

**CITY OF HASTINGS
ZONING BOARD OF APPEALS
MEETING MINUTES
February 18, 2020**

1. Call to Order (7:00 p.m. at City Hall Council Chambers).
2. Roll Call -- Members Present: Baker, Buehl, Dickinson, Maurer
Members Absent: Snyder
Alternates Present: Resseguie and Warren
Alternates Absent: None
Staff Present: King, Czarnecki
3. Pledge of Allegiance.
4. Approval/Additions/Deletions to Agenda.

Motion by Resseguie, second by Buehl to approve the agenda as presented.

Motion Carried.

5. Approval of the Minutes – December 17, 2019.

Receive and Place on File:

- A. January 6, 2020 Draft Hastings Planning Commission Meeting Minutes*

Motion by Warren, second by Resseguie to approve minutes of the December 17, 2019 ZBA Meeting; and place on file the draft minutes of the January 6, 2020 Hastings Planning Commission meeting.

Motion Carried.

6. Public Hearings (None):

7. Old Business:

A. Review By-Laws and Rules of Procedure

ZBA members discussed update of By-Laws and Rules and Regulations

Motion by Resseguie, second by Warren to approve changes to By-Laws and Rules and Procedures with addition of “,or next convened meeting,” to section 3.1 and addition of Pledge of Allegiance to the order of business (Section 4.8).

Motion Carried.

8. New Business: (None)

9. Public Comments and Communications Concerning Items Not on the Agenda.

None

10. Board Comments.

None forwarded

11. Adjournment.

Motion by Resseguie, second by Buehl. Motion carried. Adjourned at 7:27pm.

**CITY OF HASTINGS
ZONING BOARD OF APPEALS
MEETING MINUTES
July 21, 2020**

1. Call to Order (7:00 p.m. as Virtual Meeting).
2. Roll Call -- Members Present: Baker, Buehl, Dickinson, Maurer
Members Absent: Snyder
Alternates Present: Resseguie
Alternates Absent: Warren
Staff Present: King, Czarnecki

3. Pledge of Allegiance.

4. Approval/Additions/Deletions to Agenda.

Motion by Resseguie, second by Buehl to approve the agenda as presented.

Motion Carried.

5. Approval of the Minutes – February 18, 2020 Meeting.

Motion by Buehl, second by Resseguie to approve minutes of the February 18, 2020 ZBA Meeting.

Motion Carried.

6. Public Hearings:

Consider and make determination on a request from Kirk W. Gee of 1706 S. Broadway for variances to Section 90-831(d)(1) that if allowed, will allow construction of a detached accessory building that coupled with and existing detached accessory building will exceed the maximum total square footage in the ordinance; and construction of an addition to an existing detached accessory building that will exceed the maximum building size allowed for a single detached accessory building.

Maurer gave an overview of the process.

Baker noted that there were already two accessory buildings on the property. Owner stated that one was in bad condition and would be removed.

Public Hearing opened at 7:21pm

Kellie Elliott (1650 S. Broadway) asked if the addition would be for residence and wanted to know how many residents/families were living at the address.

Maurer commented that this is not for residential, it is an accessory building.

Public Hearing closed at 7:27pm

Resseguie asked if there was any way that the building could be attached to the house. Owner stated that he would be willing to consider.

Beuhl asked clarifying questions about the current setup and agreed that attaching the building to the house would be a good idea.

Owner did state some concerns about the location of the well and gas pipes.

Maurer asked for a motion on the first two considerations:

1. Such variance will not be a substantial detriment to adjacent property and the surrounding neighborhood;
- and**
2. Such variance will not impair the public health, safety, welfare, or the intent and purpose of the Zoning District.

Motion by Resseguie, second by Dickinson, that the request meets the first two conditions.

Ayes: Buehl, Dickinson, Maurer, Resseguie

Nays: Baker

Motion carried.

Maurer then stated that the request must meet at least two of the next three requirements. Maurer offered to have the requirements voted on one at a time.

1. That these are exceptional and extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties in the same zoning classification.

Motion by Buehl, second by Dickinson, that the request meets this condition.

Ayes: Buehl, Dickinson, Maurer, Resseguie

Nays: Baker

Motion carried.

2. That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity, provided that the possibility of increased return shall not be deemed sufficient to warrant a variance.

Motion by Resseguie, second by Buehl, that the request does not meet this condition.

Ayes: Baker, Buehl, Dickinson, Maurer, Resseguie

Nays: None

Motion carried.

3. That the condition or situation of the specific piece of property or the intended use of the property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such conditions or situations as part of this

Motion by Resseguie, second by Buehl, that the request does not meet this condition.

Ayes: Baker, Buehl, Dickinson, Maurer, Resseguie

Nays: None

Motion carried.

Maurer informed the applicant that the variance is denied.

Motion by Beuhl, second by Dickinson, to adjourn at 7:34pm.

Motion carried.

7. Old Business:

A. Review By-Laws and Rules of Procedure

ZBA members discussed update of By-Laws and Rules and Regulations

Motion by Resseguie, second by Warren to approve changes to By-Laws and Rules and Procedures with addition of “,or next convened meeting,” to section 3.1 and addition of Pledge of Allegiance to the order of business (Section 4.8).

Motion Carried.

8. New Business: (None)

9. Public Comments and Communications Concerning Items Not on the Agenda.

None

10. Board Comments.

None forwarded

11. Adjournment.

Motion by Resseguie, second by Buehl. Motion carried. Adjourned at 7:27pm.

**CITY OF HASTINGS
ZONING BOARD OF APPEALS
MEETING MINUTES
August 18, 2020**

1. Call to Order (7:00 p.m. as Virtual Meeting).
2. Roll Call -- Members Present: Buehl, Snyder, Maurer
Members Absent: Baker, Dickenson
Alternates Present: Resseguie
Alternates Absent: Warren
Staff Present: King, Czarnecki

Resseguie was impaneled as voting member

3. Pledge of Allegiance.
4. Approval/Additions/Deletions to Agenda.

Motion by Resseguie, second by Snyder to approve the agenda as presented.

Motion Carried.

5. Approval of the Minutes – July 21, 2020 Meeting.

Motion by Buehl, second by Resseguie to approve minutes of the July 21, 2020 ZBA Meeting.

Motion Carried.

6. Public Hearings:

Consider and make determination on a request from Family Farm and Home, Inc. of 802 W. State Street for variances to Section 90-973(a)(1) Wall Signs of the City of Hastings Code of Ordinances, that if granted, will allow placement of a wall sign with a sign height greater than ¼ of the height of the store and a sign area greater than 10% of the wall area of the store.

Maurer gave an overview of the process.

Applicant noted that the distance from the road, not being on the pylon sign, and vegetation at the street make it necessary to consider a larger sign. The sign is only larger because of the new emblem causing the calculation of the area to increase. The actual wording of the sign is well within the requirements for the size of a sign in the zoning district.

Snyder asked if the sign would be lit. It will be LED illuminated on a timer.

Resseguie noted that the special circumstance would be the distance from the road.

Maurer noted that the intent of the B-2 district is to build close to lot line, this is a unique situation with the building already located so far back.

Public Hearing opened at 7:40pm

Public Hearing closed at 7:41pm

Applicant noted they were excited to be in Hastings. The use of this logo in Hastings is the flagship store. Reminded ZBA that it is minimally over the regulations because of the new logo.

Maurer asked for a motion on the first two considerations:

1. Such variance will not be a substantial detriment to adjacent property and the surrounding neighborhood;
- and**
2. Such variance will not impair the public health, safety, welfare, or the intent and purpose of the Zoning District.

Motion by Resseguie, second by Buehl, that the request meets the first two conditions.

Ayes: Buehl, Snyder, Maurer, Resseguie

Nays: None

Motion carried.

Maurer then stated that the request must meet at least two of the next three requirements. Maurer offered to have the requirements voted on one at a time.

1. That these are exceptional and extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties in the same zoning classification.

Motion by Resseguie, second by Snyder, that the request meets this condition.

Ayes: Buehl, Snyder, Maurer, Resseguie

Nays: None

Motion carried.

2. That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity, provided that the possibility of increased return shall not be deemed sufficient to warrant a variance.

Motion by Buehl, second by Resseguie, that the request does meet this condition.

Ayes: Buehl, Snyder, Maurer, Resseguie
Nays: None

Motion carried.

Maurer informed the applicant that the variance is granted.

Adjournment.

Motion by Resseguie, second by Snyder. Motion carried. Adjourned at 7:54pm.

CITY OF HASTINGS
ZONING BOARD OF APPEALS
MEETING MINUTES
February 16, 2021

1. Call to Order (7:00 p.m. as Virtual Meeting).

2. Roll Call -- Members Present: Baker, Buehl (arrived 7:08pm), Dickinson,
Furrow, Maurer
Members Absent: None
Alternates Present: Resseguie
Alternates Absent: None
Staff Present: King, Czarnecki

Resseguie was impaneled as voting member

3. Pledge of Allegiance.

4. Approval/Additions/Deletions to Agenda.

Motion by Baker, second by Resseguie to approve the agenda as presented.

Motion Carried.

5. Approval of the Minutes – August 18, 2020 Meeting. Except and place on file minutes of October 5, 2020, November 2, 2020, December 7, 2020, January 4, 2021, and February 1, 2021 Planning Commission Meetings.

Motion by Dickinson, second by Resseguie to approve minutes of the August 18, 2020 ZBA Meeting and except Planning Commission meeting minutes.

Motion Carried.

6. Public Hearings: (None)

7. Old Business:

King and Maurer summarized presentation from June 2019 that was given by Rebecca Harvey (Planning Consultant) on the roles and responsibilities of the Zoning Board of Appeals.

8. New Business: (None)

9. Public Comments: None forwarded.

10. Board Comments: None forwarded.

11. Adjournment

Motion by Beuhl, second by Furrow, to adjourn at 7:45pm.

Motion carried.