

CITY OF HASTINGS,
NEBRASKA MINUTES OF
BOARD OF ADJUSTMENT
THURSDAY, JULY 25, 2024

Pursuant to due call and notice thereof, a meeting of the Hastings Board of Adjustment was conducted in the Hastings Municipal Airport, 3300 W 12th Street, Hastings, Nebraska on July 25, 2024.

The meeting was called to order at 4:00 p.m. in Regular Session by Chair Byron Jorgensen, with the following members present Ann Hinton, Byron Jorgensen, Dan Schwartzkopf, and Nic Dowling.

City Officials present were Jesse Oswald, City Attorney, Lee Vrooman, Director of City Engineering, Chad Bunger, Director of Development Services, Ember Batelaan, City Planner, Lily Teeple, Planning Intern, and Melissa Woodard, Administrative Assistant.

Chair Jorgensen led the Commission in the recital of the Pledge of Allegiance to the United States of America.

Chair Jorgensen called for a motion to adopt the current agenda for the July 25, 2024, meeting. Moved by Hinton, seconded by Dowling, to adopt the current agenda. Voice Roll Call: Ayes: Jorgensen, Schwartzkopf, Hinton and Dowling. Nays: None. Motion carried: 4-0.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Saturday, July 6, 2024. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material, which will be discussed at today's meeting is available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

APPROVAL OF MINUTES

Meeting of January 11, 2024

Chair Jorgensen called for a motion to approve the January 11, 2024, minutes. Moved by Hinton to approve the January 11, 2024, minutes, with one correction. Seconded by Schwartzkopf. Voice roll Call: Ayes: Jorgensen, Schwartzkopf, Hinton and Dowling. Nays: None. Motion Carried: 4-0.

Public Hearings

a. A Variance request, filed by Andrew and Abigail Vrbas, to allow a garage to be constructed on the site that reduces the rear yard setbacks on the south side of the property from 10.2 feet to 4 feet. Additionally, the setback on the east side of the property would be reduced from 10 feet to 4 feet. The Variance is for property at 500 E 9th Street, City of Hastings, Adams County, Nebraska. The applicant had requested, via email, that the item be tabled to August 22nd, 2024, because they could not attend. Staff recommends the item be tabled. Hinton moved to table the Vrbas Variance until August 22nd, 2024. Seconded by Dowling. Ayes: Jorgensen, Schwartzkopf, Hinton and Dowling. Nays: None. Motion Carried: 4-0.

Chair Jorgensen opened the Public Hearing.

b. A Variance request, filed by Jacque Cranson-Small Town Famous, to allow for a projecting sign in the C-2, Central Business District, to be larger than the allowed 12 square feet. The proposed sign is to be 40 square feet. The Variance is for the property at 705 W 2nd Avenue, City of Hastings, Adams County, Nebraska. Bunger provided a summary of the Staff Report. Staff recommended approval of the Variance by the Board of Adjustment for the proposed sign to be 40 square feet for the property at 705 W 2nd Avenue, City of Hastings, Adams County, Nebraska.

Dave Rippe at 701 W 1st Street, representing the applicant, explained the request is about the proportionality of the sign and the building. Rippe described how the applicant has worked with the National Historic Office and the Parks Office to maintain the historical character of the building. Both agencies wanted consistency and suggested a projecting sign as being more appropriate.

Terence Miller, Sign Doctor, 619 S Hastings Ave, described a recent Board of Adjustment application for a Variance that was similar to the proposed request. Miller stated that they designed the sign permit and variance application. Miller asked the Board to be consistent or to update the sign regulations to address the repeated issue.

Jorgensen asked why this variance request was different from the stated example.

Bunger said that the example was before his time with the City. Bunger stated that staff has reviewed the sign codes, agrees the sign regulations need updating and is proposing changes that would address both issues.

Jorgensen and Bunger discussed how best to handle the past example and if the owner or sign contractor could reapply for another variance. Bunger stated that the best route would be to update the regulations, which should occur soon. Bunger said he would be in touch with the sign contractor to discuss the proposed regulations.

Jorgensen and Miller discussed whether his clients would be interested in that solution.

Jorgensen asked Bunger if the sign code would allow bigger signs. Bunger said it is still being drafted and reviewed, but in some cases, it would allow for signs that are appropriate for the building and zoning district. The new codes should be approved in the next few months.

Craig Hubbard, 2100 E 12th Street, was also denied a sign permit and it appears the Board is choosing who they approve, hoping that is not the case and agrees they should update the codes. He feels this sets precedence and should be approved on merit. They all discussed sending a letter when the code is being looked at or when it is updated and sending letters to businesses.

Hinton recalled discussing the previous example, and the code was already being looked at then and asked what the code was before the 10 square feet.

Bunger, Hinton, and Schwartzkopf discussed how it was 60 square feet, which Bunger said makes sense if you look at the layouts. The signs downtown, the older ones are larger than 10 square feet and closer to 60 square feet. Hinton appreciated Bunger showing the different signs downtown, as some are much larger than 10 square feet.

Schwartzkopf asked Hubbard if he applied for a variance. Hubbard had not.

Schwartzkopf agreed with Hubbard, maybe it would or wouldn't have been approved, but he appreciates Hubbard's comments. Bunger noted that staff had called a voluntary meeting for downtown business in April to discuss the sign code and several business owners showed up. Bunger said hopefully in the next couple of months, we can get the new codes out to the business community for review and discussion.

Discussion continued about the city code, height restrictions, lighted signs, and making the codes more appropriate.

Jorgensen said the sign codes update needs to get done and move in a new direction to continue being Pro Hastings, Pro-Growth, and Pro Businesses.

Chair Jorgensen closed the Public Hearing. Dowling called for a motion to consider the Variance Request to allow a projecting sign in the C-2, Central Business District, to be larger than the allowed 10 square feet. Seconded by Schwartzkopf. Voice Roll Call: Hinton, Jorgensen, Schwartzkopf and Dowling. Nays: None. Motion carried: 4-0.

Adjourn

Chair Jorgensen called for a motion to adjourn at 4:49 p.m. Moved by Dowling to adjourn, seconded by Hinton. Voice Roll Call: Ayes: Hinton, Jorgensen, Schwartzkopf and Dowling. Nays: None Motion carried: 4-0.

Chair Byron Jorgensen