

**Final Minutes
Board of Adjustment
Carnegie Town Hall
Tuesday, May 18, 2010
7:00 p.m.**

Members Present:

**Chairman John Kolander
Robert Kummer
Chris Schiltz
Tim Johnson
Roger Mack**

Members Absent:

**Lee Van De Walle
Erik Helland**

OLD BUSINESS

Case 10-08: Variance in (1) the required side yard setback from 15' to 5'; and (2) the required front yard setback from 18' to 9'5".

Applicant: **Van De Walle Associates**

Address: **329 S Omaha Ave**

A motion was made by Johnson, seconded by Schiltz to approve a variance in (1) the required side yard setback from 15' to 5'; and (2) the required front yard setback from 18' to 9'5".

Vote to approve: Roll Call: Yeses, Johnson, Schiltz, Kummer, Kolander, 4. Noes, 0. Board member Mack was excused from the meeting and the vote on this item. **Motion Passed. Variance Approved.**

NEW BUSINESS

Case 10-24: Variance in the distance between off-premises signs (billboards) from 600' to 327' and 572'.

Applicant: **Lamar Advertising**

Address: **3520 W 41st St**

A motion was made by Schiltz, seconded by Kummer, to approve a variance in the distance between off-premises signs (billboards) from 600' to 327' and 572'.

Vote to approve: Roll Call: Yeses, Mack, Schiltz, Kummer, 3. Noes, Johnson, Kolander, 2. **Motion Passed. Variance Approved.**

Case 10-25: Variance in the required front yard setback from 30' to 0' for parking.

Applicant: **Ron Leitheiser**

Address: **2204 E 49th St**

A motion was made by Johnson, seconded by Mack, to approve a variance in the required front yard setback from 30' to 0' for parking.

Vote to approve: Roll Call: Yeses, 0. Noes, Mack, Johnson, Schiltz, Kummer, Kolander, 5. **Motion Failed. Variance Denied.**

Case 10-26: Variance in the allowable fence height from 4' to 6'.

Applicant: **Kurt Peppel**

Address: **1104 W Sterling Oak Dr**

A motion was made by Mack, seconded by Kummer, to approve a variance in the allowable fence height from 4' to 6'.

Vote to approve: Roll Call: Yeses, Mack, Schiltz, Kummer, 3. Noes, Johnson, Kolander, 2. **Motion Passed. Variance Approved.**

Case 10-27: Variance in the required side yard setback from 5' to 2'.

Applicant: **Brad Lambertus**

Address: **2220 S Center Ave**

A motion was made by Johnson, seconded by Mack, to approve a variance in the required side yard setback from 5' to 2'.

Vote to approve: Roll Call: Yeses, Mack, Johnson, Schiltz, Kummer, 4. Noes, Kolander, 1. **Motion Passed. Variance Approved.**

Case 10-28: Variance in (1) the required side yard setback from 5' to 2'; and (2) the required front yard setback from 25' to 0' for parking.

Applicant: **Rachel Maldonado**

Address: **3324 N 7th Ave**

A motion was made by Kummer, seconded by Johnson, to approve a variance in (1) the required side yard setback from 5' to 2'; and (2) the required front yard setback from 25' to 0' for parking.

Vote to approve: Roll Call: Yeses, Mack, Johnson, Schiltz, Kummer, 4. Noes, Kolander, 1. **Motion Passed. Variance Approved.**

Case 10-29: Variance in the required lowest floor elevation (including basement) from 1424.1' to 1421.7' MSL for a building addition; and (2) relief from Sections 45-19 (3) through (7), and 45-20 (2) and (4)(a)(b)(c).

Applicant: **CCL Label**

Address: **1209 W Bailey St**

A motion was made by Schiltz, seconded by Mack, to approve a variance in the required lowest floor elevation (including basement) from 1424.1' to 1421.7' MSL for a building addition; and (2) relief from Sections 45-19 (3) through (7), and 45-20 (2) and (4)(a)(b)(c).

Vote to approve: Roll Call: Yeses, Mack, Johnson, Schiltz, Kolander, 4. Noes, 0. Board member Kummer was excused from the meeting and the vote on this item. **Motion Passed. Variance Approved.**

Case 10-30: Variance in (1) the required side-street-side front yard setback from 25' to 12'; and (2) the required front yard setback from 30' to 10' for a circular driveway.

Applicant: **Bruce Taylor**

Address: **42 Riverview Heights**

A motion was made by Kummer, seconded by Mack to approve a variance in (1) the required side-street-side front yard setback from 25' to 12'; and (2) the required front yard setback from 30' to 10' for a circular driveway.

Vote to approve: Roll Call: Yeses, Mack, Johnson, Schiltz, Kummer, Kolander, 5. Noes, 0. **Motion Passed. Variance Approved.**

Case 10-31: Variance in (1) the required rear yard setback from 20' to 0'; and (2) the required number of parking spaces from 118 to 115.

Applicant: **Independence Plaza**

Address: **3829 S Western Ave**

A motion was made by Mack, seconded by Schiltz, to approve a variance in the required rear yard setback from 20' to 0'.

Vote to approve: Roll Call: Yeses, Mack, Schiltz, Kummer, Kolander, 4. Noes, 0. Board member Johnson was excused from the meeting and the vote on this item. **Motion Passed. Variance Approved.**

Case 10-32: Variance in the required number of parking spaces from 79 to 61.

Applicant: **Dewayne Keiper**

Address: **2707 S Carolyn Ave**

A motion was made by Johnson, seconded by Kummer, to approve a variance in the required number of parking spaces from 79 to 61.

Vote to approve: Roll Call: Yeses, Johnson, Schiltz, Kummer, Kolander, 4. Noes, 0. Board member Mack was excused from the meeting and the vote on this item. **Motion Passed. Variance Approved.**

Case 10-33: Variance to provisions for flood hazard reduction specific standards, Section 45-20 (5)(c)(1)(2) to allow placement of manufactured homes in an existing manufactured home park.

Applicant: **Norm DeHaai**

Address: **700 S Ruth Ave**

A motion was made by Kummer, seconded by Johnson, to approve a variance to provisions for flood hazard reduction specific standards, Section 45-20 (5)(c)(1)(2) to allow placement of manufactured homes in an existing manufactured home park.

Vote to approve: Roll Call: Yeses, Mack, Johnson, Schiltz, Kummer, Kolander, 5. Noes, 0. **Motion Passed. Variance Approved.**

Case 10-34: Variance to provisions for flood hazard reduction specific standards, Section 45-20 (5)(c)(1)(2) to allow placement of manufactured homes in an existing manufactured home park.

Applicant: **Norm DeHaai**

Address: **4501 W 12th St**

A motion was made by Johnson, seconded by Schiltz, to approve a variance to provisions for flood hazard reduction specific standards, Section 45-20 (5)(c)(1)(2) to allow placement of manufactured homes in an existing manufactured home park.

Vote to approve: Roll Call: Yeses, Mack, Johnson, Schiltz, Kummer, Kolander, 5. Noes, 0. **Motion Passed. Variance Approved.**

Adjournment

A motion was made by Johnson, seconded by Schiltz to adjourn the meeting at 10:07 p.m. Vote to adjourn: Roll call: Yeses, Mack, Johnson, Schiltz, Kummer, Kolander, 5. Noes, 0. **Motion Passed.**