



City Board of Adjustment

WEDNESDAY, October 1, 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	1			
Oscar Heinrich	Member	1	1	-	-	A	V	1	-	1	1			
George Warmer	Member	1	1	-	-	1	A	1	-	1	1			
Michael Bruschwein	Vice Chair	1	A	-	-	1	1	1	-	A	1			
Chris Hayes	Member	1	1	-	-	1	1	1	-	1	A			
Dave Hagstrom	Member	1	1	-	-	1	1	1	-	A	1			
Brian Roush	Member	1	1	-	-	1	1	A	-	A	1			
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	2			9
Appeal		-	-	-	-	-	-	-	-	-	-			0

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:

Tate Johnson, Neighborhood Planner; Makayla Paul, Planner I; Brenda Berns, Planning Clerk

Public Comment

No members of the Public made comments.

Karen Husman read the rules for the Order of Hearings

Approval of Meeting Minutes – July 2, 2025 & September 3, 2025

Motion

Motion made by Board member Warmer, seconded by Board member Heinrich to approve the meeting minutes of July 2, 2025 and September 3, 2025 as submitted. Motion carries unanimously.

Disclosure of Ex Parte Communication – Board members and Staff

Disclosure of Ex Parte Communications – None

Disclosure of Site Visits – Board members Warmer, Roush, Heinrich visited site of Variance 1385
Board members Warmer, Heinrich visited site of Variance 1386

Disclosure of Conflict of Interest – Board member Heinrich recused himself from Variance 1385

Regular Business

Karen Husman, Zoning Coordinator, read the rules and procedures

Public Hearing

Chairman Sayer opened the Public Hearing.

City Variance 1385 – 5502 Grand Ave– Build to Zone - A variance from 27-407 Table 27-400-4.A.1-- Build to corner required; 27-400-4.A.4--Front lot line coverage of 90%; 27-400-4.A.5 --Front build to zone of 5-20 feet; 27-400-4.A.6 --Street Side Build to zone 5-20 feet; In the Neighborhood Mixed Use (NMU) zone to allow relief from the build to corner requirement in its entirety, allow relief from the 90% front lot line coverage to be within the requested 75 foot Front Build to zone, allow a front build-to zone of 75 feet from the property line adjacent to Chy Way frontage, and allow relief from the Street Side Build to zone to allow 35 feet from the existing easement along Grand Avenue, on MK SUB, BLOCK 1, Lot 3, 8), a 1.53 acre parcel of land. Tax ID: A31805B

Tate Johnson provided an overview of the requested variance at **5502 Grand Avenue**, including the purpose of the request, applicable zoning requirements, and how the proposal relates to the Build-to Zone and other site design standards. Mr. Johnson highlighted relevant considerations such as building placement, circulation for the drive-through, and frontage requirements, noting challenges posed by the site layout under current zoning regulations.

Recommendation

Planning Staff are recommending conditional approval based on draft findings of the review criteria for variances. In granting the variance the BOA may impose appropriate conditions as submitted by Staff.

Applicant Agent

Stephanie Donovan, AE Design – Ms. Donovan stated the variance request is based on four points outlined in the application, primarily related to the Build-to Zone requirements and site circulation for the drive-through. Due to the need for vehicles to circle around the building, compliance with the required 50–20 feet from the property line is not feasible. Additionally, because the building frontage faces Chy Way and the property length is substantial, the design cannot meet the 90% frontage requirement, nor is there a functional need for additional building space.

A board member commented that under the new zoning conditions, meeting frontage requirements on larger west-end sites may be challenging.

The agent agreed, noting that the current design constraints make compliance particularly difficult for a bank use, though the standards may work for retail or other business types. They added that they wish to avoid parking along Grand Avenue and to maintain convenient pedestrian access to the building entrance.

The Public Hearing was closed.

Motion

Motion made by Board member Hagstrom, seconded by Board member Warmer to approve Variance 1385 with staff recommendations and findings of fact and conditions of approval. The motion carries unanimously with the four voting members; Variance 1384 is approved.

City Variance 1386-- 3320 Poly Drive – Allow a detached accessory structure in the front yard - A variance from Section 27-305, Table 27-300.4 – A.7 (Rear Yard Location for Accessory Building) in a Suburban Neighborhood (N3) zone, on C.O.S. 67, PARCEL 2B, & 2C 2ND AMD(AKA MONSMA ACRES), an 23,501square foot parcel of land. The purpose of the variance is to allow construction of a detached garage on the front of the lot. Tax ID: A11055

Tate Johnson provided an overview of the requested variance at **3320 Poly Drive**, including the purpose of the request and applicable zoning requirements. Ms. Johnson highlighted relevant site considerations, such as building placement, lot dimensions, and compliance with setback and frontage standards. Mr. Johnson also noted any challenges or constraints presented by the property and discussed how the proposed variance aligns with staff recommendations and applicable policies.

Recommendation

Planning staff are recommending conditional approval based on draft findings of the review criteria for variances. In granting the variance the BOA may impose appropriate conditions as submitted by Staff.

Questions

The board inquired as to the placement of the detached accessory structure in the front yard to include a portion of the grass area. Staff advised the front of the house and patio is blocking any other available location for the structure.

Applicant

Crystal Demis, 3320 Poly Drive: Ms. Dennis affirmed that the front section of the property includes the front door and concrete patio. A large evergreen tree has been removed, allowing space for the requested accessory building.

The Public Hearing was closed.

Motion

Motion was made by Board member Heinrich, seconded by Board member Bruschein to approve Variance 1386 with staff recommendations and findings of fact, and conditions of approval. The motion carries unanimously. Variance 1386 is approved.

Other Business

Karen Husman advised the board that there are no variances for next month.

ADJOURNMENT: The meeting adjourned at 4:54PM

Brenda J Berns, Planning Clerk