

**Village of Colfax
Zoning Board of Appeals
Meeting Agenda
Monday, March 6, 2017
7:00 p.m.
Village Hall, 613 Main Street, Colfax WI**

1. Call to order
2. Roll call
3. Public appearances
4. Open Public Hearing – Conditional Use Permit Request - George Richards
5. Close Public Hearing
6. Discussion of public comments and consideration of variance request approval or denial.
7. Adjourn

Any person who has a qualifying disability as defined by the American With Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format must contact: Lynn Niggemann, Village Administrator-Clerk-Treasurer, 613 Main Street, Colfax, WI (715) 962.3311 by 2:00 p.m. the Friday prior to the meeting so that any necessary arrangements can be made to accommodate each request.

It is possible that members of and possibly a quorum of members of the governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Village of Colfax

PO Box 417 - Colfax, Wisconsin 54730 – Phone 715-962-3311
Fax 715-962-2221

Scott A. Gunnufson, President
Lynn M. Niggemann, Administrator-Clerk-Treasurer

March 3, 2017

To: Zoning Board of Appeals

From: Lynn M. Niggemann

The Public Hearing and meeting scheduled for Monday was requested by Mr. Richards. Mr. Richards currently has a Federal Firearms License which allows him to repair and sell guns at 604 Main Street, Colfax, WI under G & P Enterprises LLC. Mr. Richards would like to amend his Federal Firearms License to operate from his rental home at 101 Dunn Street.

The home is owned by Mark and Paula Dobbs. The Dobbs have sent an email acknowledging and approving the request if the Village of Colfax approves the request to approve a Conditional Use Permit to allow Mr. Richard to operate his gunsmith business from his home residence.

Please find the following items in your packet for consideration of the above request:

- Zoning Board Agenda
- Public Hearing Notice
- Conditional Use Permit application
- Photos of the shop where the business will be operated from
- Map showing the location of the home within the Village
- Ordinance for Home Occupations
- Email from Dobbs
- Application for an Amended Federal Firearms License

I will see you at 7:00 p.m. on Monday evening. Please call or text me if you are unable to attend the meeting. Since this is a Public Hearing, it is very time consuming to reschedule due to the Public Notice requirements.

Thank you in advance for your time.

Village of Colfax

Box 417 - Colfax, Wisconsin 54730 – Phone 715-962-3311
Fax 715-962-2221

Scott A. Gunnufson, President
Lynn M. Niggemann, Administrator-Clerk-Treasurer

PUBLIC HEARING ON CONDITIONAL USE REQUEST

A meeting of the Village of Colfax Zoning Board of Appeals will be held at 7:00 p.m., Monday, March 6, 2017 in the Board Room, Village Hall, 613 Main Street, Colfax, also accessible using the south ramped entrance. The purpose of the meeting will be to discuss and consider the conditional use request of George Richards to permit the repair shop and/or gunsmithing at the property described as: 101 Dunn Street. The Zoning Board of Appeals' recommendation for approval or denial will be sent to the Colfax Village Board of Trustees for consideration at a regular Village Board meeting.

Mike Kiekhafer, Chairperson
Zoning Board of Appeals

This notice is for your information only. If you have information to share with the Zoning Board of Appeals that is pertinent to these requests, you are urged to attend.

You may contact Village Hall, Lynn M. Niggemann with question regarding this public hearing, 715-962-3311.

Village of Colfax

Adv. Cost.

Fee \$5.00

Box 417 - Colfax, Wisconsin 54730 - Phone 715-962-3311

Scott Gunnufson, President
Lynn Niggemann, Administrator-Clerk-Treasurer

CONDITIONAL USE PERMIT APPLICATION

THE UNDERSIGNED OWNER, OR OWNER'S AUTHORIZED AGENT, OF PROPERTY HEREIN DESCRIBED
HEREBY APPLIES FOR A CONDITIONAL USE PERMIT FOR THE FOLLOWING DESCRIBED PROPERTY:

1. LOCATION OF PROPERTY S.W. Corner of Colfax
STREET ADDRESS 101 Dunn St. Colfax, WI
LEGAL DESCRIPTION - (METES & BOUNDS. OR LOT NO. AND PLAT) S16, 29N, 11W
Pt. NE SW E 330' of S. 231'
2. CURRENT USE OF PROPERTY Residential
3. PROPOSED USE OF PROPERTY Residential / repair shop (transmitting)
4. PROPOSED DEVELOPMENT SCHEDULE N/A.
5. ZONING DISTRICT Residential

ATTACH TWO (2) COPIES OF A SITE PLAN SHOWING PROPOSED VEHICULAR ACCESS POINTS AND
THE LOCATION AND SIZE OF ALL EXISTING AND PROPOSED STRUCTURES AND PARKING AREAS.
ONE COPY SHALL BE NO LARGER THAN 11" X 17".

TYPE OF RESIDENTIAL DEVELOPMENT (IF APPLICABLE) N/A.

~~NO.~~ OF DWELLING UNITS BY BEDROOM 1 BR 2 BR 3 BR 4 OR MORE NA

NO. OF PARKING STALLS N/A

TYPE OF NON-RESIDENTIAL DEVELOPMENT (IF APPLICABLE) N/A

PROPOSED HOURS OF OPERATION Day hrs. by Appointment Only NO. OF EMPLOYEES 0

FLOOR AREA 12 X 20 NO. OF PARKING STALLS 0

SEWER: MUNICIPAL PRIVATE X WATER: MUNICIPAL PRIVATE X

OWNER OF PROPERTY Mark + Paula Dobbs

ADDRESS 11001 East Equestrian St. Palmer AK. 99645 PHONE (907-982-4848)

CONTACT PERSON George Richards

ADDRESS 101 Dunn St Colfax WI PHONE 715-962-2238

RESPECTFULLY SUBMITTED BY George Richards
Owner's or Authorized Agent's Signature

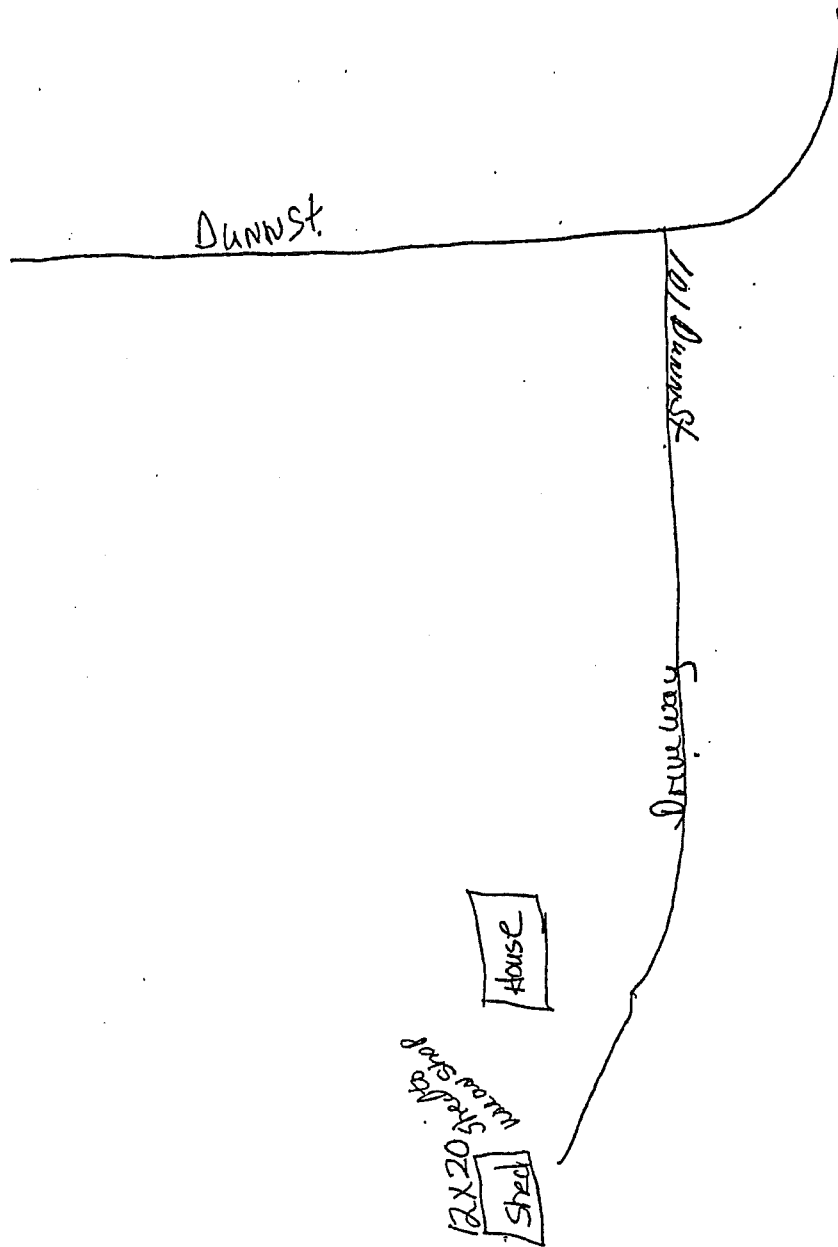
FOR VILLAGE USE ONLY

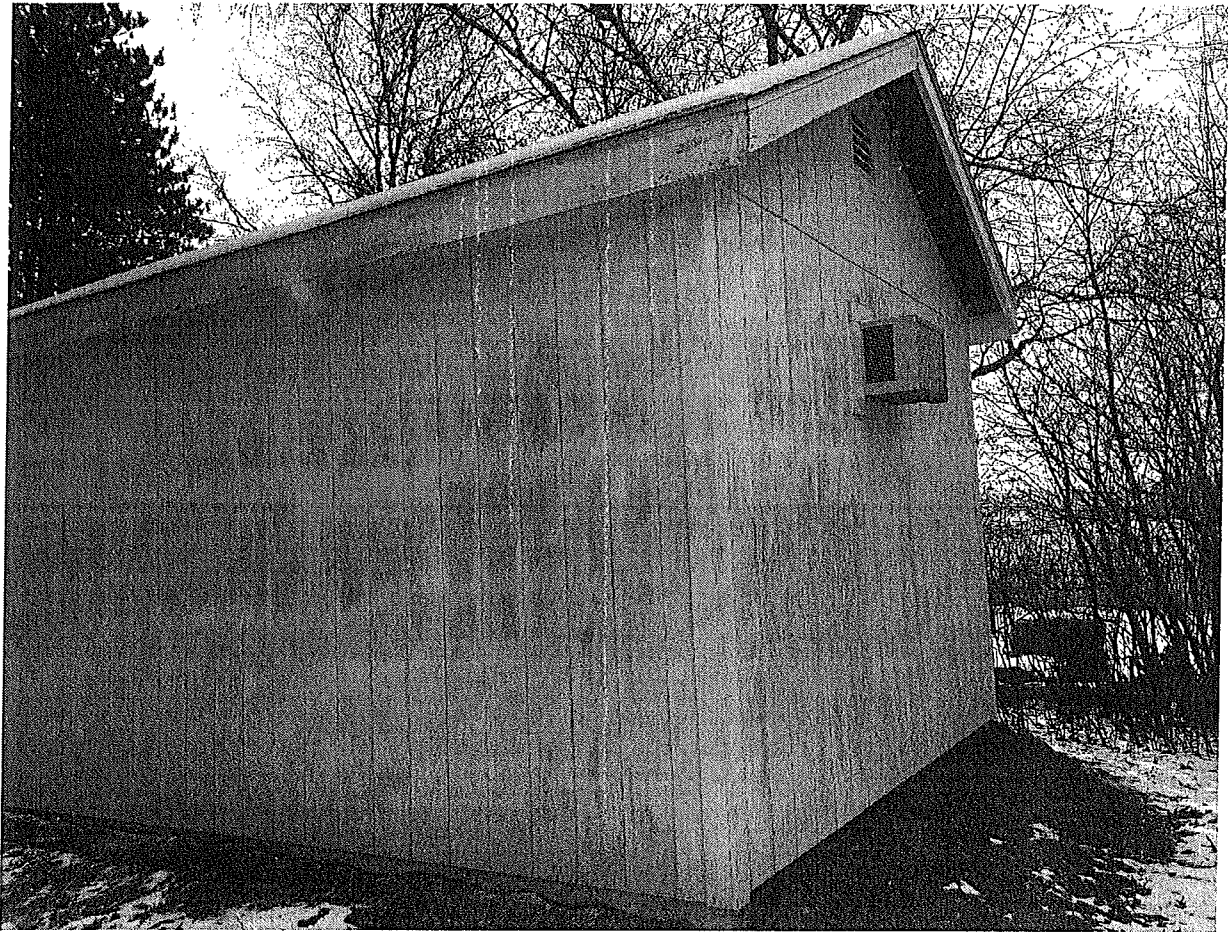
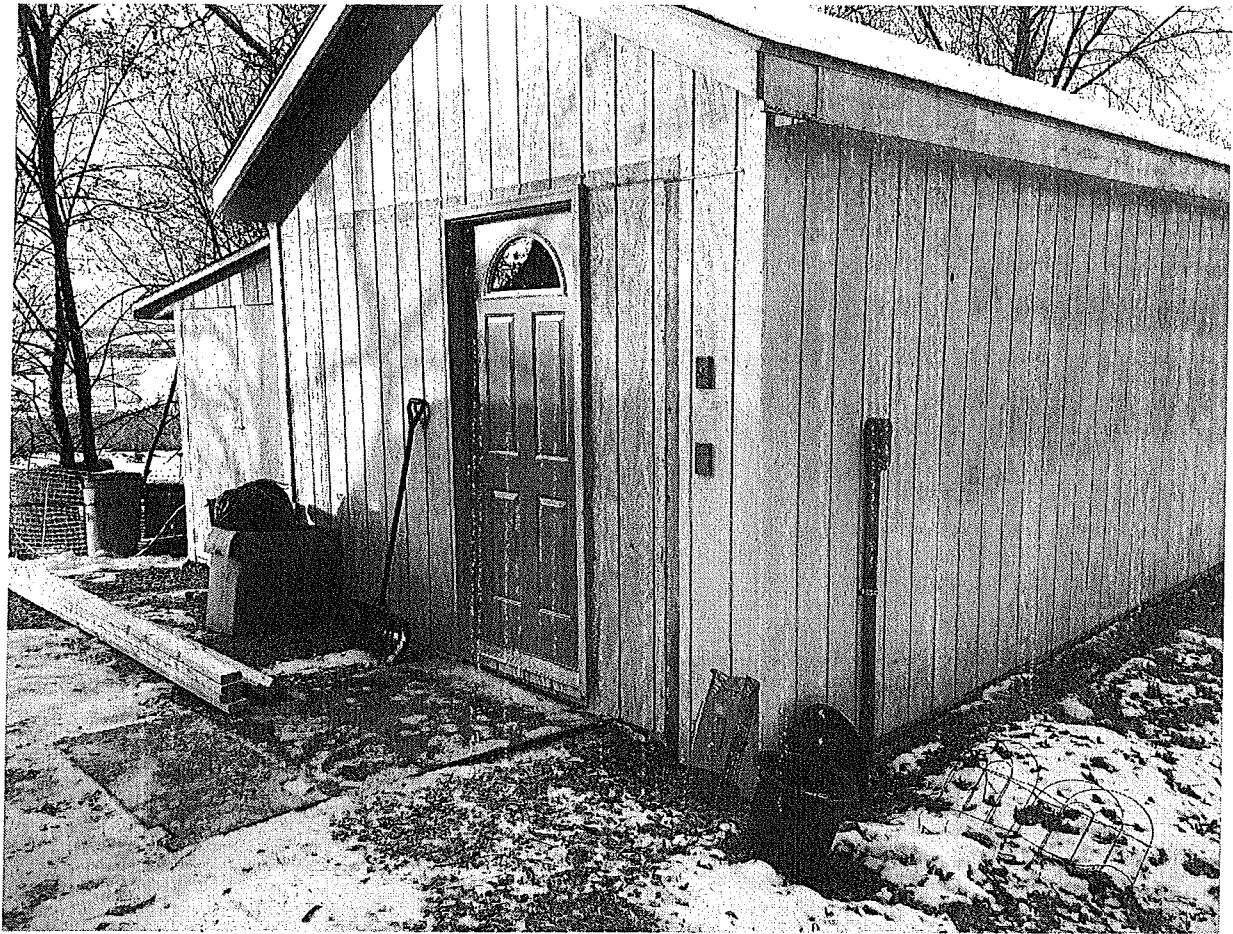
waiting for Advertising
DATE RECEIVED 01/26/2017 FEE PAID Cost. PUBLISH 2-15-2017 + 2-22-17

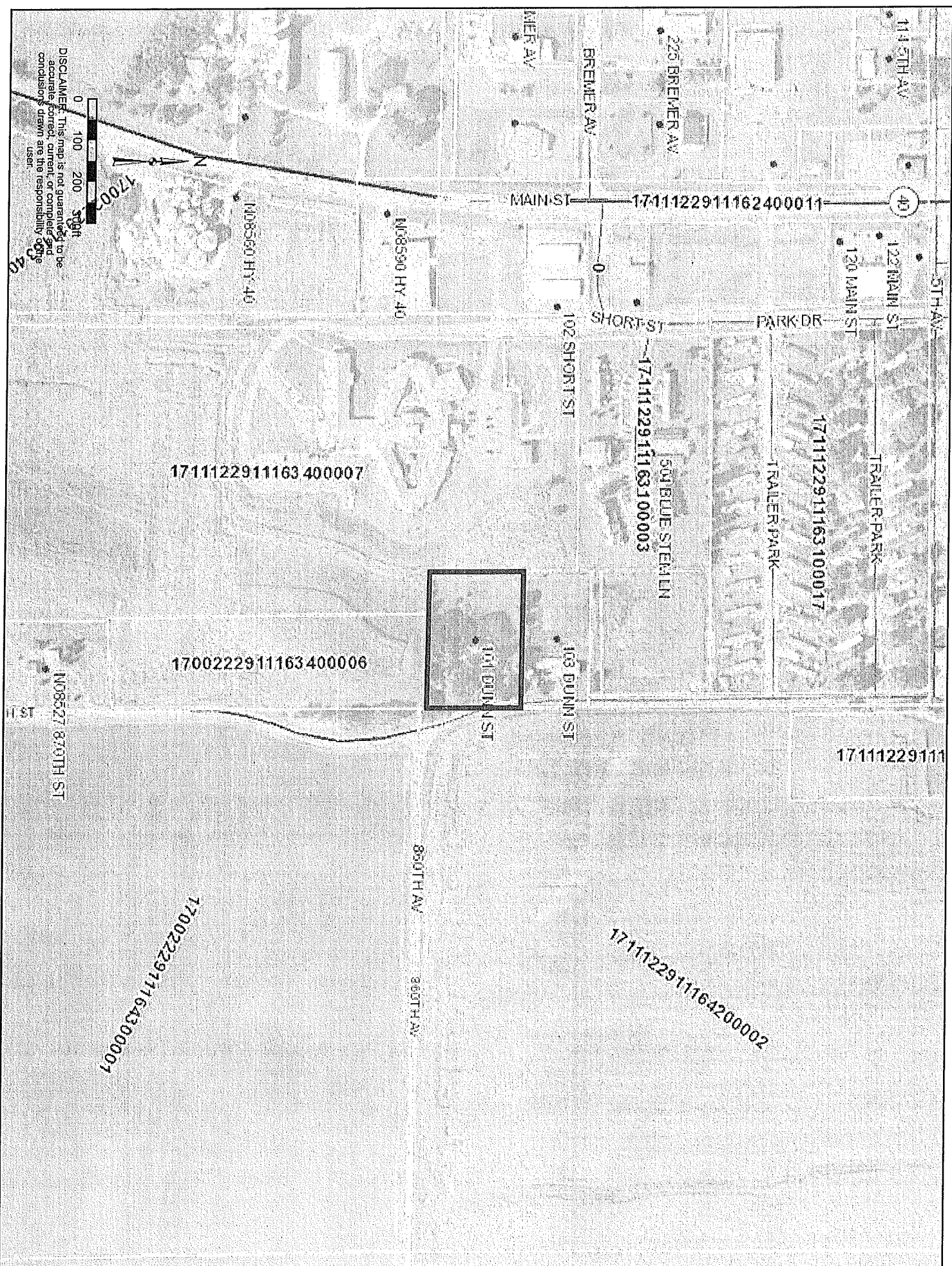
ORDINANCE SECTION NO. Sec 13-1-72 PERMIT REQUEST NO. 2017 - 01

PLEASE NOTE - Applicants shall be responsible for legal or outside consultant costs incurred by the Village.

George Richards
101. Dunn St.
201 ft. W 54730







DISCLAIMER: This map is not guaranteed to be accurate, current, or complete and conclusions drawn are the responsibility of the user.

SEC. 13-1-72 HOME OCCUPATIONS.

- (a) **Intent.** The intent of this Section is to provide a means to accommodate a small family business as a conditional use without the necessity of a rezone into a commercial district. Approval of an expansion of a limited family business or home occupation at a future time beyond the limitations of this Section is not to be anticipated; relocation of the business to an area that is appropriately zoned may be necessary.
- (b) **Restrictions on Home Occupations.** Home occupations are a conditional use in all Residential Districts and are subject to the requirements of the District in which the use is located, in addition to the following:
 - (1) The home occupation shall be conducted only within the enclosed area of the dwelling unit or an attached garage.
 - (2) There shall be no exterior alterations which change the character thereof as a dwelling and/or exterior evidence of the home occupation other than those signs permitted in the district.
 - (3) No storage or display of materials, goods, supplies or equipment related to the operation of the home occupation shall be visible outside any structure located on the premises.
 - (4) No use shall create smoke, odor, glare, noise, dust, vibration, fire hazard, small electrical interference or any other nuisance not normally associated with the average residential use in the district.
 - (5) Only one (1) sign may be used to indicate the type of occupation or business. Such sign shall not be illuminated.
 - (6) The use shall not involve the use of commercial vehicles for more than occasional delivery of materials to or from the premises.
 - (7) The Village Board may determine the percentage of the property that may be devoted to the occupation; no more than fifty percent (50%) of the area of the principal structure may be used as a home occupation.
 - (8) The home occupation may be restricted to a service-oriented business prohibiting the manufacturing of items or products or the sale of items or products on the premises.
 - (9) The types and number of equipment or machinery may be restricted by the Village Board.
 - (10) Sale or transfer of the property shall cause the Conditional Use Permit to be null and void.
 - (11) Under no circumstances shall a vehicle repair or body work business qualify as a home occupation.
- (c) **Exception.** A home occupation under this Section may be maintained in any Residential District as a permitted use, as opposed to a conditional use, if the standards of Subsection (b) above are complied with, and no sign is erected or maintained regarding the home occupation, no more than one (1) person works on the premises and no customers regularly come to the house.

SEC. 13-1-73 THROUGH SEC. 13-1-79 RESERVED FOR FUTURE USE.

Colfax Clerk Treasurer

From: Paula <pdobbs@mtaonline.net>
Sent: Wednesday, February 01, 2017 3:20 PM
To: ClerkTreasurer@villageofcolfaxwi.org
Subject: Conditional use permit

We are sending this email as acknowledgement and approval that our tenant George Richards has applied for a conditional use permit for the purpose of gunsmith. We are the owners of the property located at 101 Dunn Street, Colfax, WI. If the village approves Mr. Richards request we are in agreement . If you require anything else from us we may be contacted at 907-982-4848 or email pdobbs@mtaonline.net.

Paula and Mark Dobbs

Sent from my iPad

Application for an Amended Federal Firearms License

All entries must be in ink. Please read attached instructions carefully before completing this form.

Section 1: General Information

| | | |
|---|--|---|
| 1. Current Federal Firearms License (FFL) Number 3-39-033-07-9J-06553 | 2. Expiration Date of FFL 09-1-2019 | 3. Employer Identification Number (EIN) or Social Security Number |
| 4. Is the address change due to a change required by the U.S. Postal Service or 9-1-1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |

Section 2: Current Information Listed on FFL

| | | | |
|---|--|-----------------------|-------------------|
| 5. FFL Name (as reflected on attached FFL) G&P Enterprises LLC | 6. Trade Name(s) or Business Name(s) (if any) G&P Enterprises LLC | | |
| 7. Premises Address (number and street name) 604 Main Street | | | |
| City Colfax | State Wisconsin | County Dunn | Zip Code 54730 |
| 8. Premises Telephone Number (with area code) 715-962-2238 | 9. Home Telephone Number (with area code) 715-962-2238 | 10. Fax Number N/A | |

Section 3: New Information for the FFL-Complete Applicable Changes

11. Are there any changes in the business structure of the FFL's operations? (Change of Control, Change of Partnership, etc.) If yes, specify change on a separate sheet of paper. You may need to file a new ATF Form 7, Application for Federal Firearms License. ☐ Yes ☒ No

12. Change in Trade Name or Business Name (if any)

13. New Premises Address (where firearms activities will occur - list number and street name)

101 Dunn Street

| | | | |
|----------------|-------------|----------------|-------------------|
| City Colfax | State WI | County Dunn | Zip Code 54730 |
|----------------|-------------|----------------|-------------------|

14. New Mailing Address (number and street name)

101 Dunn Street

| | | | |
|----------------|--------------------|----------------|-------------------|
| City Colfax | State Wisconsin | County Dunn | Zip Code 54730 |
|----------------|--------------------|----------------|-------------------|

| | | |
|--|--|---------------------------|
| 15. New Premises Telephone Number (with area code) 715-962-2238 | 16. New Home Telephone Number (with area code) 715-962-2238 | 17. New Fax Number N/A |
|--|--|---------------------------|

| | |
|--|---|
| 18. E-mail Address peggeo1970@gmail.com | 19. Alternate 24 Hour Contact Telephone Number (with area code) 715-704-0493 |
|--|---|

20. Hours of Operation and/or Availability of Business/Activity (Please provide at least one hour in which you can be contacted by ATF personnel)

| Hour(s): | Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|----------|--------|--------|---------|-----------|----------|--------|----------|
| | CLOSED | 10-3 | 10-3 | 10-3 | 10-3 | CLOSED | CLOSED |

Section 4: Business Information (Complete this section Only if your business location has changed. If you have a Type 03 Collector of Curios and Relics FFL, skip Section 4 and go on to Section 5)

| | | |
|--|--|---|
| 21. Is the new business premises open to the general public during these hours? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Will any other business, other than that for which the license was issued, be conducted on the new premises? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, state type of business: | 23. Licensee's new premises is <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased <input type="checkbox"/> Rented |
|--|--|---|

24. If the new premises is rented, leased, or otherwise not owned by the applicant, please attach: 1) A copy of the lease, rental, or other agreement, and 2) The name, address, telephone, and other contact information of the owner of the property. If the lease, rental or other agreement does not reflect the terms and conditions of the agreement, please specify the beginning and ending date as well as the terms and conditions.

25. If the new premises is owned by the applicant, are there any restrictions or covenants which prohibit the owner from operating a firearms business on the premises? If yes, on a separate sheet, describe such restrictions or covenants.

☐ Yes ☒ No

26. Do any zoning ordinances prohibit the conduct of a firearms activity on the new premises?

☐ Yes

☒ No

27. Is a license, permit, or payment of occupational or business tax required under state or local law to engage in a firearms business from the premises? If so, provide copies.

☐ Yes

☒ No

28. Indicate type of business premises at the new location.

Commercial

☐ Storefront

☐ Office

☐ Rod & Gun Club

☐ Military Installation

☐ Other (Specify) _____

Residential

☒ Single/Family Dwelling

☐ Condominium

☐ Apartment

☐ Hotel/Motel

☐ Public Housing

☐ Other (Specify) _____

If the new premises is located on a military installation, attach a written authorization from the installation Commander to conduct the firearms business on the military installation.

Section 5 - Certification of Compliance With State and Local Law

As required by 18 U.S.C. § 923(d)(1), I certify that:

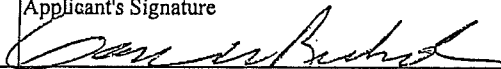
- a. The applicant and all Responsible Persons are not prohibited under the Gun Control Act of 1968 (GCA) from shipping, transporting in interstate or foreign commerce, or possessing in or affecting commerce, any firearm or ammunition, or from receiving any firearm or ammunition which has been shipped or transported in interstate or foreign commerce;
- b. The applicant has not willfully violated any of the provisions of the GCA or 27 CFR, part 478;
- c. The applicant has not willfully failed to disclose any material information required, or has not made any false statement as to any material fact, in connection with this application;
- d. The applicant has in a State (i) premises from which they conduct business subject to license under the GCA or from which they intend to conduct such business within a reasonable period of time, or (ii) in the case of a collector, premises from which they conduct collecting activities subject to license under the GCA or from which they intend to conduct such collecting within a reasonable period of time; and
- e. The business to be conducted under the license is not prohibited by State or local law in the place where the license premises is located.
- f. Within 30 days after the application is approved, the business will comply with the requirements of State and local law applicable to the conduct of business.
- g. The business will not be conducted under the license until the requirements of State and local law applicable to the business have been met.
- h. The applicant has sent or delivered a completed copy of this application to the Chief Law Enforcement Officer (CLEO) of the locality in which the premises listed in item 13 of this form is located. For purposes of this paragraph, the "Chief Law Enforcement Officer" is the Chief of Police, the Sheriff, or an equivalent officer

29. Certification: Under the penalties of perjury imposed by 18 U.S.C. § 924, I declare that I have examined this application and the documents submitted in support hereof, and to the best of my knowledge and belief, they are true, correct, and complete.

Print Applicant Name

George W. Richards

Applicant's Signature



Date

01-03-2017

Address of the Responsible Person Signing this Form

☒ Check if same as New Premises or Mailing Address

Street Address

City

State

Zip Code

Telephone Number (with area code)

E-mail Address

For ATF Use Only

Check Application Status

☐ Approved ☐ Denied

☐ Withdrawn ☐ Abandoned

Reason for Denial

Signature of Licensing Official

Date