



BOARDS & COMMISSIONS

Zoning Board of Appeals Meeting Minutes

February 10, 2026, at 1:15pm

1. Call to Order

Chair Yeater called the meeting to order at 1:15pm.

2. Roll Call - Present

Chair Justin Yeater
Commissioner Erik Briscoe
Commissioner Jeff Carlson
Commissioner Brian Franzen

Absent

Vice Chair Louisa Andersen
Commissioner Larry Modlin
Commissioner Christian Schulte

3. Approval of the agenda

There were no changes to the agenda, Chair Yeater proceeded with the agenda as published.

4. Expedited Item: A public hearing to consider a request for approval of a variance to allow a retaining wall at a maximum of twenty-six (26) feet in height located at 920 N. 7th Avenue.

Chair Yeater asked if anyone on the Commission wished to see a presentation. Seeing none, Chair Yeater asked if anyone in attendance or online wished to see a presentation. Seeing none, Chair Yeater invited the applicant, if present, if they wished to speak.

Gary Komerska (Applicant from Tippmann Construction) stated he was present for any questions the Commission may have.

Commissioner Franzen was seeking clarification in the report, noting that they did not see a clear and well-supported explanation of why the variance is necessary based on the grading. Mr. Komerska explained that the current condition is a vertical, earthen cliff approximately 46 feet high that has been eroding for many years. Over time, neighboring individuals have deposited various discarded materials, including chunks of concrete, causing the area to function as an informal dumping site. If the property were regraded to meet the City's 3:1 slope requirement, the resulting footprint would encroach so significantly onto the JBS property that the project would no longer be functional, leaving insufficient space for semi-trucks to access and back into the proposed facility.

Chair Yeater requested clarification of his understanding that the code requires a variance for anything over six feet. Mr. Komerska confirmed Chair Yeater's understanding and explained that the proposed wall ranges from approximately 3 to 26 feet in height, depending on where the slope begins and ends. The grading was brought to a 3:1 slope from the neighboring property line as far as feasible to meet City criteria before transitioning to the wall, rather than placing the wall directly at the property boundary.

Commissioner Carlson sought clarification, asking if the wall would be located to the east of the existing facility. Mr. Komerska shared that this wall would be to the north of the what they call the value-added facility on North 7th Avenue.

Chair Yeater asked if one of the goals of this wall is to relieve the parking that is currently on the street and move that to the back of the facility. Mr. Komerska explained that while the wall is one component of the project, the overall purpose is to develop a distribution center for JBS. A key objective of the project is to address and alleviate the existing truck traffic currently queuing along the main road, making the facility and the trucking improvements part of a comprehensive plan.

With no other questions for the applicant or staff, Chair Yeater opened the public portion of the meeting at 1:20pm. With no one in person or online wishing to speak to the item, Chair Yeater closed the public portion of the meeting at 1:20pm and turned it over to the Commissioner for action.

Motion by Commissioner Briscoe:

Based on the application received in the preceding analysis, the Zoning Board of Appeals finds that the requested variance to allow a retaining wall at a maximum height of 26 feet complies with and meets all applicable review criteria under Section 24-209B of the Greeley Development Code, and therefore approves the request.

Second: Commissioner Carlson

Vote: Motion approved 4-0

Absent: Vice Chair Louisa Andersen, Commissioner Larry Modlin and Commissioner Christian Schulte

5. Adjournment:

Chair Yeater adjourned the meeting at 1:22pm and moved into the Planning Commission meeting.

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Justin Yeater
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Justin Yeater – Chair

DocuSigned by:
Don Threewitt
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Don Threewitt – Interim Comm. Development Director