

## **City of Tomah Planning Commission Minutes**

The City of Tomah Planning Commission met in regular session on Thursday, January 26<sup>th</sup>, 2017 at 5:30 P.M. in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI. Presiding Officer Nellie Pater called the meeting to order at 5:30 p.m.

1) Roll call was taken with Commissioners Tim Callahan, Brian Rice, Tina Thompson, Mary Ann Komiskey, & Nellie Pater present. Absent: Eric Prise, Bryan Meyer, Quorum Present. Ex-Officio's present: Zoning Administrator Shane Rolff. Also in attendance: Larry Siekert (314 McAdams Dr.), Roy & Mary Burkhalter (317 Glenview Dr.)

2) Motion by Callahan, second by Thompson to approve the minutes of the December 29<sup>th</sup>, 2016 meeting as presented. Motion passed without a negative vote.

3) Tina Thompson gave a brief update on the remodel of the Chamber of Commerce building. Thompson stated that the project is approximately 6 weeks from completion. Thompson stated that she hopes the elevator will be finished and operable within 3 weeks time.

4) Pater opened the public hearing at 5:35 p.m. for the conditional use permit for Roy Burkhalter to sell firearms via the internet from his single family home. Zoning Administrator Rolff explained that the current use of the property is a residential single family home and home occupations are listed as a conditional use in Residential Zoned Districts.

Pater closed the public hearing at 5:37 p.m.

5) General discussion and recommendation regarding the conditional use permit application. Roy Burkhalter explained how the internet sales work on how any firearm sold via the internet must be shipped to a licensed Firearms dealer before it is shipped to a customer. Burkhalter explained that once the firearm is shipped to him he won't release the firearm to the customer until they pass a background check and he gets the approval from the ATF. Zoning Administrator Rolff stated that he had received 3 or 4 phone calls from adjacent property owners. Rolff stated that once the business Burkhalter was intending to operate was explained to the callers that they did not express any concerns to him. Burkhalter explained that he will not carry a sales inventory of firearms and/or ammunition at his residence. Rolff explained that the Plan Commission had set the following conditions on a previously approved conditional use permit for a similar firearms business in a residential district: No commercial signage on the premises, limit the hours of operation to 5-9 p.m. daily, and an annual review by the Plan Commission to ensure compliance. Burkhalter explained that due to his work and school schedules he only intends to conduct any physical business on the premises between the hours of 3-7 p.m. on Wednesdays and Fridays.

Motion by Thompson, second by Callahan, to approve the conditional use permit with the following conditions: 1) No commercial signage on the premises. 2) Limit the hours

of operation to 3-7 p.m. on Wednesdays and Fridays. 3) Annual review by the Plan Commission to ensure compliance. Motion passed without a negative vote.

6) **Adjourn.** Motion by Thompson, second by Rice to adjourn. Motion passed without negative vote. Meeting adjourned at 5:50 p.m.

Respectfully Submitted,

  
\_\_\_\_\_  
Shane Rolff