



**Minutes**  
**City of Burlington Plan Commission**  
**September 8, 2015, 6:30 p.m.**

Mayor Robert Miller called the Plan Commission meeting to order at 6:30 p.m. Roll call: Alderman Tom Vos and Todd Bauman; Commissioners Darrel Eisenhardt; John Lynch; Andy Tully; and Chris Reesman were present.

**APPROVAL OF MINUTES**

Alderman Vos moved, and Commissioner Lynch seconded to approve the minutes of July 14, 2015. All were in favor, and the motion carried.

**LETTERS & COMMUNICATIONS**

None

**CITIZEN COMMENTS**

None

**PUBLIC HEARINGS**

None

**OLD BUSINESS**

**A. Consideration of a Conditional Use application from Mary Ann Sander for property located at 160 E. Chestnut Street for the operation of a tattoo and body piercing studio.**

- Mayor Miller opened this item for discussion.
- Mary Ann Sander, owner, 3363 S. Kinnickinnic Avenue Bayview, WI, stated that Charles (Chip) Hinds resigned as manager September 4, 2015 and was hoping that would change the decision of denying the Conditional Use application. Commissioner Tully questioned if the tattoo business is currently in operation. Mayor Miller stated Mary Ann has been operating without a Conditional Use for about a year.
- Alderman Vos stated as Chip is no longer a part of the business he would like to make a motion to deny the Conditional Use and allow Mary Ann to reapply for the Conditional Use application. City Administrator Walters stated there was a plea of no contest, knowingly Mary Ann allowed Chip to operate the business in this type of manner and risking the chance of the Conditional Use be taken away. Mary Ann stated she was unaware of the activity going on in the building since she was not present and is looking for a new manager. Mary Ann also stated she has brought business to the community. Commissioner Tully asked how many employees are there. Mary Ann replied there are two employees without Chip.
- Mayor Miller stated it is the owner's responsibility to be aware of any activity taking place, whether present or not, and Mary Ann had failed in her responsibilities of maintaining a business that was not "hazardous, harmful, offensive or otherwise adverse to the environment or the value of the neighborhood or the community" as stipulated in city ordinance 315-130.

Mayor Miller advised the Commissioners to deny the operation of her business until she reapplies for a Conditional Use, which allows Chip not to be associated with the business.

Alderman Vos moved, and Commissioner Reesman seconded to deny the Conditional Use application.

- Mary Ann questioned if the denial meant the business is shut down immediately or can it be opened for 30 or 60 days to finish with current clients and those who have purchased gift certificates previously. Mayor Miller stated without a Conditional Use on file, the business is being operated illegally.

Alderman Vos amended the denial to have an effective date as of October 1, 2015 to close out existing business since she is already operating illegally.

- Todd Bauman questioned how a business operates without a Conditional Use and how do you extend something the owner does not have. Alderman Vos stated if this item was never brought to the Plan Commission tonight, it would never have been dealt with and would have waited until the October meeting. Commissioner Lynch suggested maybe the Commissioners should table this item until the next meeting in October. Mayor Miller stated on October 13, 2015 Mary Ann would have to lock her doors and then has the opportunity to reapply for the Conditional Use.

- Mayor Miller stated the amended motion of denial dies without a second motion.

Alderman Vos moved, and Commissioner Lynch seconded to rescind the motion for denial.

Alderman Vos moved, and Commissioner Tully seconded to table this item until the next Plan Commission meeting October 13, 2015.

- There were no further comments.

*All were in favor and the motion carried.*

### **NEW BUSINESS**

None

### **ADJOURNMENT**

Commissioner Lynch moved, and Commissioner Eisenhardt seconded to adjourn the meeting at 6:46 p.m. *All were in favor and the motion carried.*

Recording Secretary  
Kristine Anderson  
Administrative Assistant