

**Final Minutes  
Board of Adjustment  
Carnegie Town Hall  
Tuesday, July 20, 2010  
7:00 p.m.**

**Members Present:**

**Chairman Tim Johnson  
John Kolander  
Roger Mack  
Lee VanDeWalle  
Chris Schiltz**

**Members Absent:**

**Robert Kummer  
Erik Helland**

**OLD BUSINESS**

Case: 10-42: Variance in fence height from 4' to 6'.

Applicant: **Wade & Kellie Opp**

Address: **5328 W. 46th Street**

A motion was made by Schlitz, seconded by Mack to approved variance in fence height from 4' to 6'.

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

**NEW BUSINESS**

Case: 10-44: Variance to allow parking in the required front yard setback.

Applicant: **Richard D Burkhardt**

Address: **5700 W. Pebble Creek Road**

A motion was made by VanDeWalle, seconded by Kolander to allow parking in the required front yard setback.

Vote to approve: Roll Call: Yeses, Schlitz, 1. Noes, VanDeWalle, Mack, Kolander, and Johnson, 4. **Motion Failed. Variance Denied.**

Case: 10-45: Variance in the allowable fence height from 4' to 6'.

Applicant: **Brooks Construction**

Address: **2201 S Wayland Avenue**

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

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

Case: 10-46: Variance in the distance between off-premise signs (billboards) from 600' to 543'.

Applicant: **Lamar Advertising**

Address: **701 E 41st Street**

A motion was made by Schlitz, seconded by Mack to allow variance in the distance between off-premise signs (billboards) from 600' to 543'.

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

Case: 10-47: Variance in the required side yard setback from 5' to 0'.

Applicant: **Marlys Shade**

Address: **2812 E. 13th Street**

A motion was made by Mack, seconded by Kolander to approve a variance in the required side yard setback from 5' to 0'.

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

Case: 10-48: Variance in: (1) in the required front yard setback from 30' to 18' for a circular driveway; (2) to allow parking on the circular driveway

Applicant: **Richard Scott**

Address: **1205 E O'Tonka Trail**

A motion was made by Kolander, seconded by Schlitz to approve a variance in (1) the required front yard setback from 30' to 18' for a circular driveway; (2) to allow parking on the circular driveway.

Vote to approve: Roll Call: Yeses, Schlitz, VanDeWalle, Mack, Kolander, and Johnson, 5. Noes, 0. **Motion Passed. Variances Approved.**

Case: 10-49: Variance in the required side street front yard from 25' to 18 (E. 30th Street).

Applicant: **Cory Faber**

Address: **2115 S Pendar Lane**

**Deferred to August 19, 2010 Board of Adjustment Meeting**

Case: 10-50: Variance in the allowable fence height from 4' to 6'.

Applicant: **Merrill E Reisenweber**

Address: **1518 W Sioux Street**

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

After discussion, a motion to amend the main motion to allow a 6' high fence along only the rear property line to the S. Glendale Avenue property line (6' fence allowed along the north property line only) was made by Schlitz, seconded by Kolander.

Roll Call: Yeses, Schlitz, VanDeWalle, Mack, Kolander, and Johnson, 5. Noes, 0. **Motion Passed.**

Vote to approve the main motion as amended: Roll Call: Yeses, Schlitz, VanDeWalle, Mack, Kolander, and Johnson, 5. Noes, 0. **Motions Passed. Variance Approved.**

Case: 10-51: Variance in allowable fence height from 4' to 6'.

Applicant: **Loretta Munson**

Address: **932 N. Spring Avenue**

**WITHDRAWN BY APPLICANT**

Case: 10-52: Variance in the required rear yard setback from 25' to 21'

Applicant: **John Warwick**

Address: **101 N LaSalle Circle**

A motion was made by Schlitz, seconded by VanDeWalle to approve a variance in the required rear yard setback from 25' to 21'.

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

Case: 10-53: Variance to allow parking in the required front yard setback.

Applicant: **Robin Anderson**

Address: **2913 E Sioux Street**

A motion was made by VanDeWalle, seconded by Mack to allow parking in the required front yard setback.

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

### **Adjournment**

A motion was made by Kolander, seconded by Mack to adjourn the meeting at 9:45 p.m. Vote to adjourn: Roll call: Yeses, Schlitz, VanDeWalle, Mack, Kolander, and Johnson. Noes, 0. **Motion Passed.**