

Minutes of the Board of Adjustment of the City of Buffalo, IA held on April 08, 2021. Meeting called to order by Chair Jeff More at 6:00pm. Roll Call attendance was taken, Eric Dibbern, Robin Guenther, Jeff Buchanan, and Don Harland and City Clerk Tanna Leonard.

Chair Moore opened that the Board was meeting after notification and publication per Buffalo City Code to hear comments and make a decision on the variance requested by Dwain Bollman for the following:

1. A proposal to issue a variance for the property located at 715 Hacker Street to accommodate the opening of a gun shop on a residentially zoned parcel. City Code currently does not list this type of use as permissible in a residentially zoned parcel.

Mr. Bollman explained that he proposes to open a gun shop that would be for the purpose of providing legal documentation for gun sales. He explained that if someone were to purchase a gun online that it would need to be sent to a local licensed gun shop so that proper verification of licensures required for gun purchase are met by the purchaser. He wished to be that person able to perform those transactions. He explained that he would not have stock of firearms on display and that he would be open by appointment only during Tuesday, Wednesday, Thursday from 1:00pm-6:00pm.

Board Members addressed questions and comments to Mr. Bollman with the following responses:

What process is the licensing in currently? It is in the final process if the variance is granted; there would be a site visit to check security and processes.

Will you be assembling guns? No, there won't be assembly of guns and very little gun smithing.

Will you remain a full time resident of the property? Yes, I am only looking to be able to perform these transactions for friends and family. I estimate very few transactions that is why want to be able to work from my home.

Will you be paying sales tax on the transactions? Bollman assumed there will be some sort of tax, at this point I am just going through the motions to see if it is an option. I will have to follow all state and federal guidelines if the site is approved.

The Board asked for concerns from residents.

Resident stated that it seemed inappropriate for a gun shop to be right next to the school. Kids would find out and break into the shop and take the guns. Bollman stated that he has appropriate gun safes that the guns would be locked in.

Resident asked why this couldn't be located in the business district and that no additional traffic is needed in the area. Bollman explained that the shop planned on making so few transactions that it would not cover the overhead for a business space. Also that he would be happy if there were 3-4 transactions per year and that would not generate much traffic and that traffic would be by appointment only.

Bollman pointed out that there are plenty of other businesses operated "in home" that are allowed but that his business just needed more oversight and licensing procedures.

A neighbor expressed concern regarding the security of the gun after the purchase while walking to their vehicle. Bollman explained that he would be only selling to properly licensed customers. The neighbor asked if hours could be reduced so that school age children would not see firearms carried to vehicles when they are walking to and from school. Bollman explained that the people purchasing are all properly licensed and will obey carry requirements. The neighbor also asked how people would know

to use Bollman for this service. Bollman explained that his license is on file and sellers can look license numbers up by location to see who is available to provide the service.

Resident inquired how the business would be handled if it takes off and is a huge success. Bollman explained that it was a three year license and he had only planned on 3-4 transactions per year. His main reasoning is to help locals and ease the burden of the hassle to go to a different community.

Bollman explained that the state didn't have any regulations regarding the proximity of the school but that they may have additional concerns when they do a site inspection and he may be denied.

Patty Payton explained that she has lived next to Dwain Bollman for twenty-one years and believes that Bollman is an upstanding citizen and wouldn't jeopardize the safety of the neighborhood. Bollman's neighbor to the South agreed with this statement.

Member Harland asked several question about the signage, hours, and expected traffic.

Member Dibbern asked clarification if his license would allow him to sell ammunition.

Resident stated that the idea just didn't make sense, a gun shop next to a school with all the kids.

Motion by Buchanan to vote on the approval of the variance, seconded by Moore.

Moore took Roll Call Vote

Robin Guenther- Yes, Eric Dibbern – Yes, Don Harland – Yes, Jeff Buchanan – Yes, Jeff Moore – Yes

Meeting adjourned at 6:26pm