

WEDNESDAY, SEPTEMBER 3, 2025 AT 4:30pm

Board members		01/08/2025	02/05/2025	03/05/2025	04/02/2025	05/07/2025	06/04/2025	07/02/2025	08/06/2025	09/03/2025	10/01/2025	11/05/2025	12/03/2025	
Josh Sayer	Chairman	1	1	-	-	1	1	1	-	1				
Oscar Heinrich	Member	1	1	-	-	A	V	1	-	1				
George Warmer	Member	1	1	-	-	1	A	1	-	1				
Michael Bruschwein	Vice Chair	1	A	-	-	1	1	1	-	A				
Chris Hayes	Member	1	1	-	-	1	1	1	-	1				
Dave Hagstrom	Member	1	1	-	-	1	1	1	-	A				
Brian Roush	Member	1	1	-	-	1	1	A	-	A				
TOTAL NUMBER OF APPLICATIONS 2024		01/08/2025	02/05/2025	03/05/2025	04/02/2025	05/07/2025	06/04/2025	07/02/2025	08/06/2025	09/03/2025	10/01/2025	11/05/2025	12/03/2025	TOTAL
Variance		1	1	-	-	1	1	2	-	1				7
Appeal		-	-	-	-				-					

Please note: "A" stands for excused absence, "1" stands for present, "V" stands for Zoom participation

Call the Meeting to Order: Chairman Sayer called the meeting to order at 4:30 PM.

Attending Staff:

Karen Husman, Zoning Coordinator; Tate Johnson, Neighborhood Planner; Makayla Paul, Planner I; Brenda Berns, Planning Clerk

Participants: Roger Harding, Applicant; Nate Rodda, A-Team Roofing & Solar

Public Comment

Approval of Meeting Minutes - July 2, 2025

The Board delayed approval of the meeting minutes until the next meeting.

Disclosure of Ex Parte Communication – Board members and Staff

Disclosure of Ex Parte Communications – None

Disclosure of Site Visits – Board member Heinrich

Disclosure of Conflict of Interest – None

Public Hearing:

Chairman Sayer opened the Public Hearing.

City Variance 1384 –1816 Avenue C – Maximum lot coverage – A variance from Section 27-305, Table 27-300.4.9 requiring a maximum building coverage of the lot of 40% to allow a maximum lot coverage of 44% in a Mid-Century Neighborhood Residential (N2) zone, on Kober Subd 3rd filing, block 16, lot 37-38, a 7,000 square foot parcel of land. The purpose of the variance is to allow 1,069 square foot patio/carport that would increase the lot coverage to 44%. Tax ID: A09902

Tate Johnson gave a brief overview of the subject property and variance request. Ms. Johnson stated the variance is solely for solar energy generation.

Planning Staff is recommending conditional approval based on draft findings of the review criteria for variances:

1) **There is a hardship with the property** that is not applicable to other lands in the same district.

Shading from trees and utility lines prevents/limits solar use on roofs, making a pergola necessary.

2) **Denying the variance might deprive this owner of similar rights** enjoyed by others in the area.

Without flexibility, the owners cannot generate solar power like others in the district

3) **Granting the wall sign variance will not confer a special privilege to this applicant.**

This only allows renewable energy generation comparable to what neighbors already enjoy

4) **Granting the variance will be in harmony with the purposes of zoning and growth policy.**

Will maintain compatibility with surrounding uses and development in the area.

5) In granting the variance the BOA may impose appropriate conditions. Planning staff recommends the following conditions:

1. The variance is to allow a maximum building coverage of 45%
2. The variance is limited to this legally described lot.
3. The applicant will obtain a building permit within 1 year, and complete project in 2 years.
4. Substantial conformance to the submitted site plans
5. Shall meet all other City code requirements
6. Construction or demo may only occur between 7 am and 8 pm
7. Failure to begin or complete within time periods will void the variance.
8. These conditions of variance approval shall run with the land

6) A time limit for action on the variance shall be prescribed.
See condition 3 above.

7) No variance may allow a use not otherwise allowed or be inconsistent with other limits on uses in the district.
The proposed use an accessory structure, which is an allowed use within the N2 zone.

Recommendation

Planning staff are recommending conditional approval based on draft findings of the review criteria for variances provided in the staff report.

Discussion

The Board held a general discussion regarding the proposed solar installation. Topics included roof compatibility, zoning requirements for setbacks and structure type, and clarification that the structure would not be used as a carport or gazebo. The discussion also addressed the feasibility of generating sufficient solar energy given site conditions.

Applicant: Roger Harding 1816 Avenue C; Mr. Harding shared information about site constraints, energy needs, and the intended use of the structure. Overall, the discussion focused on technical, zoning, and practical considerations related to the project.

Nate Rodda, A-Team Roofing & Solar 2671 Gabel Road; Mr. Rodda stated that the size of the structure would not provide adequate space to park a vehicle, nor was that its intent or purpose. The variance is required due to shading on the property that necessitates a separate solar structure. He noted that the structure would not be visible from the street and that its crest would remain below the second-story windows of the residence. The installation will generate a maximum of 25 kw, which is sufficient for residential use. No opposing ex parte communications were reported, and the information presented supported approval of the variance.

Chairman Sayer closed the public hearing.

Motion

Motion made by Board member Warmer, seconded by Board member Hayes to approve Variance 1384 with staff recommendations and findings of fact. The vote was unanimous; Variance 1384 is approved.

Other Business

No other business items were presented.

ADJOURNMENT: The meeting adjourned at 4:58PM.

Brenda J Berns, Planning Clerk