

Wednesday, February 4, 2026 at 4:30 PM

Board members		01/07/2026	02/04/2026	03/04/2026	04/01/2026	05/06/2026	06/03/2026	07/01/2026	08/05/2026	09/02/2026	10/07/2026	11/04/2026	12/02/2026	
Josh Sayer	Chairman	1	1											
Michael Bruschwein	Vice Chair	A	1											
George Warmer	Member	V	1											
Chris Hayes	Member	1	1											
Elizabeth Shumaker	Member	1	1											
Vacant	Member	-	-											
Vacant	Member	-	-											
TOTAL NUMBER OF APPLICATIONS 2026		01/07/2026	02/04/2026	03/04/2026	04/01/2026	05/06/2026	06/03/2026	07/01/2026	08/05/2026	09/02/2026	10/07/2026	11/04/2026	12/02/2026	TOTAL
Variance		1	2											3
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 4:31 PM.

Attending Staff:

Karen Husman, Zoning Coordinator; Brenda Berns, Planning Clerk

Public Attendance: Gordon Tryan, Jefferey Winkler, Ryan Stichman, Michael Burke, Bryce Terpstra, Kyle Nielsen

Public Comment: There were no speakers.

Approval of Meeting Minutes – January 7, 2026

Motion

Motion by Board member Warmer to approve the meeting minutes of January 7, 2026 as submitted, second by Board member Bruschwein. Motion carried unanimously.

Conflicts of Interest Disclosure for Members and Staff

Disclosure of Ex Parte Communications – There were none

Disclosure of Site Visits – Board member Warmer visited the site of Variance 1391

Disclosure of Conflict of Interest – There were none

Regular Business

Karen Husman, Zoning Coordinator, read the rules and procedures for conducting a public hearing.

Public Hearing

Chairman Sayer opened the Public Hearing.

a. City Variance 1390 – 802 S 26th St. – Side Street Build to Zone- A variance from Section 27-405, Table 27-400.2.A.5 requiring a Side Street Build To Zone of 5-10 feet to allow a zero (0) foot setback to the property line, and from Section 27-1503.A.2 to allow an increase in the size of the building that currently does not meet the front build to zone or build to corner requirements in a Downtown Support (DX) zone, on Lots 1 – 12, Block 230, , Billings Original Townsite, (LESS FRAC 184 SQ FT LT 1) &(LESS ROW) S03, T01 S, R26 E, an approximately 41,682 sq. ft. parcel of land. The purpose of the variance is to allow an addition to their existing facility of 2,910 sq. ft. and would allow a **zero (0) foot side street build-to setback** where a **5–10 foot Side Street Build-To Zone** is required. Tax ID: A01718

Karen Husman gave a brief overview of the requested variance. The subject property is surrounded by properties that have a similar set up as what is being proposed. There are some exterior storage units that will be removed upon completion of the expansion project.

Recommendation

Planning staff recommends conditional approval of Variance 1390 and adoption of the findings of the review criteria.

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

- **Denying the variance might deprive this owner of similar rights** enjoyed by others in the area.
There are multiple properties in the vicinity that do not meet the current build-to zone requirements applicable in the district.
- **Granting the variance will not confer a special privilege to this applicant.**
This ensures the applicant is treated comparably to other landowners in the district who have faced similar hardships.
- **Granting the variance will be in harmony with the purposes of zoning and growth policy.**
Would be in harmony with the general purposes and intent of the Growth Policy and zoning code, in that it is encouraging uniformity in established neighborhoods. Successful businesses that provide local jobs benefit the community.

The Board may find one of the following Alternatives to Staff's recommendation:

- Approve the requested Variance 1390 and adopt the staff's recommended findings of fact of the criteria and conditions of approval;
- Approve the requested Variance 1390 and adopt the staff's recommended findings of fact of the criteria;
- Deny the requested Variance 1390 and adopt new findings of fact of the criteria;
- Allow the applicant to withdraw the variance request; or
- Delay action on the variance application to a future Board of Adjustment meeting.

Staff presented the request and provided an overview of the applicable code criteria, including the specific standards required for approval. Staff reviewed the site conditions, surrounding land uses, zoning designation, and any relevant history associated with the property. The staff report summarized how the request aligns—or does not align—with the comprehensive plan, development regulations, and neighborhood compatibility standards. Staff also outlined key findings from their analysis and provided a recommendation for the Board's consideration.

Applicant

Kyle Nielsen, Owner; Grains of Montana – Mr. Nielsen stated that the purpose of the variance request is to maximize the building's square footage. Plans are in place to develop the southern portion of the bakery to serve as the packaging and delivery staging area for the business. While the building's depth is adequate, the width presents challenges, as materials and equipment tend to accumulate. The proposed expansion would help alleviate this issue.

He further noted that approximately 90% of the traffic on the street is generated by the bakery, and therefore the impact on foot traffic to other businesses or nearby residences is expected to be minimal.

Michael Burke, HGFA – Mr. Burke stated that the proposed addition is a necessary component of the business's future expansion plans and that the additional space will support and improve the shipping and receiving operations.

In opposition

There were no members of the public present to speak in opposition.

Chairman Sayer closed the Public Hearing.

Discussion

Board Member Shumaker stated that the request was straightforward and did not present any unusual circumstances or concerns.

Motion

Motion by Board member Warmer to Approve Variance 1390 and adopt the findings of the review criteria and recommended conditions as presented within the staff report. Second by Board member Shumaker. Variance 1390 is Approved. Vote:5:0

b. City Variance 1391 – Generally located on the corner of N 14th St. & 2nd Ave N. – Building siting--Zoning variance request from Section 27-904, Table 27-900-5.1.a – Build-to Corner, and Street Side Build To Zone requiring 0’ to 5’ on a side street to allow the building location along the alley approximately 70’ from the side adjacent to street property line, Table 27-900-5.1.c requiring surface Parking and Loading Facility location to be in the rear yard, to allow Loading Facility on the alley side, and to allow a portion of the Parking to be located in the side adjacent to street location in the East Billings Urban Revitalization District- Central Works (EBURD-CW) on Lots 13-16, Block 78, Billings Original Townsite, S33, T01 N, R26 E, a parcel of land approximately 14,000 sq. ft.. The purpose of the variance is to allow the site to be developed with the structure adjacent to the alley. Tax ID: A00524.

Karen Husman provided an overview of the requested variance. The applicant is seeking approval to allow the building to be located along the alley, approximately 70 feet from the side property line adjacent to the street.

Ms. Husman stated that the proposal is a strong example of an infill development project within the EBURD district. She noted that the surrounding businesses are diverse in nature and that the variance has been requested to allow the applicant’s business to function more efficiently given the site constraints.

She further explained that one of the goals within the EBURD is to encourage relocation of parking from the front of businesses; however, achieving that objective has been challenging. The business located across the alley is associated with the subject property, and the applicant intends to coordinate vehicle movement between the two businesses via the alley to support site functionality.

Recommendation

Planning Staff are recommending conditional approval of Variance 1391 and adoption of the findings of the review criteria.

- **Denying the variance might deprive this owner of similar rights** enjoyed by others in the area. There are multiple properties in the vicinity that do not meet the current build-to zone requirements applicable in the district.
- **Granting the variance will not confer a special privilege to this applicant.** This ensures the applicant is treated comparably to other landowners in the district.
- **Granting the variance will be in harmony with the purposes of zoning and growth policy.** The Growth Policy guidelines support development of infill parcels that integrate into existing neighborhood character. Successful businesses that provide local jobs benefit the community. The new business will create jobs, strengthen the local economy.

Applicant

Gordon Tryan, Browns Auto Center – Mr. Tryan stated that he was present on behalf of KCWD, the property owner, and Browns Auto Center, the tenant. He explained that both are family-owned businesses and intend to operate in tandem.

He noted that the tenant requesting the variance specializes in ADAS (Advanced Driver Assistance Systems), which require precise recalibration following structural damage to a vehicle. Mr. Tryan emphasized that the recalibration process is highly meticulous and must comply with strict industry standards and manufacturer guidelines.

Mr. Tryan further expressed a desire to contribute positively to the character of the area and help foster a vibrant business environment.

Jeff Winkler, HGF Architects – Mr. Winkler stated this is an exciting project and was present to answer any questions from the Board. There were no questions presented.

In Opposition

There were no members of the public present to speak in opposition.

Chairman Sayer closed the Public Hearing.

Motion

Motion by Board member Bruschwein to Approve Variance 1391 and adopt the findings of the review criteria and recommended conditions as presented within the staff report.

Second by Board member Sayer.

Variance 1391 is Approved. Vote: 5:0

Other Business

Karen stated there is one new agenda item coming before the Board in March.

ADJOURNMENT: The meeting adjourned at 4:59 PM

Brenda J Berns, Planning Clerk