

**Agenda  
Board of Adjustment  
Carnegie Town Hall  
Tuesday, September 21, 2010  
7:00 p.m.**

**Members Present:**

**Chairman Tim Johnson  
John Kolander  
Roger Mack  
Chris Schiltz  
Lee Van De Walle**

**Members Absent:**

**Robert Kummer  
Erik Helland**

**NEW BUSINESS**

Case 10-62: Variance in the required rear yard setback from 25' to 13'.

Applicant: **Patrick Devaney**

Address: **905 S. Jay Circle**

A motion was made by Kolander, seconded by Schiltz to approve a variance in the required rear yard setback from 25' to 13'.

After discussion, a motion to amend the main motion to approve a variance in the required rear yard setback only if the deck is never enclosed was made by Kolander, seconded by Mack.

Roll Call: Yesses, Van De Walle, Schiltz, Mack, Kolander, Johnson, 5. Noes, 0. **Motion. Passed**

Vote to approve the main motion as amended. Roll call: Yesses, Van De Walle, Schiltz, Mack, Kolander, Johnson, 5. Noes, 0. **Motion Passed. Variance Approved.**

Case 10-63: Variance in the required fence height from 4' to 6'.

Applicant: **Dennis Galbavy**

Address: **2204 N. North Drive**

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

Vote to approve. Roll call: Yesses, Van De Walle, Schiltz, Mack, Kolander, Johnson, 5. Noes, 0. **Motion Passed. Variance Approved.**

Case 10-64: Variance in the sign height from 8' to 12'.

Applicant: **Mercy Church**

Address: **2100 W. Ralph Rogers Road**

A motion was made by Van De Walle, seconded by Kolander to approve a variance in the sign height from 8' to 12'.

Vote to approve: Roll call: Yesses, Van De Walle, Schiltz, Mack, Kolander, Johnson, 5. Noes, 0. **Motion Passed. Variance Approved.**

Case 10-65: Variance in the required front yard setback from 25' to 17'.

Applicant: **Lindberg Home Improvement**

Address: **4008 E. 7<sup>th</sup> St.**

A motion was made by Mack, seconded by Schiltz to approve a variance in the required front yard setback from 25' to 17'.

Vote to approve: Roll call: Yesses, 0. Noes, Van De Walle, Schiltz, Mack, Kolander, Johnson, 5. **Motion Failed. Variance Denied.**

Case 10-66: Variance to allow RV parking in the required front yard setback.

**Withdrawn.**

Case 10-67: Waiver of required hardsurfacing for a driveway access and parking lot for two years.

**Withdrawn.**

Case 10-68: Waiver of required hardsurfacing for a driveway for two years..

**Withdrawn.**

Case 10-69: Variance in the allowable fence height from 6' to 8'.

Applicant: **Kate Christopulos**

Address: **915 S. 1<sup>st</sup> Ave.**

A motion was made by Schiltz, seconded by Kolander to approve a variance in the allowable fence height from 6' to 8'.

Vote to approve: Roll call: Yesses, Van De Walle, Schiltz, Mack, Kolander, Johnson, 5. Noes, 0. **Motion Passed. Variance Approved**

Case 10-70: Variance to allow parking in the required side street front yard setback.

Applicant: **Rick & Alecia Bingham**

Address: **4001 S. Outfield Ave.**

A motion was made by Van De Walle, seconded by Mack to approve a variance to allow parking in the required side street front yard setback.

Vote to approve: Roll call: Yesses, 0. Noes, Van De Walle, Schiltz, Mack, Kolander, Johnson, 5. **Motion Failed. Variance Denied.**

Case 10-71: Variance in the required side yard setback from 5' to 2'.

Applicant: **Ginger Bethke**

Address: **644 N. Leadale Ave.**

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

Vote to approve: Roll call: Yesses, Van De Walle, Schiltz, Mack, Johnson, 4. Noes, Kolander, 1. **Motion Passed. Variance Approved.**

Case 10-72: Variance in the required lowest floor elevation (including basement) from 1424' to 1414.5' MSL for a new building.

Applicant: **Kenny Anderson**

Address: **2705 W. 12<sup>th</sup> St.**

A motion was made by Mack, seconded by Schiltz to approve a variance in the required lowest floor elevation (including basement) from 1424' to 1414.5' MSL for a new building.

Vote to approve: Roll call: Yesses, Van De Walle, Schiltz, Mack, Kolander, Johnson, 5. Noes, 0. **Motion Passed. Variance Approved.**

Case 10-73: Variance in the number of trees allowed in the right-of-way from 6 to 18 trees.

Applicant: **Chad Van Buskirk**

Address: **7700 S. Minnesota Ave.**

**Deferred to the October 19<sup>th</sup> meeting.**

Case 10-74: Variance in the required front yard setback from 25' to 0' for parking & a waiver of hardsurfacing for 5 years.

Applicant: **Michael Kramer**

Address: **2907 W. 3<sup>rd</sup> St.**

A motion was made by Kolander, seconded by Mack to approve a variance in the required front yard setback from 25' to 0' for parking & a waiver of hardsurfacing for 5 years.

Vote to approve: Roll call: Yesses, Kolander, 1. Noes, Van De Walle, Schiltz, Mack, Johnson, 4. **Motion Failed. Variance Denied.**

**Adjournment**

A motion was made by Mack, seconded by Kolander to adjourn the meeting at 8:35 p.m. Vote to adjourn: Roll call: Yesses, Van De Walle, Schiltz, Mack, Kolander, Johnson, 5. Noes, 0. **Motion Passed.**