPER LAYER OF ASPHALT HAD NOT BEEN PLACED.

Legend

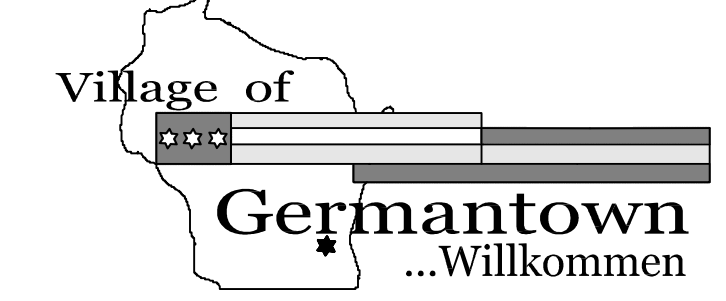
- 878 --- EXISTING MINOR CONTOUR 8-19-19
- 880 --- EXISTING MAJOR CONTOUR 8-19-19
- 878 — AS-BUILT MINOR CONTOUR IN AREAS OF INTERIM GRADING 8-19-19
- 880 — AS-BUILT MAJOR CONTOUR IN AREAS OF INTERIM GRADING 8-19-19
- 859.9 AS-BUILT SPOT ELEVATION AS OF 8-19-19
- 868.7 PROPOSED SPOT ELEVATION

HORIZONTAL DATUM: WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 27)
VERTICAL DATUM: NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29)

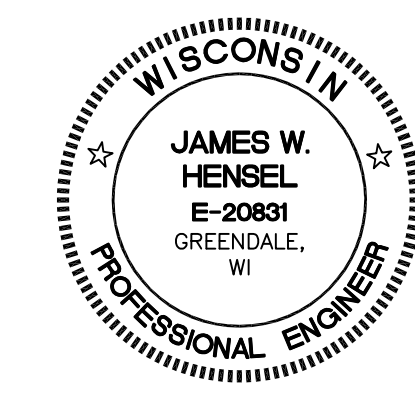
SITE BENCHMARK: SOUTH RIM OF EXISTING STORM MANHOLE AT STA. 1+25.67, 21.7' LT.
ELEVATION = 887.32



CONSTRUCTED: SPRING/SUMMER 2019
CONTRACTOR: WONDRA CONSTRUCTION
VILLAGE INSPECTOR: F.J.R.



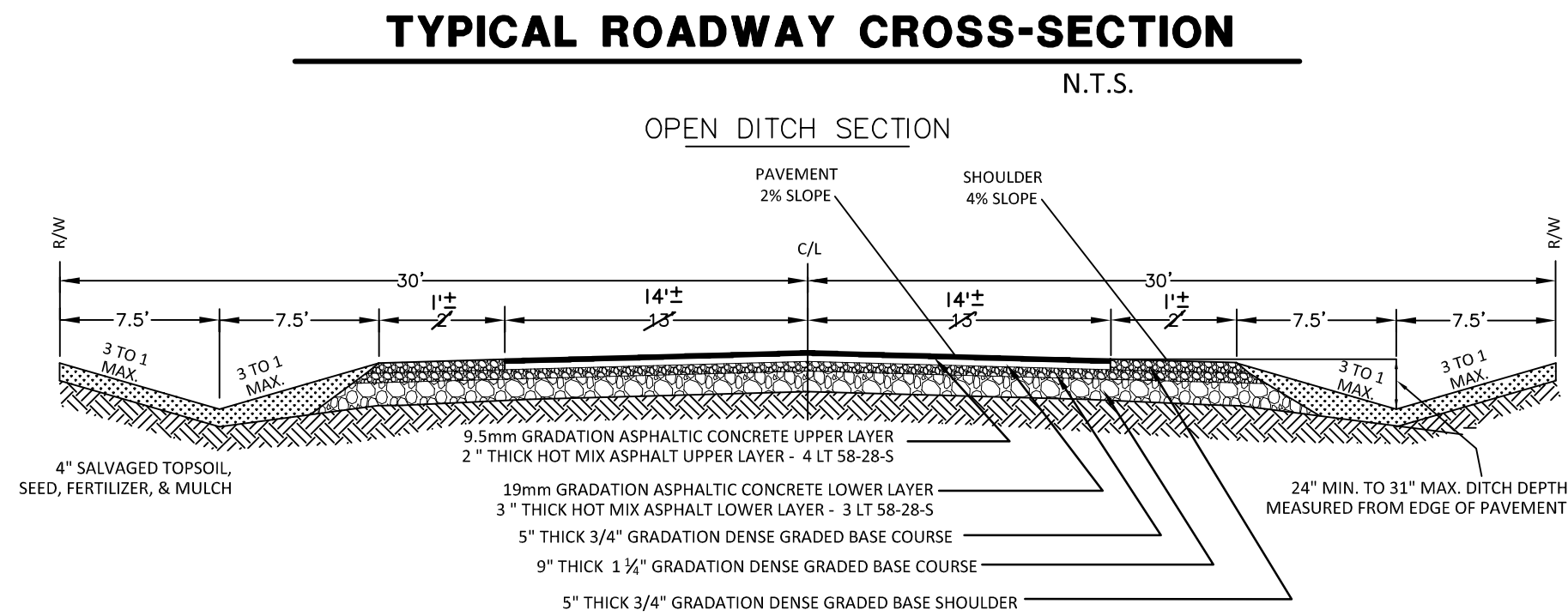
NSE NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337



REVISIONS				
MK	DATE	BY	REVISION	CHK'D
△				J.W.H.
				J.W.H.

VILLAGE OF GERMANTOWN			
WASHINGTON COUNTY		WISCONSIN	
Woodland Ponds Estates			
AS-BUILT			
Interim Site Grading Plan			
Southeast			
DESIGNED:	DRAWN: J.M.B.	CHECKED: J.W.H.	SHEET
DATE: 10-11-2019	SCALE: 1"=40'	C4	
APPROVED:	PROJECT: LS-4315		
			6

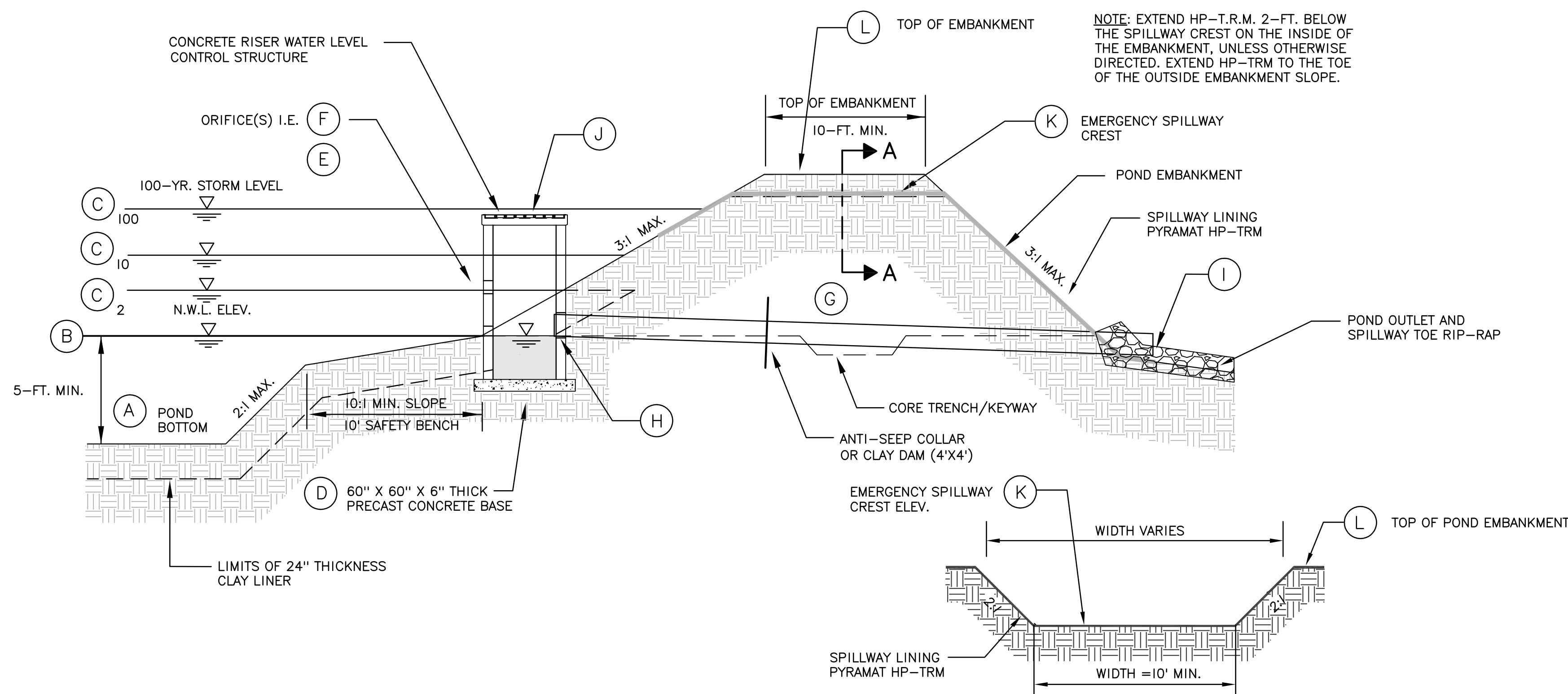
RECORD DRAWING



10

RECORD DRAWING

WET DETENTION BASIN AND CONCRETE OUTLET STRUCTURE
(PROFILE VIEW)

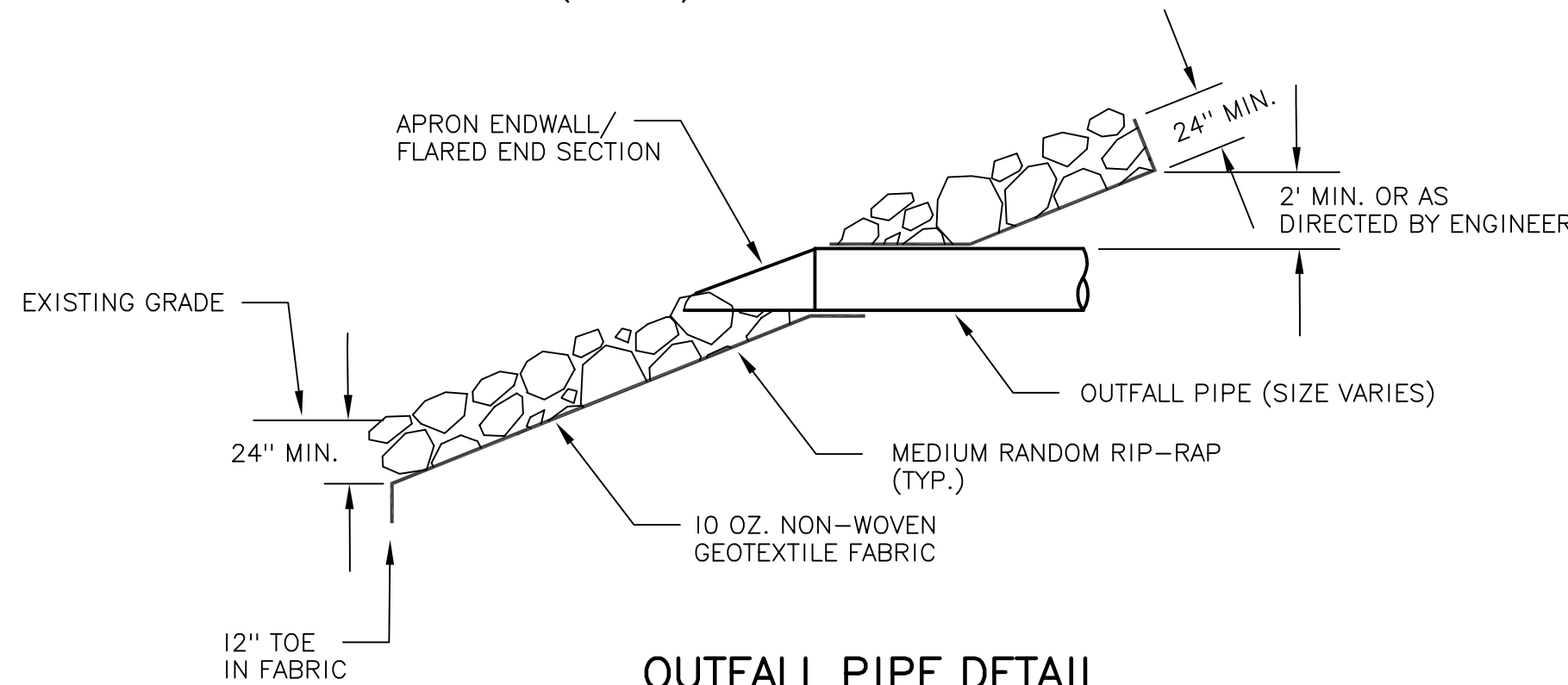


SECTION A-A

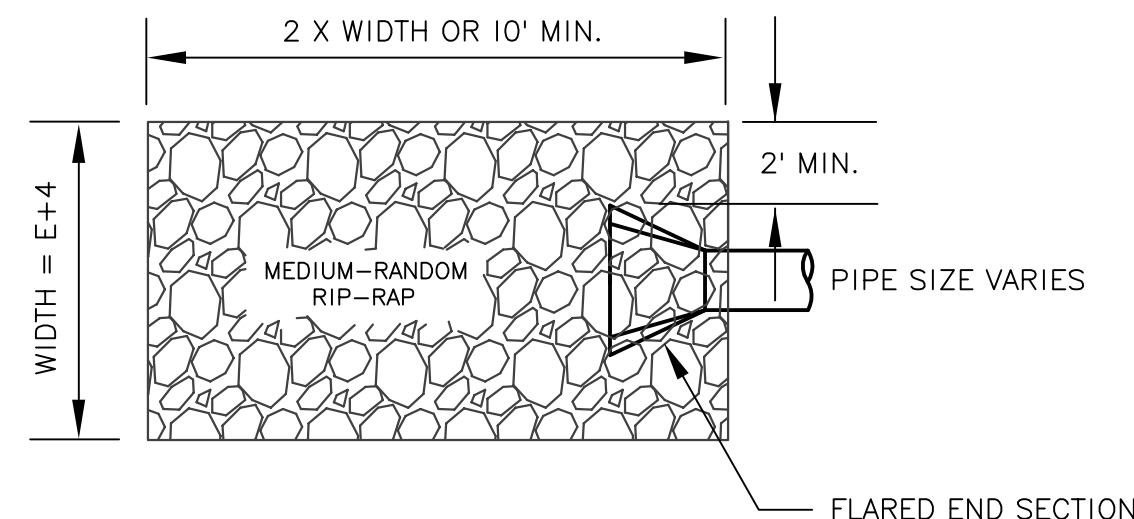
AS BUILT POND DATA

KEY	DESCRIPTION	POND-1A		POND-1B		WQ POND-2A		POND 2-BF		POND-3(FUTURE)	
		DESIGN	AS-BUILT	DESIGN	AS-BUILT	DESIGN	AS-BUILT	DESIGN	AS-BUILT	DESIGN	AS-BUILT
A	POND BOTTOM ELEVATION	847.00	846.6±	844.00	843.7±	871.00	871.4±	852.40	852.40	843.00	
B	NORMAL WATER LEVEL (NWL)	852.00	852.08	849.00	849.00	876.00	876.03	854.40	854.1±	848.00	
C 2	2-YR. STORM ELEVATION	853.18	853.18	850.50	850.50	877.09	877.09	855.18	855.18	849.38	
C 10	10-YR. STORM ELEVATION	853.85	853.85	851.15	851.15	878.04	878.04	855.54	855.54	850.20	
C 100	100-YR. STORM ELEVATION (DHWS)	855.48	855.48	851.82	851.82	878.56	878.56	855.92	855.92	851.61	
D	BOTTOM OF WATER LEVEL CONTROL STRUCTURE	850.00	850.31	847.00	847.24	874.00	873.94	850.90	850.81	846.00	
E	ORIFICE(S) SIZE - PRIMARY/WQ	2.50" - 852.00	2.50"-852.08	2.50"-849.00	2.50"-849.00	2.50"-876.00	2.50"-876.03	6" P.U.D.	6" P.U.D.-852.36	2.50" - 848.00	
F	ORIFICE(S) SIZE (ADDITIONAL)	8" - 853.00	8" - 853.20							6" - 849.50	
G	OUTLET PIPE SIZE	18" X 35'	18" X 34.6'	18" X 35'	18" X 34.7'	15" X 30'	15" X 27.1'	6" X 40' PVC	8" X 50.4' PVC	15" X 35'	
H	OUTLET PIPE (INLET)	852.00	852.01	849.00	849.01	876.00	875.97	852.40	852.38	848.00	
I	OUTLET PIPE (DISCHARGE)	851.65	851.80	848.65	848.68	875.00	875.31	852.00	851.99	847.65	
J	TOP OF STRUCTURE	855.25	855.37	851.00	851.08	878.00	878.06	GR. 855.15	GR. 855.08	851.35	
K	EMERGENCY SPILLWAY CREST ELEV.	856.00	856.0±	852.25	852.1±	878.50	878.6±	855.65	855.4±	851.75	
L	TOP OF EMBANKMENT ELEVATION	857.00	856.8±	853.25	853.0±	879.50	879.4±	856.25	856.0±	852.75	

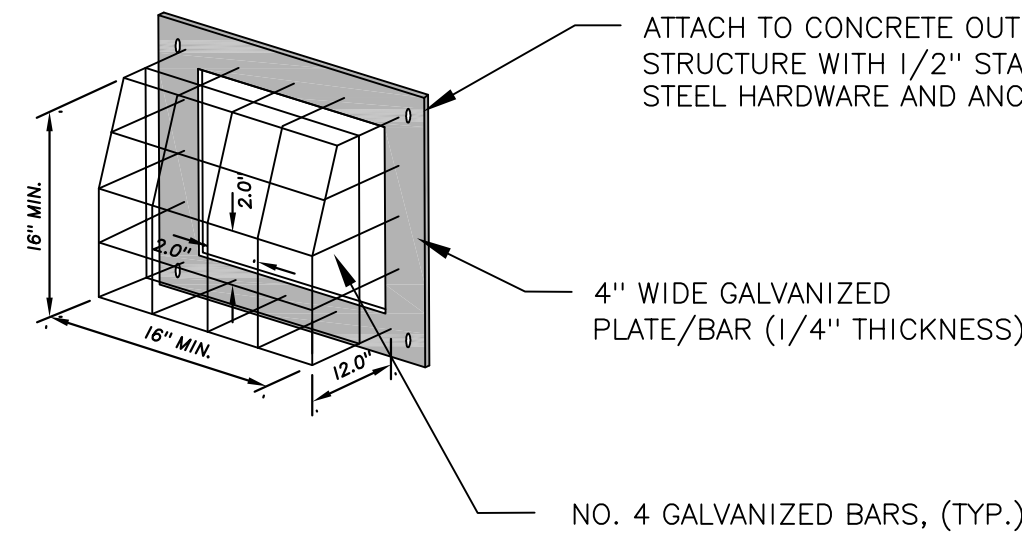
VERTICAL DATUM: NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29)



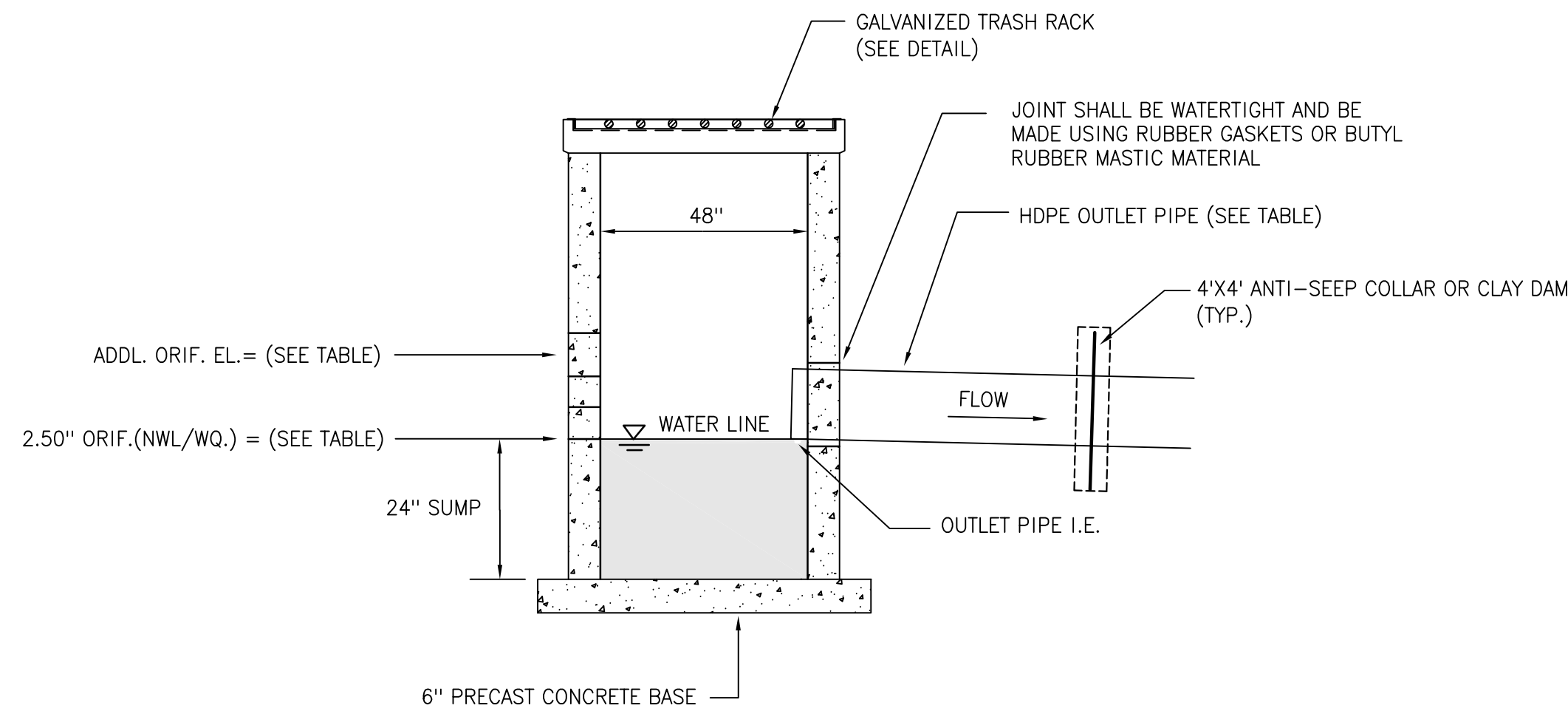
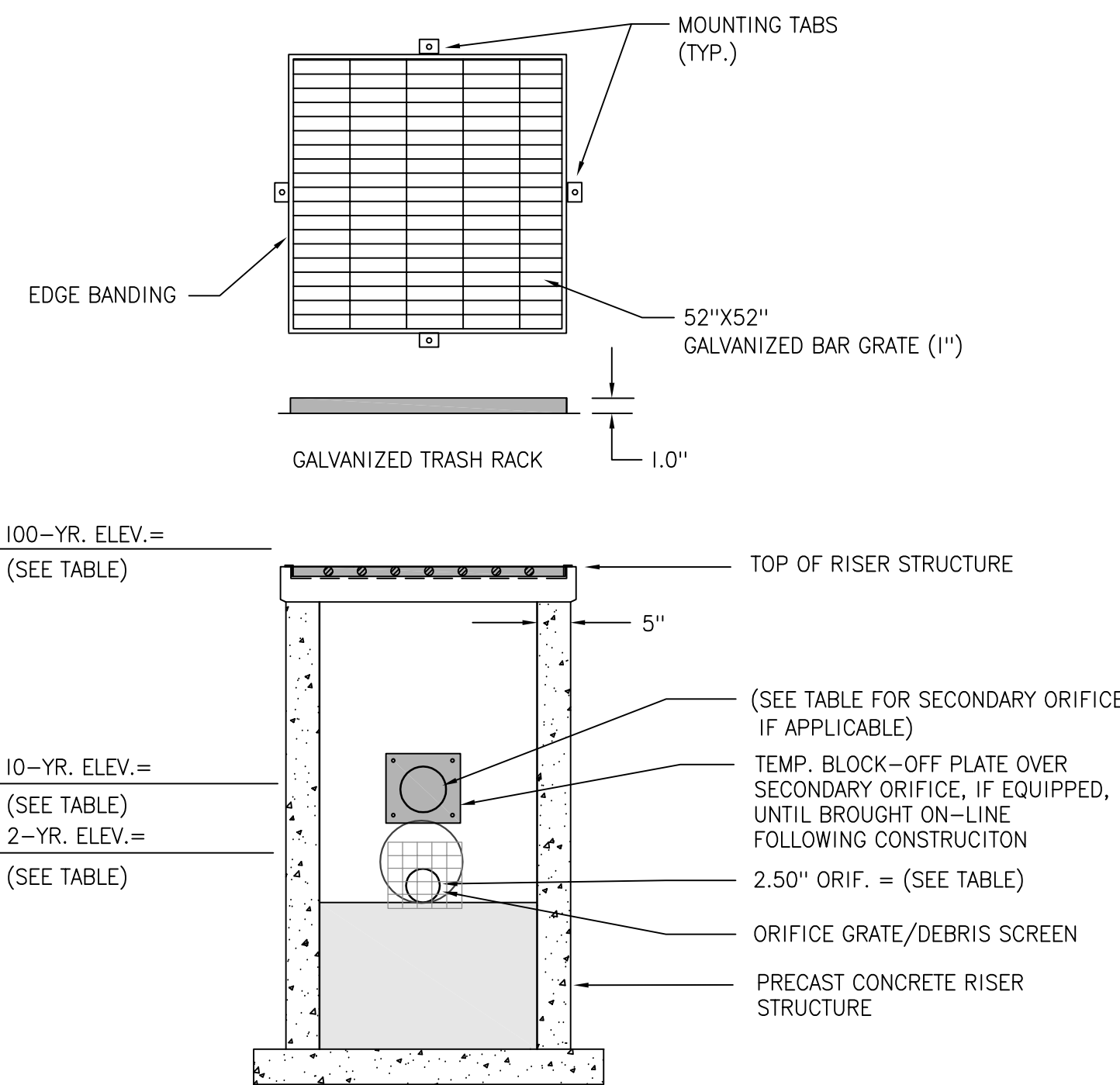
OUTFALL PIPE DETAIL



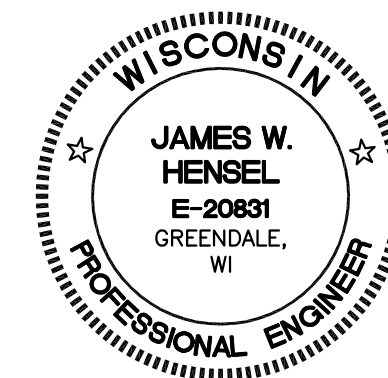
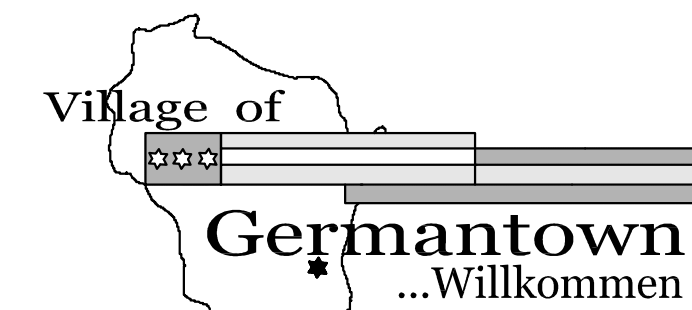
RIP-RAP DETAIL AT PIPE OUTFALLS



ORIFICE DEBRIS SCREEN

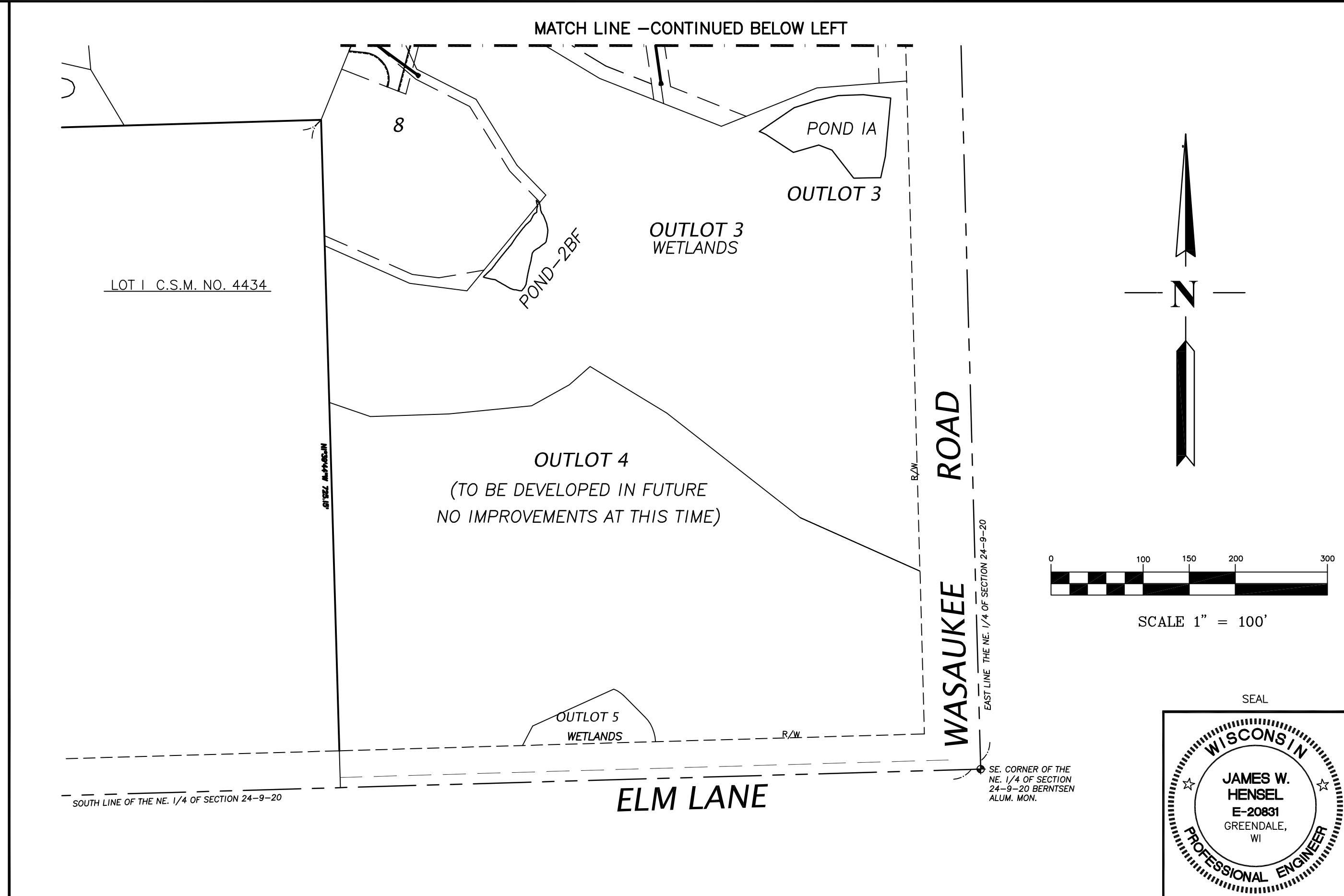
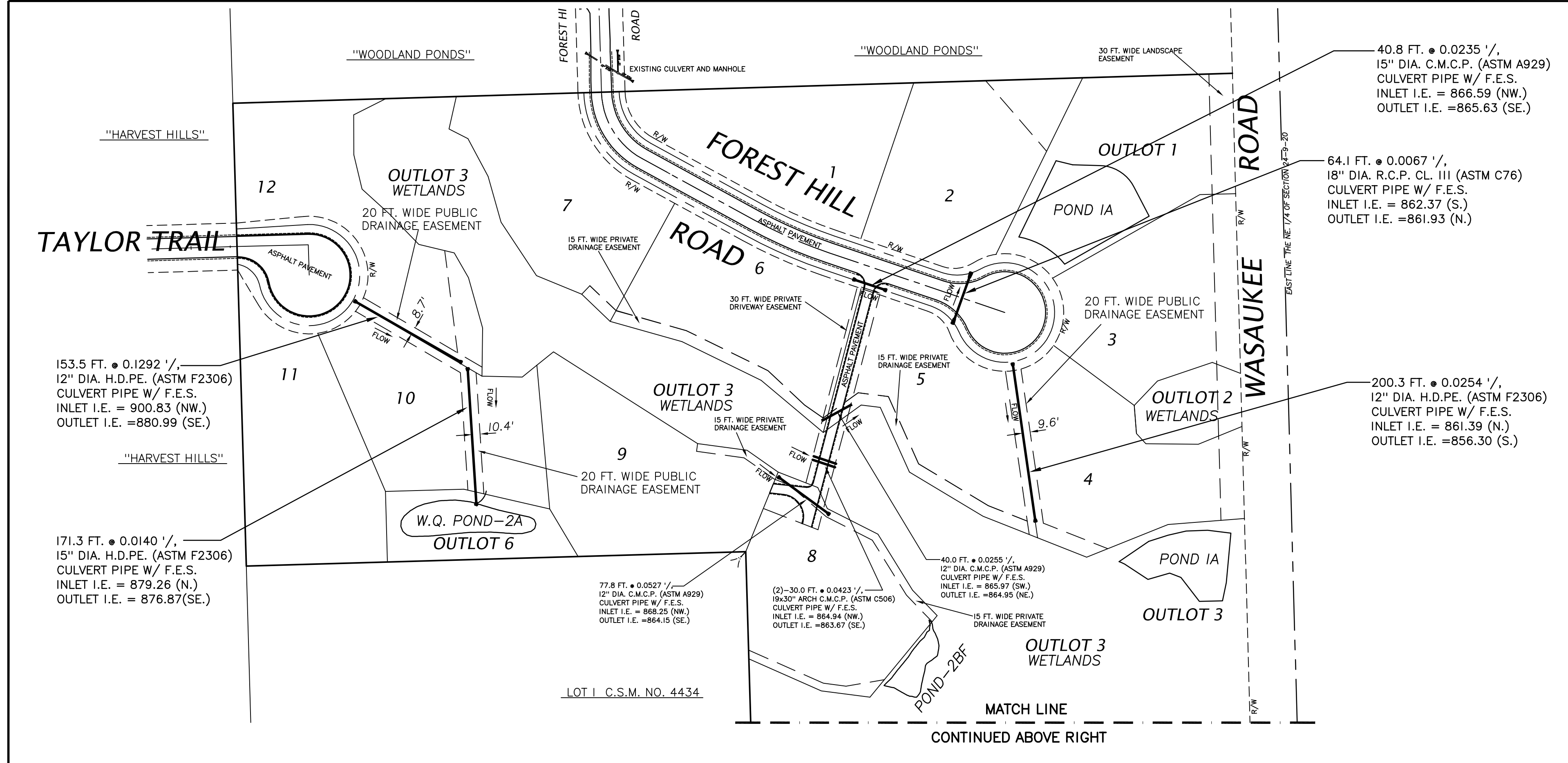


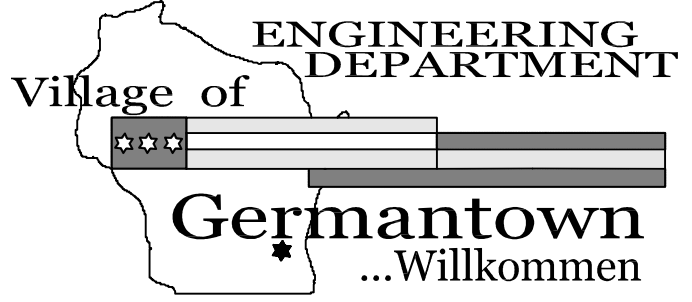
WET DETENTION BASIN OUTLET STRUCTURE
4' X 4' SQUARE (PRECAST)



VILLAGE OF GERMANTOWN			
WASHINGTON COUNTY		WISCONSIN	
Woodland Ponds Estates			
AS-BUILT			
Detention Basin & Outlet Details			
DESIGNED:	DRAWN: J.M.B.	CHECKED: J.W.H.	SHEET C6 OF 6
DATE: 10-11-2019	SCALE: N.T.S.		
APPROVED:	PROJECT: LS-4315		

REVISIONS				
MK	DATE	BY	REVISION	CHK'D



REVISION NO.	DESCRIPTION	DATE	BY	SURVEY BY	DATE	WOODLAND PONDS ESTATES STORM SEWER RECORD DRAWING NE. 1/4 OF SECTION 24-9-20 VILLAGE OF GERMANTOWN	CONTRACTOR	WONDRA CONSTRUCTION	 ENGINEERING DEPARTMENT Germantown ...Willkommen	PROJECT NUMBER
				E.A.J.	8/15/2019		INSPECTION FIRM	VILLAGE OF GERMANTOWN		LS-4315
				J.M.B.	10/10/2019		INSPECTOR	F.J.R.		SHEET NUMBER
							DATE INSTALLED	SUMMER 2019		1
							DRAWING AND FIELD SURVEY PERFORMED BY NORTH SHORE ENGINEERING			
© 2019 VILLAGE OF GERMANTOWN ENGINEERING DEPARTMENT							PHONE: 1-262-250-4720 FAX: 1-262-253-8255			
N 112 W 17001 MEQUON ROAD GERMANTOWN, WISCONSIN 53022							CADFILE LS-4315-STM-AS-BUILT.DWG			

SOIL EVALUATION REPORT

In accordance with SPS 385, Wis. Adm. Code

Attach complete site plan on paper not less than 8 1/2 x 11 inches in size. Plan must include, but not limited to: vertical and horizontal reference point (BM), direction and percent slope, scale or dimensions, north arrow, and location and distance to nearest road.

Please print all information.

Personal information you provide may be used for secondary purposes (Privacy Law, s. 15.04(1)(m)).

County
Washington

Parcel I.D.

Reviewed by

Date

Property Owner Germantown Acquisitions LLC				Property Location Govt. Lot SE 1/4 NE 1/4 S 24 T 9 N R 20 E (or) W			
Property Owner's Mailing Address 3223 Fleur De Lis Dr				Lot # 10	Block #	Subd. Name or CSM# Woodland Ponds Estates	
City Mequon	State WI	Zip Code 53092	Phone Number ()	☐ City	☒ Village Germantown	☐ Town	Nearest Road

☒ New Construction Use: ☐ Residential / Number of bedrooms _____ Code derived design flow rate _____ GPD
☐ Replacement ☐ Public or commercial - Describe: _____
 Parent material _____ Flood Plan elevation if applicable NA ft.
 General comments and recommendations:

37 Boring # ☐ Boring ☒ Pit Ground surface elev. 883.92 ft. Depth to limiting factor 18 in.

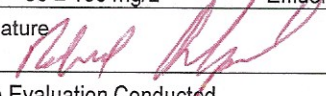
Horizon	Depth In.	Dominant Color Munsell	Redox Description Qu. Az. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	Soil Application Rate	
									GPD/Ft ²	
									*Eff#1	*Eff#2
1	0-11	10yr3/3	-	SiL	2fsbk	mvfr	aw	2f-L	0.5	0.8
2	11-18	10yr4/3	-	SiCL	2fsbk	mfr	cw	2vf-m	0.4	0.6
3	18-34	10yr5/4	m3p 7.5yr5/8 10yr6/2	SiL	1fsbk/0m	mvfr	-	-	0	0.2

38 Boring # ☐ Boring ☒ Pit Ground surface elev. 885.35 ft. Depth to limiting factor 16 in.

Horizon	Depth In.	Dominant Color Munsell	Redox Description Qu. Az. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	Soil Application Rate	
									GPD/Ft ²	
									*Eff#1	*Eff#2
1	0-10	10yr3/3	-	SiL	2fsbk	mvfr	aw	1vf	0.5	0.8
2	10-16	10yr4/3	-	SiCL	2fsbk	mfr	cw	1vf	0.4	0.6
3	16-33	10yr5/4	c2d 7.5yr5/8	SiL	1fsbk/0m	mvfr	-	-	0	0.2

* Effluent #1 = BOD, > 30 ≤ 220 mg/L and TSS > 30 ≤ 150 mg/L

* Effluent #2 = BOD, > 30 ≤ 220 mg/L and TSS > 30 ≤ 150 mg/L

CST Name (Please Print) Robert Hilgart	Signature 	CST Number 226165
Address 1004 Washington St Gragton WI 53024	Date Evaluation Conducted 09/19/18	Telephone Number 262-375-3892

39 Boring #

☐ Boring
☒ Pit
Ground surface elev. 889.51 ft.Depth to limiting factor 16 in.

Horizon	Depth In.	Dominant Color Munsell	Redox Description Qu. Az. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	Soil Application Rate	
									GPD/Ft ²	
									*Eff#1	*Eff#2
1	0-11	10yr3/3	-	SiL	2fsbk	mvfr	aw	1vf	0.5	0.8
2	11-16	10yr4/3	-	SiCl	2fsbk	mfr	cw	1vf	0.4	0.6
3	16-32	10yr5/4	C2D 7.5yr5/8	SiL	1fsbk/0m	mvfr	-	-	0	0.2

42 Boring #

☐ Boring
☒ Pit
Ground surface elev. 894.28 ft.Depth to limiting factor 15 in.

Horizon	Depth In.	Dominant Color Munsell	Redox Description Qu. Az. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	Soil Application Rate	
									GPD/Ft ²	
									*Eff#1	*Eff#2
1	0-9	10yr3/3	-	SiL	2fsbk	mvfr	aw	1vf	0.5	0.8
2	9-15	10yr4/3	-	SiCL	2fsbk	mfr	cw	1vf	0.4	0.6
3	15-32	10yr5/4	c2d 7.5yr5/8	SiL	1fsbk/0m	mvfr	-	-	0	0.2

46 Boring #

☐ Boring
☒ Pit
Ground surface elev. 884.4 ft.Depth to limiting factor 15 in.

Horizon	Depth In.	Dominant Color Munsell	Redox Description Qu. Az. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	Soil Application Rate	
									GPD/Ft ²	
									*Eff#1	*Eff#2
1	0-10	10yr3/3	-	SiL	2fsbk	mvfr	aw	2m-vf	0.5	0.8
2	10-16	10yr4/3	-	SiCL	2fsbk	mfr	cw	2f-vf	0.4	0.6
3	16-36	10yr5/4	c2d 7.5yr5/8	SiL	1fsbk/om	mvfr	-	-	0	0.2

* Effluent #1 = BOD, > 30 ≤ 220 mg/L and TSS > 30 ≤ 150 mg/L

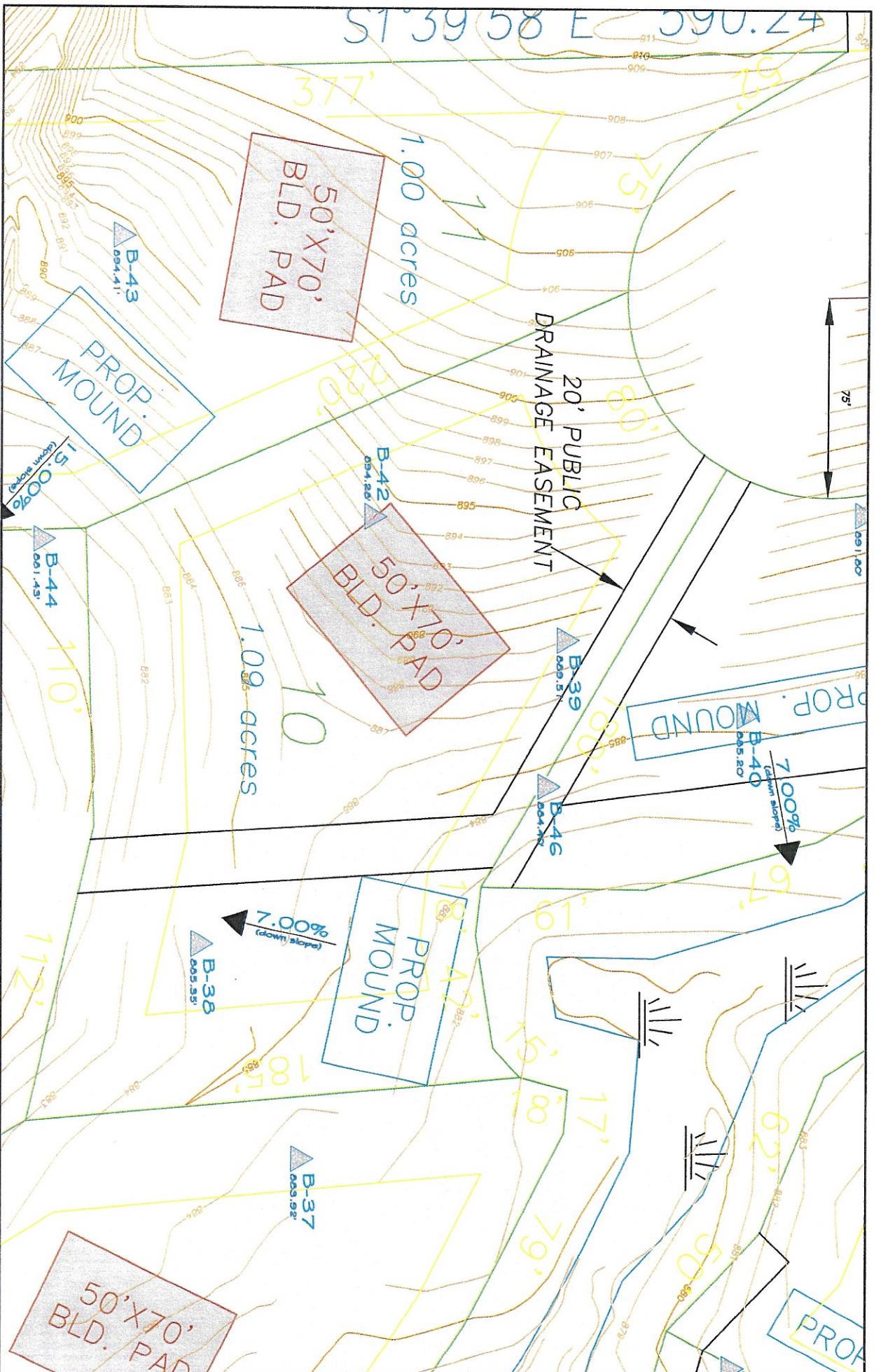
* Effluent #2 = BOD, > 30 ≤ 220 mg/L and TSS > 30 ≤ 150 mg/L

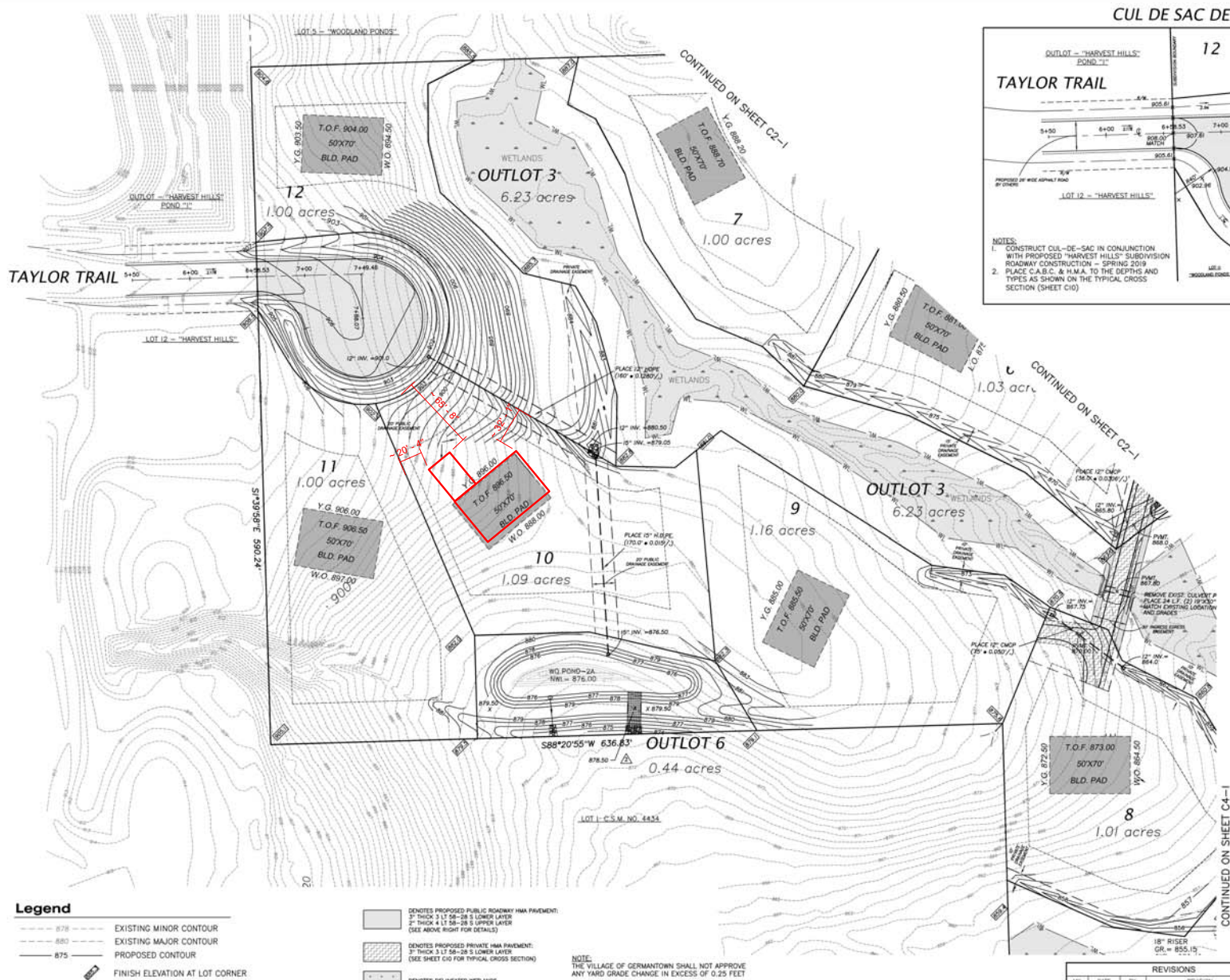


PLOT PLAN - SOIL TEST

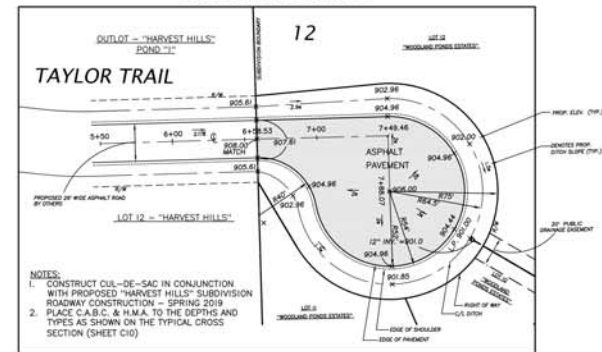
SITE PLAN

SCALE 1" = 50'-





CUL DE SAC DETAIL



Estimate of Quantities - Taylor Trail Construction

- 14 C.Y. 1/2" GRADATION DENSE GRADED BASE COURSE (3" THICK)
- 84 C.Y. 3/4" GRADATION DENSE GRADED BASE COURSE (3" THICK)
- 15 C.Y. 1/2" GRADATION DENSE GRADED BASE SHOULDER (3" THICK)
- 237 TONS LOWER LAYER HMA 3 LT 58-28-5 (3" THICK)
- 139 TONS UPPER LAYER HMA 4 LT 58-28-5 (2" THICK)

Outlot 6 Pond Inlets

- 170 L.F. 12" DIA. H.D.P.E. CULV. PIPE W/ STEEL APRON ENDS (2 CA)
- 180 L.F. 12" DIA. CORRUGATED METAL CULVERT PIPE (CMCP) W/ APRON ENDS (2 CA)



CERTAIN UNDERGROUND STRUCTURES HAVE BEEN LOCATED ON THE DRAWING. THESE LOCATIONS SHALL NOT BE TAKEN AS CONCLUSIVE. VERIFICATION TO THE SATISFACTION OF THE CONTRACTOR OF ALL UNDERGROUND STRUCTURES, WHETHER SHOWN ON THE DRAWING OR NOT, SHALL BE ASSUMED AS A CONDITION OF THE CONTRACT.

VILLAGE OF GERMANTOWN
WASHINGTON COUNTY WISCONSIN
Woodland Ponds Estates

Interim Site Grading Plan Northwest

REVISIONS				DESIGNED:	DRAWN:	CHECKED:	SHEET
NO.	DATE	BY	REVISION	CHW	J.W.H.	J.G.S.	J.W.H.
1	7-22-2019						
APPROVED:				PROJECT:			
				LS-4315			
				C3-I			4

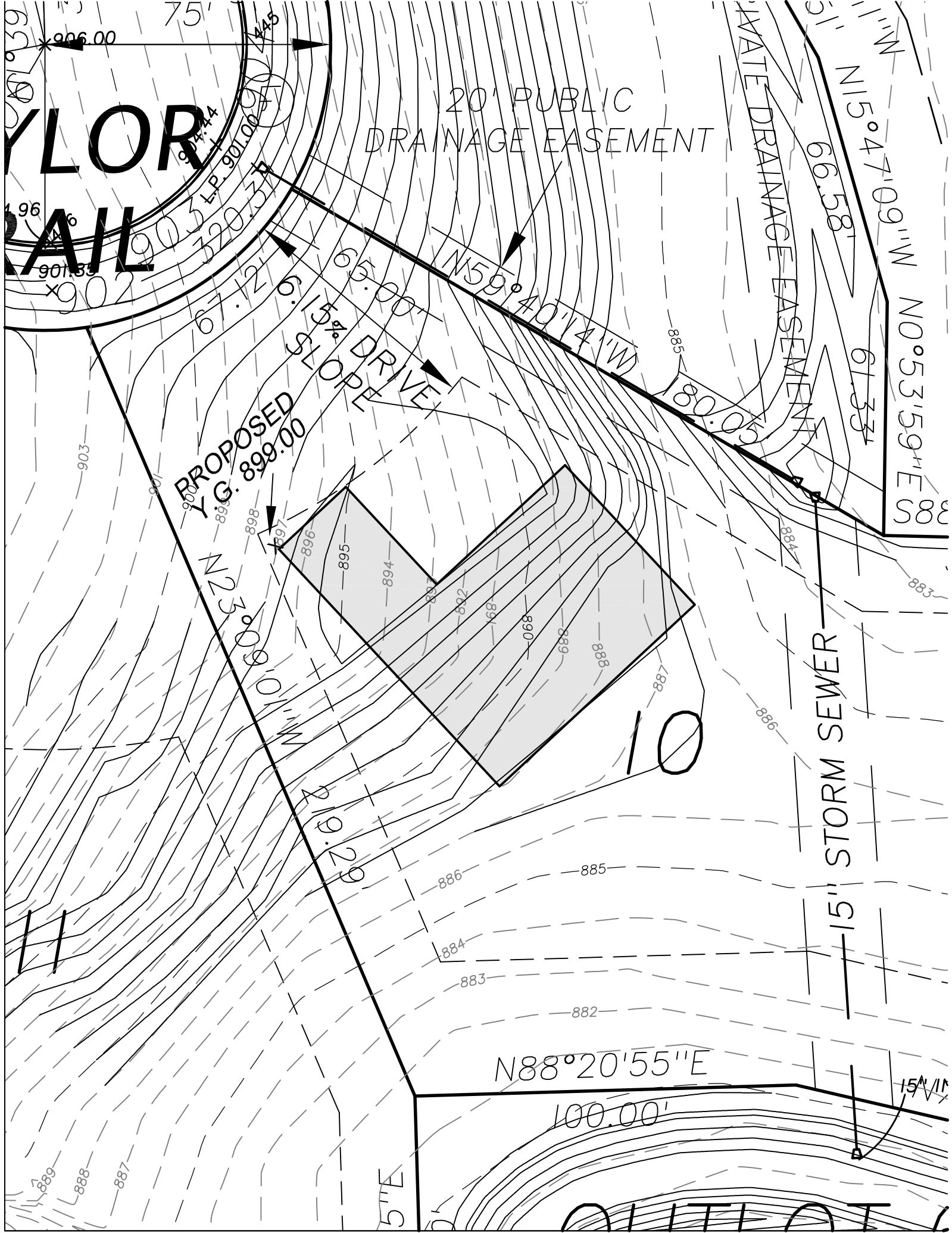
NSE NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Menasha, Wisconsin, 54952
(920) 241-0400 • FAX: (920) 241-5337

Legend

- 878 --- EXISTING MINOR CONTOUR
- 880 --- EXISTING MAJOR CONTOUR
- 875 --- PROPOSED CONTOUR
- FINISH ELEVATION AT LOT CORNER
- DENOTES PROPOSED PUBLIC ROADWAY HMA PAVEMENT: 3" THICK 3 LT 58-28-5 LOWER LAYER 2" THICK 4 LT 58-28-5 UPPER LAYER (SEE ABOVE RIGHT FOR DETAILS)
- DENOTES PROPOSED PRIVATE HMA PAVEMENT: 3" THICK 3 LT 58-28-5 LOWER LAYER (SEE SHEET C10 FOR TYPICAL CROSS SECTION)
- DENOTES DELINEATED WETLANDS

SITE BENCHMARK: SOUTH R/W OF EXISTING STORM MAINLINE AT STA. 1+25.67, 21.7' LT. ELEVATION = 867.32

NOTE: THE VILLAGE OF GERMANTOWN SHALL NOT APPROVE ANY YARD GRADE CHANGE IN EXCESS OF 0.25 FEET



**TAYLOR
RAIL**

20' PUBLIC
DRAINAGE EASEMENT

PRIVATE DRAINAGE EASEMENT

STORM SEWER

PROPOSED
Y.G. 899.00

ROAD DRIVE

N88°20'55"E

100.00'

10

15' 11"

LOR
AIL

20' PUBLIC
DRAINAGE EASEMENT

ATE DRAINAGE EASEMENT

120.00
DRIVEWAY SLOPE

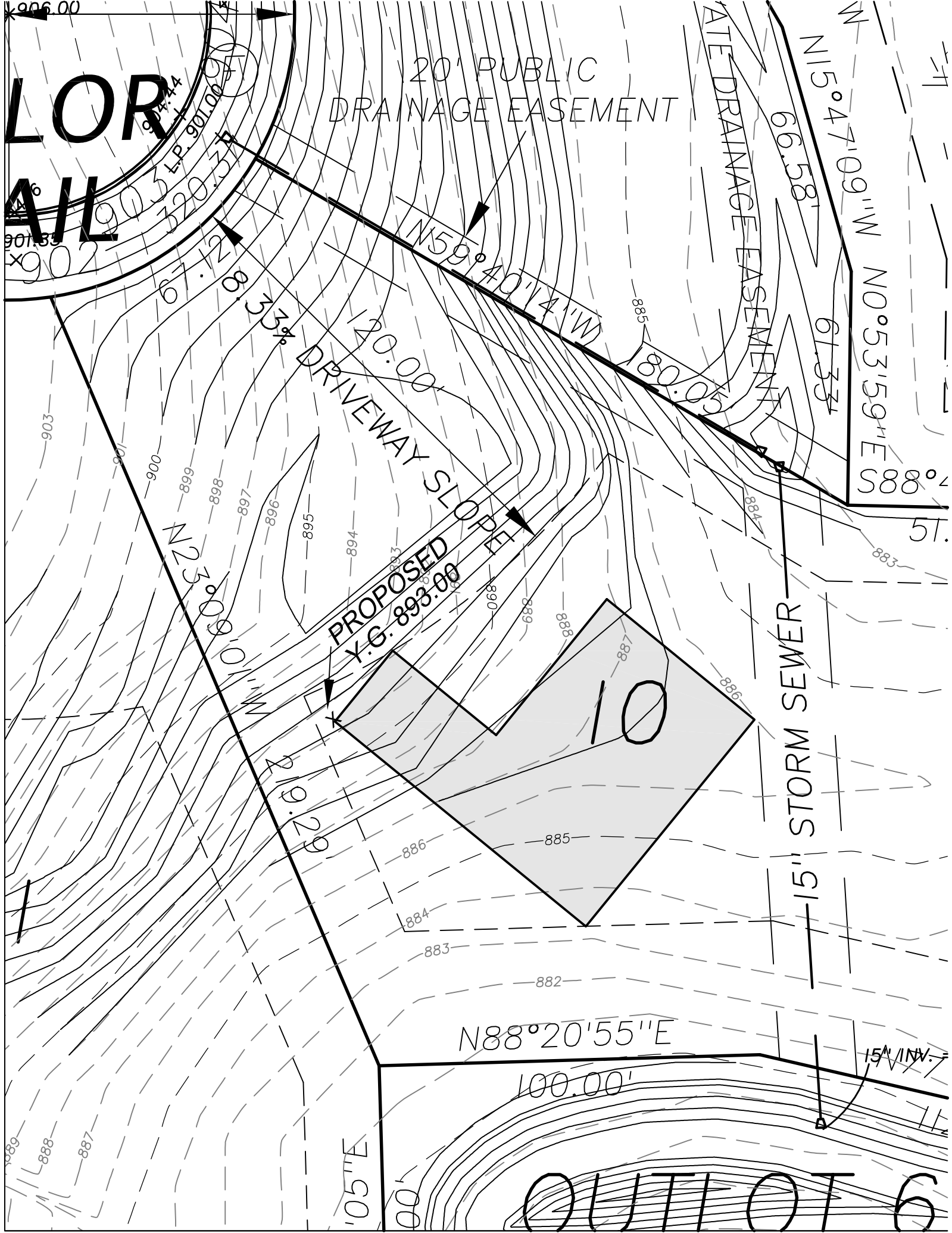
PROPOSED
X.G. 893.00

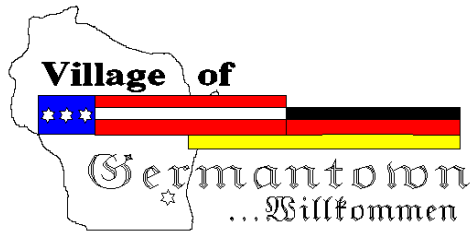
STORM SEWER
15"

N88°20'55"E

100.00'

OUTLOT 6





Engineering Department Memorandum

To : Larry Ratayczak, Public Works Director
From : Eric Nitschke, Village Engineer
Date : February 25, 2019
Re : Development Review for Woodland Pond Estates Subdivision

Larry,

Included you will find the review comments pertaining to the Woodland Pond Estates site review.

Woodland Ponds Estates – Site Review

1. Sanitary comments
 - a. No comments
2. Water comments
 - a) No comments
3. Highway comments
 - a. No comments
4. Engineering comments
 - a. Storm Water Management Plan Comments
 - i. Please provide ditch and culvert sizing calculations. All ditches and culverts are to be sized at a minimum for a 25-year storm. However, all overland flow routes are to be sized for the 100-year event.
 - ii. The Village believes the swale between lots 10 and 12 should be converted to a drainage pipe. Runoff from the southeast side of Lot 12 should still have access to pipe that runs North-South across Lot 10. The reason for this suggestion is to prevent future drainage issues that have been experienced in similar cases elsewhere in the Village. Overland flow paths still need to be accounted for.
 - iii. The Village would like clarification for Lot 10 regarding elevations of the 15" HDPE drainage pipe and the sanitary sewer lateral running

from the house to mound. There are concerns about acceptable cover, as well as the two lines interfering with each other.

- iv. The Village believes the swale between Lots 4 and 5 should be converted to a buried drainage pipe. The reason for this suggestion is to prevent future drainage issues that have been experienced in similar cases elsewhere in the Village. Overland flow paths still need to be accounted for.
- v. Pond 2A's outlet structure and emergency overflow need to be redesigned as concentrated flow is proposed to be discharged in to the property to the south. There may be a need to utilize a BMP that focuses on volume control.
- vi. Pond 1B and the overflow component that discharges to the south east towards the ROW needs to be reviewed for re-positioning the discharge further upstream in relation to the wetland (Outlot 3).
- vii. The Village would like clarification on Outlot 4 (To Be Developed In Future). The area is included in the Storm Water Management Plan but is not included in the overall grading plan. Please provide further details for the overall plan on Outlot 4.
- viii. The proposed mound location on Lot 4 compromises the overland flow route from the wetlands. The site layout should be modified as the current proposed mound location stops natural flow of water draining from the north into the wetlands in the south.
- ix. Staff would like to discuss the proposed "Future Ditch Diversion" on Elm Lane.
- x. A signed and recorded Storm Water Maintenance Agreement is required prior to final approvals.

b. Grading Plan

- i. Building pad elevations and walkout elevations should be shown on the grading plans.
- ii. The proposed private driveway for lots 8 and 9 should be designed to accept loads from fire apparatus.
 - 1. This includes base, pavement thickness and width
 - 2. Provide for a proper turn-around at the end of the driveway
 - 3. Verify 100-year floodplain does not overtop access drive
- iii. Some lots have very odd shapes. How will the lot lines be marked so as to prevent builders and homeowners from grading in the 25 foot wetland setback?
- iv. Lot 12 is downslope of a detention pond. The grading plan should take into account a certain level of protection if the upstream pond has a berm failure.
- v. Recertifications of the ponds, outlet structures and culverts will be required prior final approval. Emergency spillway elevations must be a minimum of 1 foot below top of berm elevations.

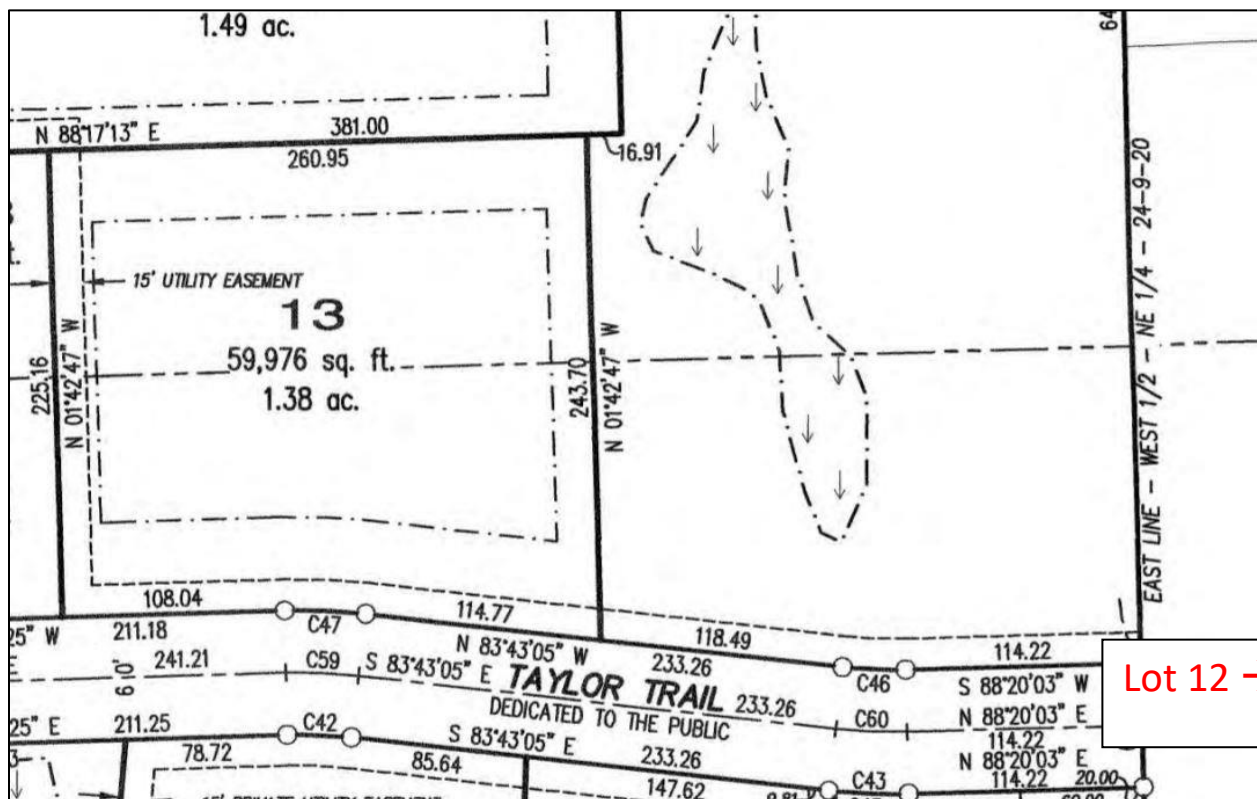
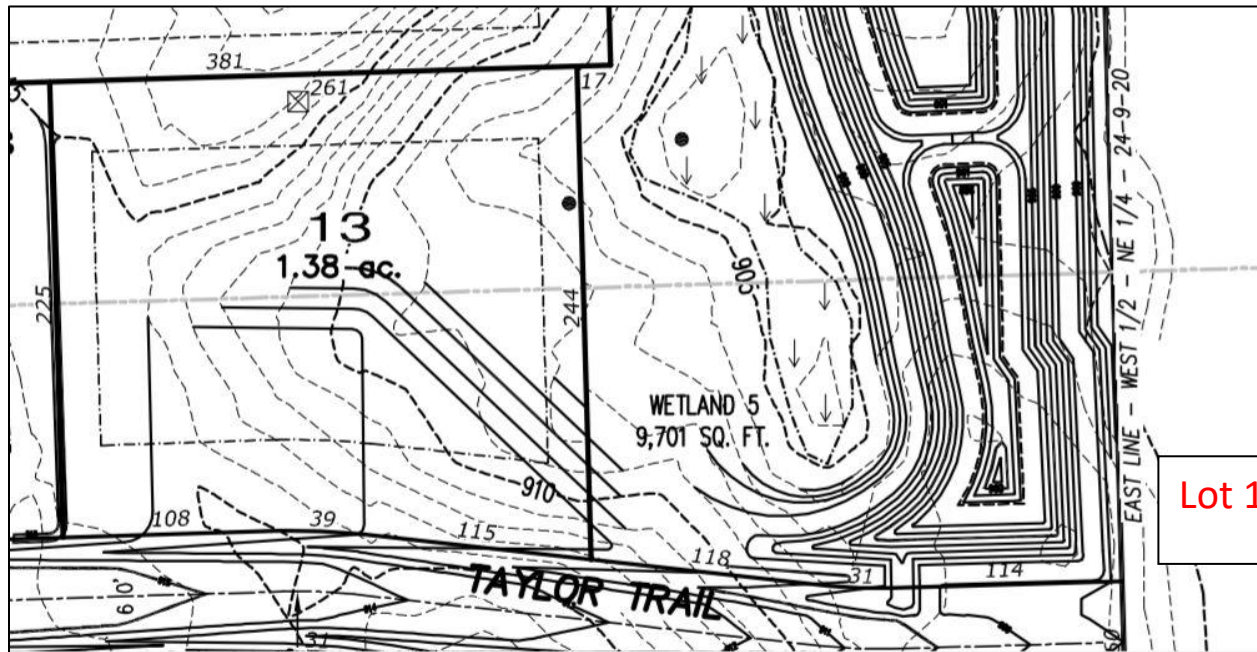
c. Erosion Control Plan

- i. A more detailed erosion control plan is required. Sequencing should be a part of the plan. Silt fence, erosion bales, ditch checks and

temporary BMP's are also to be called out on a separate plan sheet. Currently this information is spread out on a variety of plan sheets.

- ii. There are some significant slopes on the proposed ditches. How will they be reinforced to prevent erosion?
 - iii. If the ponds silt in during site construction, the developer will be required to dredge the ponds and certify all pond elevations prior to approval.
- d. Sheet C-5 calls for the surface lift of asphalt to be 5LT 58-28 S. The surface lift is to be specified as 4LT 58-28 S.
 - e. The village's surveyor has provided a separate list of comments that also are to be addressed prior to final approvals being granted.
 - f. All local and state approvals are required prior to work commencing onsite. It is the developer's responsibility to insure all approvals are obtained prior to start of construction.

Two views of the detention pond upstream from Lot 12. The shown lot 13 is part of Harvest Hills Subdivision.



Lot 10 Variance Appeal- Woodland Ponds Estates Subdivision

From: Brandon Helleson (brandon.helleson@prudential.com)

To: tpeterman100@yahoo.com

Date: Thursday, April 30, 2020, 01:17 PM CDT

To: Germantown Board of Zoning Appeals

Re: Lot 10, Woodland Ponds Estates Variance Appeal

From: Brandon & Elizabeth Helleson

Date: 4/30/2020

It has been brought to my attention that Lot 10, which is adjacent to my Lot 9 in the Woodlands Ponds Estates subdivision, is appealing to the village for a variance in regards to the minimum lot frontage at setback.

I have no concerns or objections to them moving their building pad from a 120' front setback to a 65' setback. This will actually create additional backyard space between our two building areas thus allowing more privacy for each of us. In my opinion this will not pose an issue to any public safety or interest.

Best Regards,

Brandon & Elizabeth Helleson

Email: Hellesonb@yahoo.com or Brandon.Helleson@prudential.com

Phone: 262-853-7676

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