

Wednesday, March 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	1										
Michael Bruschwein	Vice Chair	A	1	A										
George Warmer	Member	V	1	1										
Chris Hayes	Member	1	1	1										
Elizabeth Shumaker	Member	1	1	1										
Denise Joy	Member	-	-	1										
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	1										4
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 4:40 PM.

Attending Staff:

Karen Husman, Zoning Coordinator; Brenda Berns, Planning Clerk

Public Comment: There were no speakers.

Approval of Meeting Minutes – February 4, 2026

Motion

Motion by Board member Hayes to approve the meeting minutes of February 4, 2026 as submitted, second by Board member Shumaker. Motion carried unanimously.

Conflicts of Interest Disclosure for Members and Staff

Disclosure of Ex Parte Communications – There were none.

Disclosure of Site Visits – There were none.

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 1392 – 1201 N Broadway – Sign Variance – A Variance request from Section 27-1407, Table 27-1400.13 restricting the size of an attached wall sign to a maximum of 250 sq. ft. to allow a sign on the north side of the newly constructed hospital building of 639 sq. ft. and on the south side of the building of 665 sq. ft., for property located on Lots 1-48, Block 9, North Side Addition, Third Filing, Tracts 1 and 2, COS 934, Lots 1-21, Block 1 and Lots 1-4, 12-15, Block 2, Normal Subd., Lots 10-A, 11-B, and 11B, Block 2, Amended plat of Lots 10 and 11, Block 2, Normal Subd., Lots 22-4C, Block 1, Normal Subd., Second Filing, Lot 2, Block 1, Normal Subd., Third Filing, in S32, T01 N, R26 E., a combined area of approximately 9.53 acres. The purpose of the variance is to allow a sign on the north side of the newly constructed hospital building of 639 sq. ft. and on the south side of the building of 665 sq. ft.

Dave Green provided an overview of the variance request. The building is a 14-story structure, approximately 737,000 square feet in size, with frontage along 10th Avenue, Poly Drive, and Airport Road from 27th Street. The applicant is requesting a variance to increase the maximum allowable sign size from 250 square feet to 639 square feet on the north- and south-facing elevations.

Recommendation

Planning staff recommends conditional approval based on draft findings of the review criteria for variances:

- **Denying the variance might deprive this owner of similar rights** enjoyed by other large buildings that have received approval for their signs that are over maximums defined in zoning.
- **Granting the variance will not confer a special privilege to this applicant.**
This ensures the applicant is treated comparably to other properties in the Billings who have requested large signs.
- **Granting the variance will be in harmony with the purposes of zoning and growth policy.**
The variance request is in harmony with the general purposes and intent of the Growth Policy and zoning code, in that it is encouraging uniformity with larger buildings having larger signs that are more in scale to the size of the building. Successful businesses that provide local jobs benefit the community.

Alternatives

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

- Approve the requested Variance 1392 and adopt the staff's recommended findings of fact of the criteria and conditions of approval;
- Approve the requested Variance 1392 and adopt the staff's recommended findings of fact of the criteria;
- Deny the requested Variance 1392 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.

Proposed Conditions

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

1. The variance is for a maximum sign area of 639 square feet on the north façade and 665 square feet on the south façade. No other variance is intended or implied by this approval.
2. The variance applies to Lots 1-48, Block 9, North Side Addition, Third Filing, Tracts 1 and 2, COS 934, Lots 1-21, Block 1 and Lots 1-4, 12-15, Block 2, Normal Subd., Lots 10-A, 11-A, and 11B, Block 2, Amended plat of Lots 10 and 11, Block 2, Normal Subd., Lots 22-4C, Block 1, Normal Subd., Second Filing, Lot 2, Block 1, Normal Subd., Third Filing, in S32, T01 N, R26 E.
3. The proposed building will be located and oriented in substantial conformance with the submitted site plan. Minor adjustments to the site plan are allowed.
4. Prior to installation and within five (5) years of Board of Adjustment approval of the variance, the applicant will apply for the sign permit.
5. Failure to begin or complete actions required by this approval within the time limit set forth shall void this variance.
6. These conditions of variance approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, leaseholders, heirs and assigns.

Chairman Sayer closed the Public Hearing.

Motion

A motion was made by Board member Warmer to Approve Variance 1392 and adopt the findings of the review criteria and recommended conditions as presented within the staff report. Second by Board member Shumaker. Motion carried unanimously.

Variance 1392 is Approved. Vote: 5:0

Other Business

Ms. Husman stated there are no items coming before the board in April.

ADJOURNMENT: The meeting adjourned at 4:55 PM

Brenda J Berns, Planning Clerk