

**MELROSE PLANNING AND ZONING COMMISSION
REGULAR MEETING
MONDAY, APRIL 27, 2026 – 6:00 P.M.**

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

The Melrose Planning and Zoning Commission met in a Regular Meeting on Monday, April 27, 2026, at 6:00 P.M. at the Melrose City Center pursuant to due notice being given thereof. Present were Commission Members David Berscheit, Nick Shaw, Joe Matt, Jason Seanger, and Jean McDonald, and Community Development Director Sheila Hellermann. Commission Members Shawn Mayers and Joelene Wieling were absent. Claire Seanger, a high school student, and Romie and Carol Bertram were also present. Chair Seanger called the meeting to order. The Commission then recited the Pledge of Allegiance.

2. APPROVAL OF THE AGENDA

A motion was made by Commission Member McDonald, seconded by Vice Chair Berscheit, and unanimously carried to approve the agenda.

3. APPROVAL OF MINUTES

A motion was made by Vice Chair Berscheit, seconded by Commission Member Shaw, and unanimously carried to approve the minutes from the Commission's March 30, 2026, Regular Meeting.

4. REPORTS

4a. Community Development Director Report

Community Development Director Hellermann reviewed the pending grant applications for the city. She reviewed upcoming hearings, including variances for CURA-CentraCare, rezoning for JOTS and MKI property, which is being sold. Also discussed was the rezoning and conditional use permit needed for the former Stearns Electric property. Community Development Director Hellermann informed the Commission about the City Council's discussion regarding ensuring that ordinances which are not being enforced are either deleted or enforced. Commission was updated about spring building permits, including the Roach development project which was received today.

5. PUBLIC HEARING

5a. VAR 04-2026-101 Variance Request – Romie and Carol Bertram

Chair Seanger opened the public hearing on VAR 04-2026-101 and explained to the public the procedures. He asked Community Development Director Hellermann to discuss the application, and staff report.

Community Development Director Hellerman presented. Romie and Carol Bertram have asked for a variance to side the accessory structure. Melissa Johnson built a home on parcel 66.36937.0007, which had an existing accessory structure. The parcel has previously been used as an industrial site. The area is zoned R-1 Residential, which has dwelling unit guidelines described in this planning report. The roofing material is steel. The front (east-facing) side of the building has white vinyl siding running horizontally. The north, south and west-facing sides of the building are made of textured brick, which is painted white.

The accessory shed is a non-conforming structure, it was constructed on the property prior to the home. It is also taller than house. However, prior to the lot being re-zoned it was conforming.

Community Development Director Hellermann reviewed the applicable comprehensive plan and zoning ordinance references. There are different sections of the zoning ordinance – those related to building materials in residential area, accessory structure guidelines, and nonconforming guidelines. She reviewed prior zoning ordinance changes about building materials related to roofing. Director Hellermann presented her reasons for recommending approval of the variance:

- The variance applicant is using the property in a reasonable manner. Denial of the variance would not keep the applicant from reasonable use but would limit siding options. It does not expand non-conformity but does provide for maintenance allowable under the zoning ordinance. The zoning ordinance does not address whether maintenance needs to bring non-conformance into compliance when possible. If required, it would provide partial conformance as the accessory structure would still exceed the height allowance.
- The variance would not change the essential character of the neighborhood. The property would remain non-conforming, in the same color and mixture of siding materials.
- As to 1011.01 (2.2) "The plight of the landowner is due to circumstances unique to the property that were not created by the landowner." Applicant has met this requirement. The second factor, in reviewing unique circumstances, states the need for a variance must be based on "physical characteristics of the particular piece of property." The variance request is necessitated by an existing non-conforming structure on the piece of property, which property has been subject to a zoning change, causing the non-conformance. This makes it a unique request.

In addition, this variance, if approved, would not impair an adequate supply of light and air to adjacent properties, nor would it substantially increase traffic congestion in public streets, increase the danger of fire, endanger the public safety, or substantially diminish property values within the neighborhood.

The variance request is not based exclusively on economic considerations, but also practicality and concerns about installation of other siding options.

The variance would be in harmony with the intent of the Ordinance as it does not expand the nonconformity, but is maintenance allowed under the ordinance under Section 1100.05.

The variance is a complete application based on the requirements outlined in City code, Zoning Ordinance No. 1989-1-A. On April 15, 2026, notice of the public hearing to be held on April 27, 2026, before the Planning and Zoning Commission was published in the City's official newspaper, Star Post. On April 10, 2026, the notice of the public hearing to be held on April 27, 2026, before the Planning and Zoning Commission was posted on the bulletin boards of the City of Melrose, United States Post Office – Melrose, and Great River Regional Library – Melrose Branch. On April 13, 2026, the notice of the public hearing to be held on April 27, 2026, before the Planning and Zoning Commission was mailed to all property owners within 350 feet of the proposed request.

Chair Seanger then opened the floor to public comment. Romie and Carol Bertram spoke regarding their application. Their intent is to improve the appearance of the shed, and the neighborhood. Their property has been vandalized. They have been painting over it when it occurs. Chair Seanger asked Bertrams about the color. They are planning on white to match the front and keep it the same as what the neighborhood is used to.

There were no further comments and Chair Seanger closed the public hearing at 6:17 P.M.

6. ACTION ITEMS

6a. VAR 04-2026-101 Variance Request – Romie and Carol Bertram

Chair Seanger reviewed the criteria for approval of a variance. There must be findings that all of the following criteria, as applicable, have been met:

- (1) The variance, and its resulting construction or project, would be in harmony with the general purposes and intent of this Ordinance, and would be consistent with the comprehensive plan.
- (2) The variance applicant has satisfactorily established that there are practical difficulties in complying with this Ordinance. "Practical difficulties" means that:
 - (2.1) The Applicant proposes to use the property in a reasonable manner not permitted by this Ordinance
 - (2.2) The plight of the landowner is due to circumstances unique to the property that were not created by the landowner; and
 - (2.3) The variance, if granted, would not alter the essential character of the locality.
- (3) The variance request is not based exclusively upon economic considerations.

- (4) The variance, and its resulting construction or project, would not be detrimental to the public welfare, nor would it be injurious to other land or improvements in the neighborhood.
- (5) The variance, and its resulting construction or project, would not impair an adequate supply of light and air to adjacent properties, nor would it substantially increase traffic congestion in public streets, increase the danger of fire, endanger the public safety, or substantially diminish property values within the neighborhood.
- (6) The variance requested is the minimum action required to address or alleviate the practical difficulties.

In addition, no variance shall have the effect of allowing in any district uses prohibited in that district.

Chair Seanger and members of the Commission reviewed each item individually, seeking consensus that the criteria had been met in this case.

Then Chair Seanger and the Commission reviewed the staff responses to the three-factor test of a variance:

First factor: Reasonableness. The first factor, a test of reasonableness, means that the landowner would like to use the property in a practical way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.

Staff response: Under the zoning ordinance, nonconformity is allowed to be maintained but not enlarged. The building exterior currently is non-conforming to the zoning ordinance. This does not enlarge or expand the non-conforming circumstances, except that brick is allowable in residential districts, but metal with exposed fasteners is not.

By consensus, the Planning & Zoning Commission agreed to add the following to the report: This variance allows maintenance without expansion because other siding options would require building out the walls and increasing the accessory structure's footprint.

Second factor: Unique Circumstances. The second factor is that the landowner's problem is due to circumstances unique to the property and not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything

physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees.

Staff response: There are unique circumstances. This accessory structure is non-conforming and currently does not meet the several requirements in the R-1 residential district, including height and appearance (siding and roofing). This uniqueness is not caused by the landowner. They existed prior to the current ownership. The structure was built prior to the home on the parcel. The parcel (and this accessory structure) has been re-zoned to residential.

Third factor: Neighborhood Character. The third factor is that a variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.

Staff response: The request does not alter the essential character of the neighborhood. The applicant states they are looking to improve the existing appearance of the building. The color would be the same as it is now (which is non-conforming). The accessory structure, at this time, does not match the home on the parcel. In that respect, the structure would be consistent with what exists now and maintain its nonconformity to the residential area around it. In that respect it does not alter the existing character of the neighborhood.

After review of the three-factor test, Commission Member Joe Matt made a motion to approve the staff report, with the additional finding, seconded by Commission Member McDonald. Motion was unanimously carried.

A motion was made by Vice Chair Berscheit, seconded by Commission Member Shaw, and unanimously carried to recommend approval of the variance to the City Council.

7. INFORMATIONAL ITEMS

The Commission's next meeting date is scheduled for Monday, May 18, 2026 at 6:00 p.m. It was noted that this is a week early because of Memorial Day.

8. ISSUES BY PLANNING AND ZONING COMMISSION MEMBERS AND/OR STAFF

There were no issues discussed.

9. ADJOURNMENT

A motion was made by Vice Chair Berscheit, seconded by Commission Member Matt, and unanimously carried to adjourn the meeting at 6:35 P.M.

A handwritten signature in black ink, reading "Sheila Hellermann". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

SHEILA HELLERMANN – COMMUNITY DEVELOPMENT DIRECTOR