

**NOTICE OF PUBLIC HEARING  
OF THE KIMBERLY PLAN COMMISSION  
VILLAGE OF KIMBERLY  
OUTAGAMIE COUNTY, WISCONSIN**

Notice is hereby given that a Public Hearing will be held by the Kimberly Plan Commission in the Village of Kimberly Council Chambers on **Tuesday, March 21, 2023, at 6:00 pm** for the purpose of hearing a request for a Conditional Use Permit.

A Conditional Use Permit has been requested by Patrick DeJesus, owner/occupant of 345 N. Main St. to construct a new single-family dwelling as a second principal use structure on this property. The property is zoned B1-Business General. A Conditional Use Permit is required because Zoning Ordinance section 510-10 B. permits only one (1) principal use structure on a lot except as permitted through a Conditional Use Permit.

*In response to the Village's Proclamation of State of Emergency related to the COVID-19, a video conference link and teleconference phone number/code will allow participation in the open meeting remotely.*

Village of Kimberly Plan Commission  
Mar 21, 2023, 5:55 – 6:25 PM (America/Chicago)

Please join my meeting from your computer, tablet or smartphone.  
<https://meet.goto.com/575650645>

You can also dial in using your phone.

Access Code:

575-650-645

United States:

+1 (571) 317-3122

**Get the app now and be ready when your first meeting starts:**

<https://meet.goto.com/install>

Public Comments will be invited at the public hearing or can be sent in writing to:

Village of Kimberly  
Attn: Margaret Mahoney, Village Administrator  
515 W. Kimberly Ave.  
Kimberly, WI 54136

**Village of Kimberly**  
**Request of Planning Commission Recommendation**

**ITEM DESCRIPTION:** Conditional Use Permit: Allow a Second Principal Use Structure at 345 N. Main St.

**REPORT PREPARED BY:** Allyn Dannhoff

**REPORT DATE:** February 9, 2023

**EXPLANATION:** Patrick DeJesus, owner/occupant, 345 N. Main St., requests consideration for a Conditional Use Permit to permit construction of a second principal use structure whereas Zoning Ordinance section 510-10 B. permits only one (1) principal use structure on a lot except as permitted through a Conditional Use Permit. Mr. DeJesus is seeking approval to construct a new single family dwelling on this property in addition to the existing principal use building containing a single family dwelling and future commercial use space.

This property is zoned B1-General Business with adjacent lands being zoned and used as follows”

North: Vacant land zoned B1-General Business

West: Single family residences zoned R3-Residential Medium Density

South: Single family and zero-lot-line duplexes zoned R5-Planned Residential District

East: Vacant land planned for single family or zero-lot-line duplexes zoned R3-Residential Medium Density.

A zoning review identifies the proposed building meets all applicable setbacks. A parking review identifies a total of 4 stalls are required, 2 per dwelling, where a total 5 stalls have been provided meeting the residential use 25-foot street yard setback requirement. Three stalls within the garage and 2 stalls in front of the garage are provided, and stacked parking is permissible for the two dwellings.

**RECOMMENDED ACTION:** Staff recommends approval of the enclosed Conditional Use Permit subject to any conditions the Plan Commission may identify in addition to the following:

1. Plans or other informations must be submitted and approved by Village staff demonstrating siding and roofing materials for this structure are complimentary to the existing building in form, texture, and color.
2. The driveway shall be altered to provide a sidewalk section to be compatible with future sidewalk installation.



## VILLAGE OF KIMBERLY

515 W. Kimberly Avenue

Kimberly, WI 54136

Allyn Dannhoff

DIRECTOR OF OPERATIONS

920-788-7500

adannhoff@vokimberly.org

### Conditional Use Permit

On April 3<sup>rd</sup>, 2023, the Kimberly Village Board granted a Conditional Use Permit for constructing a single family dwelling as a second principal structure at 345 N. Main St., located in the B1-Business General Zoning District.

#### **LIMITATIONS:**

The building must be constructed in compliance with building plans submitted with and considered in approving the Conditional Use Permit.

#### **CONDITIONS:**

1. The single family dwelling shall only be used a principal residence for those occupying the dwelling.
2. The garage parking spaces, outdoor parking spaces south of the garage, and driveway between the parking spaces and public road shall only be used for parking in association with the dwelling units.
3. The proposed single family dwelling use shall not create any nuisance.
4. The proposed single family dwelling shall be conducted in compliance with all applicable Village, County, State, and Federal rules and regulations.
5. The Village reserves the right to reconsider this Conditional Use Permit for additional conditions and/or revocation should it be determined compliance with the conditions of approval are not being provided.
6. This Conditional Use Permit is not transferable to other properties.

#### **NOTE:**

A new or revised Conditional Use Permit may be required should the nature of the Home Occupation operations be modified or change, should the area of the house dedicated for use by the Home Occupation increase in size, or should additional building(s) be proposed for use by the Home Occupation. Compliance with all conditions noted above must be maintained for this certificate to be valid.

\_\_\_\_\_  
Village Administrator

\_\_\_\_\_  
Date



**VILLAGE OF KIMBERLY**  
Conditional Use Permit Application

**Submit to:**

Planning & Zoning  
515 W. Kimberly Ave.  
Kimberly WI 54136  
920-788-7500

**Applicant Information**

Petitioner: PATRICK DeJesus Date: 2-7-2023  
Petitioner Address: 345 N. MAIN ST. City: Kimberly State: WI Zip: 54136  
Telephone #: (630) 699-8950 Fax: ( ) email: PATRICK-L-DeJesus@yahoo.com  
Status of Petitioner (please check one): ☒ Owner ☐ Representative ☐ Tenant ☐ Prospective Buyer

Petitioner's Signature (required): Patrick DeJesus

**Owner Information**

Owner(s): SAME AS ABOVE Date: 2-7-2023  
Owner(s) Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone #: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_ email: \_\_\_\_\_  
Ownership Status (please check one): ☐ Individual ☐ Trust ☐ Partnership ☐ Corporation

**Property Owner Consent (required):**

By signature hereon, I/We acknowledge that Village officials and/or employees may, in the performance of their functions and duties, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Village for incomplete submissions or other administrative reasons.

Property Owner's Signature: Patrick DeJesus Date: 2-7-2023

**Site Information**

Address/Location of Proposed Project: South east side of Clubhouse Zoning: B1

Proposed Project or Use: \_\_\_\_\_

Current or last Use of Property: Residential

Land Uses Surrounding this Address: North: VACANT PARKING LOT

South: Residential

East: Residential

West: Residential

Note: A meeting notice will be mailed to all abutting property owners regarding this request:

- It is recommended that the applicant meet with Village Department staff prior to submittal to review the project and submitted materials.
- Application Fees must be submitted with the application.

\$25 fee ✓ 1041

**Briefly explain how the proposed Conditional Use will satisfy the following ordinance requirements (see 525-49):**

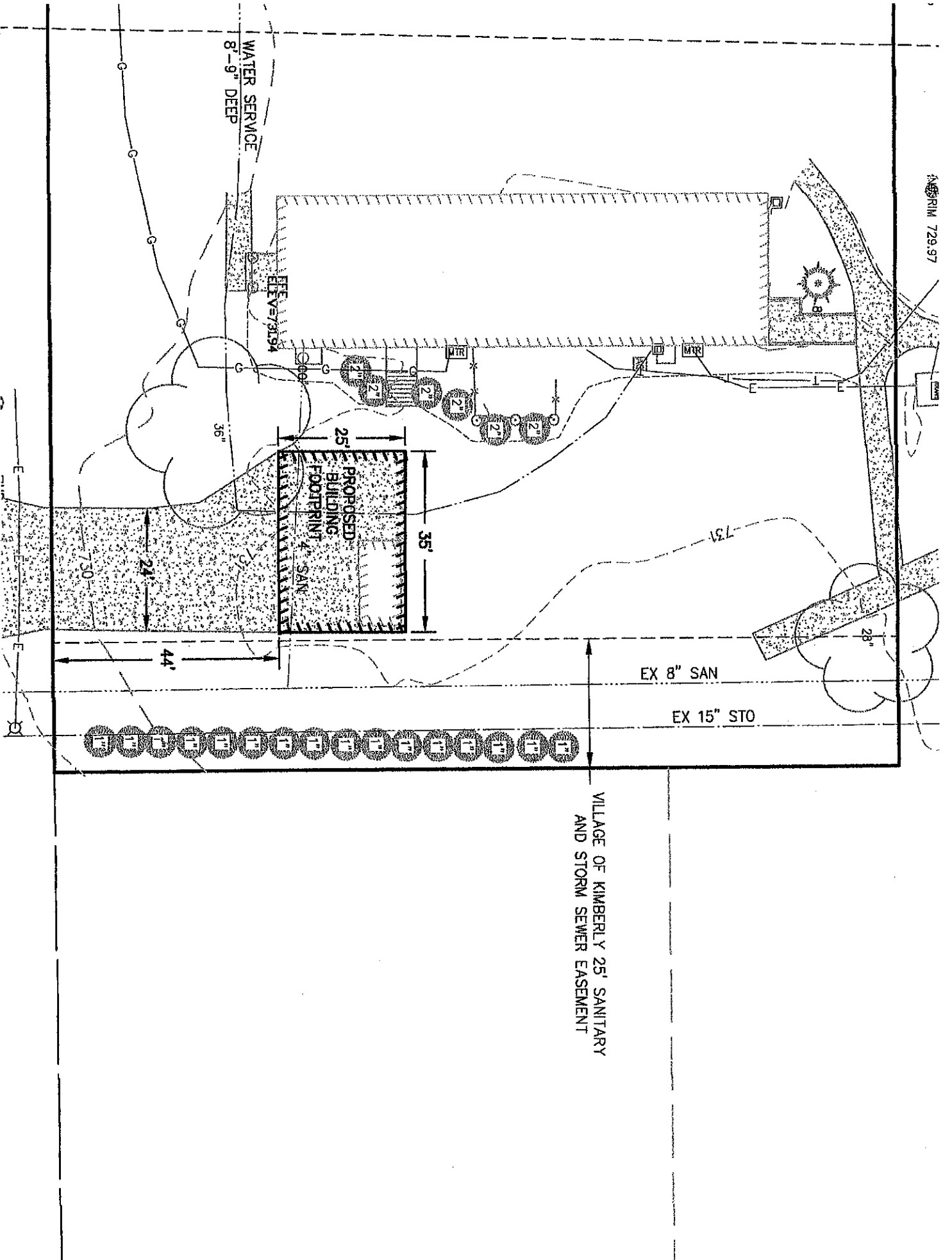
1.	The proposed use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
2.	The proposed use will be compatible with, and will not impair the uses, values, and enjoyment of other property in the neighborhood.
3.	The proposed use will not impede development and improvement of the surrounding property.
4.	Adequate utilities exist for the proposed use. <i>Yes</i>
5.	Adequate Pedestrian and/or vehicular access exists. <i>Yes</i>

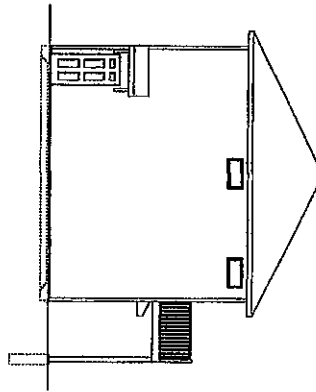
**Submittal Requirements – Must accompany the application to be complete.**

- A narrative of the proposed conditional use and project including:
  - Proposed use of the property
  - ☐ Existing use of the property
  - ☐ Effects on adjoining properties to include: noise, hours of operation, glare, odor, fumes, vibration, etc.
  - ☐ Compatibility of the proposed use with adjacent and other properties in the area.
  - ☐ Traffic generation
  - ☐ Any other information pertinent to adequate understanding of the intended use and its relation to nearby properties
- Complete site plans including:
  - ☐ Two (2) legible scaled and dimensioned drawings/prints of site plan and building elevations (when applicable.)
  - ☐ Two (2) 8 1/2" x 11 (minimum) to 11" x 17" (maximum) reduction of the site plan and building elevations (when applicable.)
  - ☐ All existing and proposed buildings, structures, and paved areas, including building entrances, walks, drives, decks, patios, fences, walls.
  - ☐ Location of all outdoor storage and refuse disposal areas and the design and materials used for construction
  - ☐ Location and dimension of all on-site parking (and off-site parking provisions if they are to be employed)
  - ☐ Location, height, design, illumination power and orientation of all exterior lighting on the property including a photometrics plan.
  - ☐ Location of all exterior mechanical equipment and utilities and elevations of proposed screening devices where applicable (i.e. visible from a public street or residential use or district). Mechanical equipment includes, but is not limited to; HVAC equipment, electrical transformers and boxes, exhaust flues, plumbing vents, gas regulators, generators.

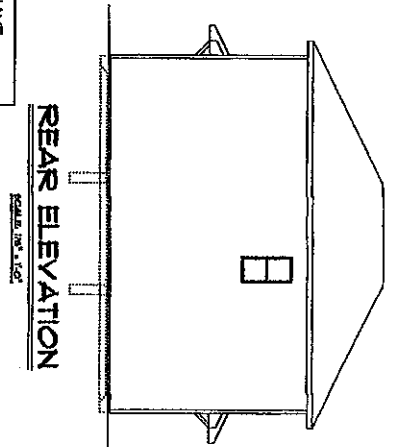


ASB RIM 729.97

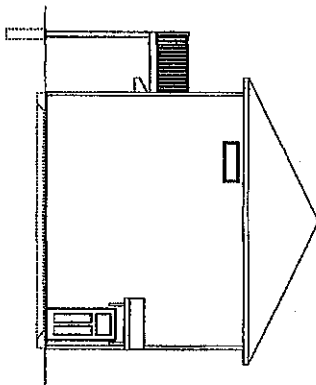




**LEFT ELEVATION**  
SCALE: 1/8" = 1'-0"

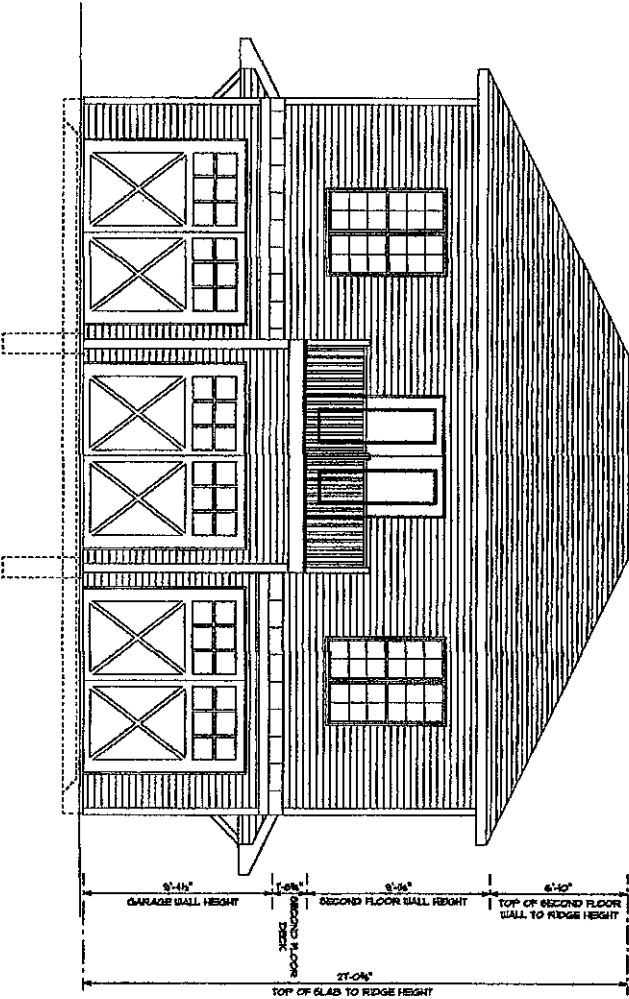


**REAR ELEVATION**  
SCALE: 1/8" = 1'-0"



**RIGHT ELEVATION**  
SCALE: 1/8" = 1'-0"

HOUSE TO HAVE:  
12" OVERHANG,  
12" GABLE RAFTERS,  
1" ENERGY BREATHER,  
TRUSSES (MIN)  
FINAL GRADE PER  
OWNER AND G.C.  
STEP FOOTINGS PER  
FINAL GRADING.



**FRONT ELEVATION**  
SCALE: 1/8" = 1'-0"

**LEGAL NOTE:**  
THE GENERAL CONTRACTOR/OWNER AGREES THAT, BY PROVIDING FOR THIS PLAN, THE DESIGNER HAS MADE EVERY EFFORT TO PREPARE THE SAME ACCORDING TO THE PLAN FOR ACCURACY. IT IS ALSO AGREED THAT THE DESIGNER HAS NO LIABILITY FOR ANY DAMAGE TO THE PROPERTY OR PERSONS OR OTHERS, AND IS HEREBY RELEASED FROM ANY LIABILITY FOR ANY DAMAGE TO THE PROPERTY OR PERSONS OR OTHERS.

DRAWING PREPARED BY:  
3024 LEAN DRIVE  
WESTERN WISCONSIN  
920 734-3110

**Wisconsin**  
BUILDING SUPPLY

**PATRICK DEJESUS**

DRAWN BY:  
BRYAN WILLIAMS

DATE:  
08/05/2022

PLAN:  
SOF - 21 - 181

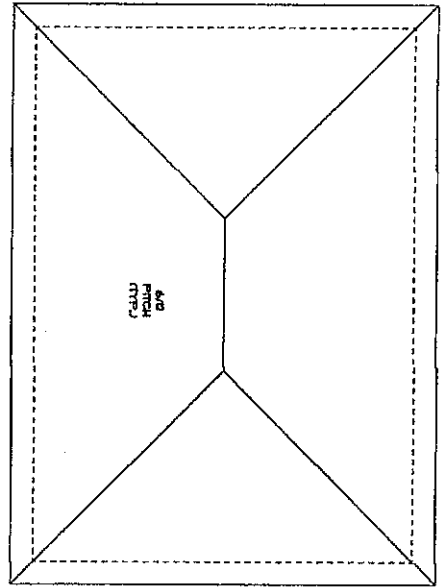
JOB NAME:  
DEJESUS

REVISIONS:  
8/11/2022  
8/23/2022  
02/01/2023



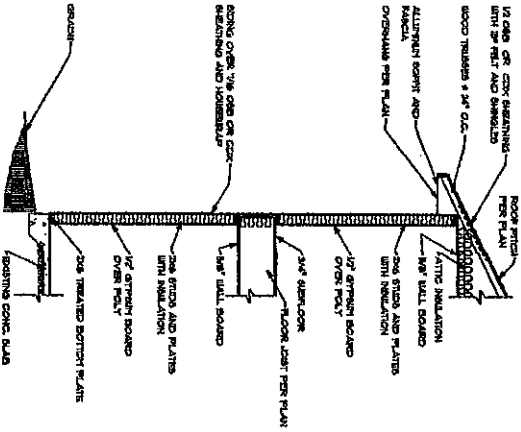
PATRICK  
DEJESUS

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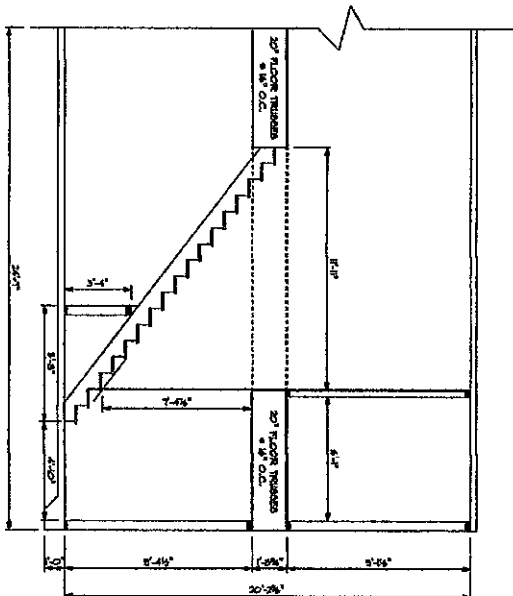


**ROOF PLAN**

SCALE: 3/8" = 1'-0"



**TYPICAL WALL SECTION**



**CROSS-SECTION**

SCALE: 1/2" = 1'-0"