Agenda Item Number _____6_____

Memo

To: Plan Commission, Village Board

Fr: Trevor Fuller, Director of Planning and Community Development

Re: ACTION RE: CONDITIONAL USE REQUEST TO ALLOW FOR A TYPE B HOME OCCUPATION FOR THE PROPERTY LOCATED AT 424 FLORAL DRIVE, PARCEL AL-994-L-37

Date: 28 May 2026

The Village has received an application for a Conditional Use Permit (CUP) for a Type B Home Occupation at the property located at 424 Floral Drive, Parcel AL-994-L-37. The applicant is requesting approval to operate a small nail studio within the residence on an appointment-only basis.

The subject property is zoned R1-75 Single-Family Residential. Type B Home Occupations are permitted within the R1-75 zoning district only as an accessory use to the residential use and only upon approval of a Conditional Use Permit.

Included in the memo is the application, an exterior picture of the home, an aerial photograph of the property, and a floor plan identifying which area of the home will be used for the business.

A conditional use is a land use that may be appropriate within a zoning district but requires individual review to ensure the proposed use is compatible with surrounding properties and complies with applicable ordinance standards. The conditional use process allows the Village to evaluate potential impacts and, when necessary, impose reasonable conditions to minimize adverse effects on neighboring properties and the community.

The Village of Allouez Comprehensive Plan does not specifically address home occupations in detail. However, the proposed use is generally consistent with the goals of the plan by supporting economic activity while preserving the character of residential neighborhoods. The zoning ordinance specifically contemplates and regulates Type B Home Occupations through the conditional use permit process.

Pursuant to Village Code § 475-709G, Type B Home Occupations are subject to the following regulations:

- Home occupations must remain accessory and secondary to the residential use of the dwelling and may not alter the residential character of the property or surrounding neighborhood.
- Home occupations may not create impacts such as light, noise, vibration, odor, traffic, or parking demand beyond what is typical in a residential neighborhood.
- Any tools or equipment used must be operated or soundproofed so they are not audible beyond the property lines.
- Exterior structural alterations or site improvements that change the residential appearance of the property are prohibited.
- All home occupation activities, including storage, must occur entirely within the principal building.
- The area devoted to the home occupation may not exceed 25% of the dwelling unit floor area.
- No window displays or public display of merchandise are permitted.
- Hazardous substances are prohibited except at normal consumer commodity levels.
- Only passenger vehicles may be used in conjunction with the home occupation.
- Type B Home Occupations require approval through the conditional use permit process.
- One nonresident employee is permitted only if no customers visit the site.
- Home occupations with customers or clients visiting the property may not have nonresident employees.
- Type B Home Occupations permit either one nonresident employee or one nonresident customer at the property at any given time.

The applicant has indicated the proposed nail studio would operate by appointment only from the hours of 10a.m. to 6p.m. Based on the information submitted, the proposed use appears capable of operating in a manner consistent with the requirements for a Type B Home Occupation within the R1-75 zoning district.

Per § 475-1105, the Plan Commission and Village Board shall evaluate the following review criteria and standards when considering a conditional use permit request:

1. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. That the uses, values and enjoyment of surrounding properties for purposes already permitted in the district will not be substantially impaired or diminished by the establishment, maintenance or operation of the proposed conditional use;
3. That establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the district;
4. That adequate utilities, access roads, drainage and other necessary improvements have been or are being provided;
5. That adequate measures have been or will be taken to provide ingress and egress that will minimize on- and off-site traffic congestion; and
6. That the conditional use complies with all other applicable regulations of the zoning chapter.

The ordinance further provides that the burden of proof remains with the applicant to demonstrate compliance with all applicable standards and that the Village Board may impose reasonable and measurable conditions to minimize adverse impacts associated with the proposed use (An example of this could be hours-of-operation restrictions as a way to minimize neighborhood impacts such as traffic, parking activity, noise, and customer visits in residential areas – e.g.: “The home occupation shall operate only between the hours of 8:00 a.m. and 7:00 p.m., Monday through Saturday.”)

Staff has reviewed the proposed application. Based on the information submitted, the proposed use appears capable of operating in a manner consistent with the requirements for a Type B Home Occupation within the R1-75 zoning district. The use does not appear to be in conflict with the goals of the Comprehensive Plan. Staff would recommend approval of the conditional use permit as presented.

Plan Commission reviewed the proposed Type B Home Occupation at the May 19, 2026 meeting and recommended approval with no conditions.

Village Board is asked whether or not to approve a conditional use permit for the proposed Type B Home Occupation. The motion should specify the conditions, if any, of the conditional use permit.

Village of Allouez, 1900 Libal St., Allouez, WI 54301 Receipt#_____ Date: _____

VILLAGE OF ALLOUEZ
PETITION FOR CONDITIONAL USE
($300 required petition fee)

Please complete this form. In cases where the description of the requested information is too lengthy to include in the space allowed, please include it on a separate sheet with this application.

Name of petitioner: Amneris Sepulveda Phone: 920-327-0484

Mailing address: 424 Floral Dr.

1. The petitioner's interest in the property: Owner
2. The present name shown on the title of the property: Amenris Sepulveda Irizarry
3. The legal description of the property under consideration (including parcel # and street address):
   Floral subdivision no 2 lot 10 BLK 5
4. The size of the property: Lot - 8,378 Sq Ft Home - 1521 Sq Ft
5. The property is presently zoned as Class: Residential
6. The petitioner seeks a conditional use for: Type B Home Occupation
7. Describe the proposed use in detail (i.e. the nature of the use, number of employees, and any physical changes required to buildings and existing facilities):
   I am planning to run my nail business from home, using my living room as the studio. The attached floor plan shows the area in yellow. I have run my business for 12 years, having been self-employed for over 15 years. My client list is set, and I provide a range of services exclusively by appointment. Only I will be present, with no employees and a maximum of one client at any time. Currently, I do not expect that any physical modifications to the home will be necessary, since a nail table is sufficient for offering my services. Additionally, I have an establishment and a cosmetology license.
8. Attached is a proposed elevation of the structure or an example of the exterior and a certified survey map, a copy of the plat on which the property is shown, or a proposed site plan.
9. The proposed construction schedule for the project (anticipated start and duration): N/A
10. Other reports and studies, as requested by the village, which are necessary for ensuring that the standards in Section 475-58 are met.

Dated this 14 day of April, 20 26

Amneris Sepulveda
Petitioner Signature

_____
Owner Signature (if different than petitioner)

TO BE COMPLETED BY THE VILLAGE OF ALLOUEZ

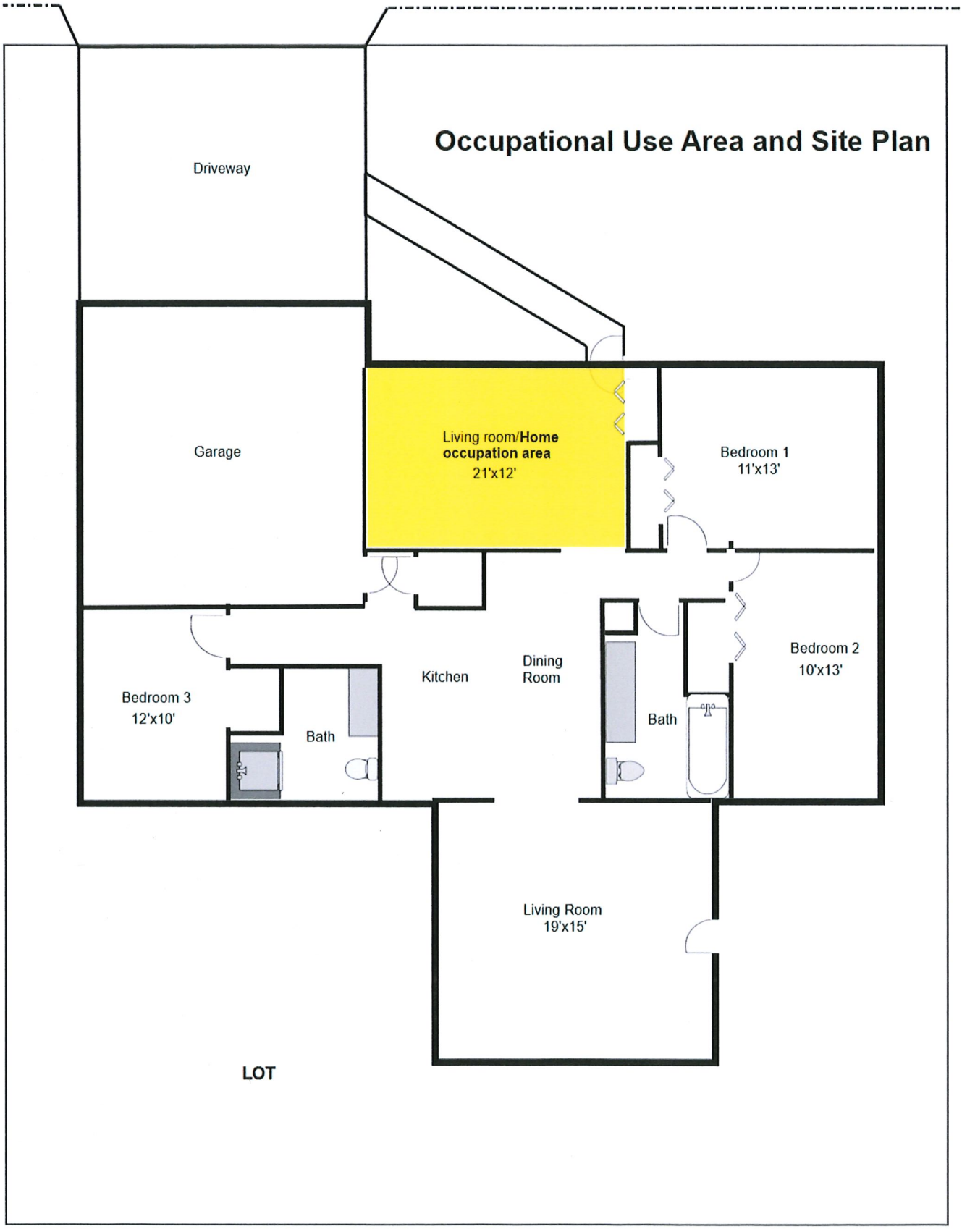
_____Date of Plan Commission _____Date of Village Board _____Date of public hearing (if scheduled)

*Conditions and stipulations required by the Village Board (attached)




FLORAL DR
MEMORY CT
N MEMORY CT
BLK 5
BLK 4
N
W
E
S

Street


Occupational Use Area and Site Plan
Driveway
Garage
Living room/Home occupation area
21'x12'
Bedroom 1
11'x13'
Bedroom 3
12'x10'
Bath
Kitchen
Dining Room
Bath
Bedroom 2
10'x13'
Living Room
19'x15'
LOT