

VILLAGE OF BROOKLYN ORDINANCE CHAPTER 117

AN ORDINANCE TO CREATE

SECTION 117-1059 OF CHAPTER 117 OF THE CODE OF THE VILLAGE OF BROOKLYN

REGARDING PRESERVATION OF TOPOGRAPHY & DRAINAGE

THE BOARD OF TRUSTEES OF THE VILLAGE OF BROOKLYN DO ORDAIN AS FOLLOWS:

Section 117-1059 Chapter 117, Zoning Code; Article V. Zoning Districts and Land Uses; Division 8. Traffic Visibility, Loading, Parking and Access; Section 117-1059 Preservation of Topography & Drainage; of the Code of the Village of Brooklyn Code is hereby created to read as follows:

Section 117-1059 Preservation of Topography & Drainage.

1. Purpose. The purpose of this Section to protect property owners from possible damage resulting from modifications to the existing grade of adjoining lands and to aid in preserving and protecting the natural beauty and character of the landscape.
2. General Applicability. The following provisions shall apply to all property:
 - i. With development of any land, effort shall be maintained to preserve pre-existing topography to the extent practical and consistent with safe, efficient, and attractive land development.
 - ii. No structure shall be built that would alter the existing drainage or topography in any way as to adversely affect the adjoining property(ies).
 - iii. In no case shall any slope exceed the normal angle of slippage of the material involved.
3. Applicability to Residential Zoning Districts. The following provisions shall apply to all property within the Village, except lands currently within the AG (Agricultural) District:
 - i. No change in existing topography shall be made that would result in increasing the slope of any land within a distance of 6 feet from a property line to a ratio greater than three horizontal to one vertical (maximum 3:1 slope).
 - ii. Except upon written approval of the owner of all abutting property, no individual parcel shall alter grading in a way that results in a change of drainage upon adjoining properties, as determined by Village Staff.
 - iii. Surface yard work and landscaping efforts. Surface yard work and minor landscaping activities are hereby defined as activities that will:
 - a. Not change drainage (existing overland or underground directional flow of water runoff) of the subject lot or adjoining parcel
 - b. Not disturb subsoil (below topsoil layer) of a subject lot, or increase fill that would affect drainage to/from surrounding properties of a subject lot
 - c. Retaining walls less than 1' in finished grade height
 - d. Change in finished surface from turf, such as rock mulch, wood mulch, patio pavers and other hardscape that is not classified as driveways, parking or sidewalks.
 - e. Installation of individual landscaping amenities such as trees, shrubs or other plantings.
 - iv. Individual lot activities of a more substantial nature require Village review and approval pursuant to the following permitting:
 - a. Section 107-61, Grading

- b. Section 111-144, Erosion Control
- c. Section 117-400, Site Plan Review
- d. Plan Commission review/approval may be required for activities requiring permitting as described above.

Adopted by the Board of Trustees of the Village of Brooklyn, Wisconsin, this 12th day of April, 2021.

APPROVED:

Brit Springer, Village President

Ayes: _____

Nays: _____

ATTEST:

Linda Kuhlman, Clerk-Treasurer

AFFIDAVIT OF POSTING

STATE OF WISCONSIN)
 :SS
COUNTY OF GREEN)

I, Linda Kuhlman, Village Clerk/Treasurer for the Village of Brooklyn, County of Dane/Green, State of Wisconsin, do solemnly swear that on April 13, 2021, Chapter 117, Zoning Code; Article V. Zoning Districts and Land Uses; Division 8. Traffic Visibility, Loading, Parking and Access; Section 117-1059 Preservation of Topography and Drainage; was posted at the following locations and notification of changes published in the Oregon Observer:

1. State Bank of Cross Plains
 210 Commercial Street
 Brooklyn WI 53521

2. U S Post Office
 218 Commercial Street
 Brooklyn WI 53521

3. Village of Brooklyn website
 www.brooklynwi.gov

4. Brooklyn Community Building
 102 N. Rutland Avenue
 Brooklyn, WI 53521

Further affiant saith naught.
Dated this 13th Day of April, 2021

Linda Kuhlman
Village Clerk-Treasurer

SUBSCRIBED AND SWORN to before
me on this 13th day of April, 2021

Notary Public, _____ WI
My Commission expires: