



PLANNING COMMISSION/ BOARD OF ZONING APPEALS MEETING MINUTES

Tuesday, February 10, 2026 at 5:30 PM

Meeting called to order at 5:32 PM

Roll Call

Mike Bergagnini Lloyd Colston Chris Johnson
 Travis Pearman Duane Oestman Cody Richardson Dotty Smith

Consent Agenda

1. Meeting Minutes, **December 9, 2025 meeting.**
Lloyd Colston made the motion to approve the meeting minutes from December 9, 2025 and Mike Bergagnini made the second motion. Voice vote carried the motion.

Board of Zoning Appeals

2. **Recess the Planning Commission and convene the Board of Zoning Appeals**
Lloyd Colston made the motion to recess the Planning Commission meeting and convene the Board of Zoning Appeals meeting at 5:34 PM and Mike Bergagnini made the second motion. Voice vote carried the motion.
3. **Hold a public hearing to consider the advisability of granting a variance to reduce the front yard setback from 25 feet to 5 feet for the construction of a carport at 1117 N 9th Street**
Travis Pearman made the motion to open the public hearing to consider the advisability of granting a variance to reduce the front yard setback from 25 feet to 5 feet for the construction of a carport at 1117 N 9th ST and Chris Johnson made the second motion. Voice vote carried the motion.

The property owners were present and approached the board and explained to the board their request. After the property owners were done speaking, Josh explained to the board the request and what the setbacks would be in that area. He also noted that there was alley access to the rear yard. After the board discussed the advisability of granting a variance, Cody Richardson made the motion to close the public hearing at 6:07 PM and Lloyd Colston made the second motion. Voice vote carried the motion. Travis Pearman made the motion to table the variance. After further discussion, Travis withdrew the motion to table the variance. Lloyd Colston made the motion to deny the variance and Mike Bergagnini made the second motion. The roll call vote resulted in six board members voting in favor of the motion to deny the request and one board member, Travis Pearman, voting in opposition.

4. **Hold a public hearing to consider the advisability of granting a variance for a sign at 1110 E Kansas Ave that exceeds the maximum height by 25 feet and exceeds the maximum area by 146 square feet.**
Cody Richardson made the motion to hold a public hearing to consider the advisability of granting the variance of the sign 1110 East Kansas height and area at 6:11 PM and Lloyd Colston made the second motion. Voice vote carried the motion.

Josh explained to the board the details of the proposed variance. The property was rezoned to C-3 in 2021, and the proposed sign would be approximately 500 feet from any residences. The reasoning for the variance is being requested is to show travelers where the truck stop is and because the base of the sign will be lower than the road. Robert Wilson, property owner within 1,000 feet of the proposed variance, was present and expressed his concerns about the sign which included the height and the brightness of the sign at night. The property owners of the truck stop were also present; they approached the board and discussed the cost of

the project along with their reasoning for the proposed variance. The property owners explained to the board that the lights on the sign would be LED and would only illuminate the sign. The board discussed with the property owners about the possibility of moving the sign to the north of the property. Further discussions included the size of the sign and placement of the sign. Josh was asked what re-course the property owners would have should the variance be denied. Josh explained that the owners could go to district court; however, district court would only be looking to see if the board handled the variance correctly. Travis Pearman stated that he couldn't support considering the variance because of the light pollution of vehicles going around the round about all night long along with the streetlights. However, he expressed a compromise about the size of the sign. Dotty Smith proposed having a bigger sign on the highways outside of the city limits and a more appropriate sign size installed at the truck stop location. At 7:04 PM, Travis Pearman made the motion to end the public hearing, and Mike Bergagnini made the second motion. Voice vote carried the motion. Travis Pearman made motion to deny the variance for 1110 E Kansas Ave as presented and Lloyd Colston made the second motion. Roll call vote resulted in all board members voting in favor to deny the variance request as presented.

5. Adjourn the Board of Zoning Appeals Sine Die and reconvene the Planning Commission

Lloyd Colston made the motion to adjourn the Board of Zoning Appeals meeting and reconvened the Planning Commission meeting at 7:06 PM and Travis Pearman made the second motion. Voice vote carried the motion.

Other Items:

Josh stated that he has considered shrinking the Planning Commission from nine to seven; however, hopefully after the next city commission meeting, that may not be an issue. Also, when we wrote the regulation, we excluded the growth members from the Board of Zoning Appeals; Josh wondered if it wouldn't be appropriate to allow them to be members of Board of Zoning Appeals. Dotty didn't want to do that because these are city issues being brought to the Board of Zoning Appeals not county issues.

Adjournment

Travis Pearman made the motion to adjourn the meeting at 7:08 PM and Lloyd Colston made the second motion. Voice vote carried the motion.