

Zoning Board of Adjustment Minutes

Regular Meeting
January 19, 2023 - 4:30 pm
Room 317, City Hall

Members Present: Matt Perry (Chair), Jacob Saufley (Vice-Chair), John Finlayson, Adam Hutchens, Eric Johannessen, Richard Sandberg, Taylor Smrikarova, and Annie Wang (Quorum: 5)

Members Absent: Jasmine Frias

Staff : Rachel Blanford

Call To Order

1. Roll Call.

Quorum Present

2. Adoption of the agenda.

Action Taken: Adopted

3. Acceptance of minutes

[Jan 5, 2023 Zoning Board of Adjustment](#)

Action Taken: Accepted

Discussion

4. Petitions and Communications

Action Taken: Received and filed

Public Hearing

5. **1811 University Ave NE, Ward 1**
City Staff: [Andrew Liska](#), PLAN115654

This item was continued from the January 5, 2023 meeting

The Zoning Board of Adjustment adopted staff findings for the application by Chad Lemmons, on behalf of Public Safety Building LLC:

A. Variance

Action: The Zoning Board of Adjustment **denied** the variance to increase the maximum permitted fence height.

[1811 University Ave NE staff report](#)

Yea: Finlayson, Hutchens, Johannessen, Sandberg, Saufley, Smrikarova, Wang

Nay: None

Absent: Frias

6. **1333 Nicollet Mall, Ward 7**

City Staff: [Alex Kohlhaas](#), PLAN15498

A. Variance.

Action: Notwithstanding staff recommendation, the Zoning Board of Adjustment **approved** the variance to increase the total maximum sign area on the west primary building wall of the property for signs attached to the building, subject to the following condition:

1. Approval of final sign plans by the Department of Community Planning and Economic Development.

B. Variance.

Action: Notwithstanding staff recommendation, the Zoning Board of Adjustment **approved** the variance to increase the total maximum sign area on the south primary building wall of the property for signs attached to the building, subject to the following condition:

1. Approval of final sign plans by the Department of Community Planning and Economic Development.

C. Variance

Action: Notwithstanding staff recommendation, the Zoning Board of Adjustment **approved** the variance to increase the maximum height for a wall sign, subject to the following condition:

1. Approval of final sign plans by the Department of Community Planning and Economic Development.

D. Variance

Action: Notwithstanding staff recommendation, the Zoning Board of Adjustment **approved** the variance to increase the maximum height for a projecting sign, subject to the following condition:

1. Approval of final sign plans by the Department of Community Planning and Economic Development.

E. Variance

Action: Notwithstanding staff recommendation, the Zoning Board of Adjustment **approved** the variance to increase the maximum number of roof signs, subject to the following condition:

1. Approval of final sign plans by the Department of Community Planning and Economic Development.

F. Variance

Action: Notwithstanding staff recommendation, the Zoning Board of Adjustment **approved** the variance to the specific sign standards for a roof sign, subject to the following condition:

1. Approval of final sign plans by the Department of Community Planning and Economic Development.

Variations A-E were approved based on the following findings:

1. Practical difficulties exist with regard to the shape of the existing building as well as its location adjacent to hotels and parking structures and at the end of Nicollet Mall. These

- create issues with visibility and unique identification needs for the property and businesses with regards to size, location, and height of signage.
2. The current uses of the property are reasonable and in keeping with the spirit and intent of the ordinance and the comprehensive plan to support renewed downtown businesses. The subject property is located along Nicollet Mall near areas with high concentration of commercial uses and on-premise signage.
 3. Following staff analysis.
 4. The proposed signs do not contribute to sign clutter in the area and are consistent with the purpose of the downtown zoning district the property is located in, as well as the area around Nicollet Mall where the property is located.
 5. Following staff analysis.

Variance F was approved based on the following findings:

1. Practical difficulties exist with regard to the shape of the existing building as well as its location adjacent to hotels and parking structures and at the end of Nicollet Mall. These create issues with visibility and unique identification needs for the property and businesses with regards to size, location, and height of signage.
2. The current uses of the property are reasonable and in keeping with the spirit and intent of the ordinance and the comprehensive plan to support renewed downtown businesses. The subject property is located along Nicollet Mall near areas with high concentration of commercial uses and on-premise signage.
3. Following staff analysis.
4. The proposed signs do not contribute to sign clutter in the area and are consistent with the purpose of the downtown zoning district the property is located in, as well as the area around Nicollet Mall where the property is located.
5. The proposed roof sign relates in size, shape, materials, color, illumination, and character to the function and architectural character of the building and the subject property. The proposed roof sign relates to the size of the buildings and properties surrounding the subject property.

[1333 Nicollet Mall staff report](#)

[1333 Nicollet Mall staff presentation](#)

Yea: Finlayson, Sandberg, Smrikarova, Wang

Nay: Johannessen, Saufley

Abstain: Hutchens

Absent: Frias

7. **3501-3515 Zenith Ave S, Ward 13**
City Staff: [Alex Kohlhaas](#), PLAN15502

The Zoning Board of Adjustment adopted staff findings for the application by Charles Mooty:

A. Variance.

Action: The Zoning Board of Adjustment **denied** the variances to reduce the minimum required front yard for lawful establishment of an existing pickleball court and retaining walls as constructed.

[3501-3515 Zenith Ave S staff report](#)

[3501-3515 Zenith Ave S staff presentation](#)

Yea: Finlayson, Hutchens, Johannessen, Sandberg, Saufley, Smrikarova, Wang

Nay: None

Absent: Frias

Election

8. Election of the 2023 Zoning Board of Adjustment Officers

Chair Perry and Vice-Chair Saufley were nominated for re-election to their current, respective offices at the Jan 5, 2023 meeting. The election will take place at this meeting.

On a voice vote, Matt Perry was re-elected as Chair, and Jacob Saufley was re-elected as Vice-Chair.

Announcements

9. Updates by CPED staff

Action Taken: No action taken

Adjournment

The meeting adjourned at 6:36pm.