

**Minutes
Board of Adjustment
Carnegie Town Hall
Tuesday, October 19, 2010
7:00 p.m.**

Members Present:

**Chairman Tim Johnson
Lee Van De Walle
John Kolander
Robert Kummer
Roger Mack**

Members Absent:

**Chris Schiltz
Erik Helland**

OLD BUSINESS

Case 10-73: Variance in the number of trees allowed in the right-of-way from 7 to 18 trees.

Applicant: **Chad Van Buskirk**

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

A motion was made by Mack, seconded by Kolander to approve a variance in the number of trees allowed in the right-of-way from 7 to 18 trees.

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

NEW BUSINESS

Case 10-75: **Withdrawn.**

Case 10-76: Variance in the required fence height from 4' to 6'.

Applicant: **Justin and Kari Bolen**

Address: **709 W. Shady Hill St.**

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

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

Case 10-77: Waiver of hard surfacing of a driveway for two years.

Applicant: **Dean M Wilson**

Address: **1413 S. Sherman Ave.**

A motion was made by Kolander, seconded by Mack to approve a waiver of hard surfacing of a driveway for two years.

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

Case 10-78: Variance to allow parking in the required front yard setback.

Applicant: **Lindsey Stewart**

Address: **1308 S. Point Dr.**

A motion was made by Kolander, seconded by Kummer to approve a variance to allow parking in the required front yard setback.

Following board discussion, a motion was made by Kolander, seconded by Kummer to rescind the motion. The applicant requested deferral.

Postponed to November 16, 2010.

Case 10-79: Variance in the height of an outdoor lighting fixture from 38' to 44'.

Applicant: **Chad Stensland**

Address: **4001 W. 41st St., NE corner of JCPenney parking lot**

A motion was made by Mack, seconded by Kolander to approve a variance in the height of an outdoor lighting fixture from 38' to 44'.

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

Case 10-80: Variance in the required lowest floor elevation (including basement) from 1419.8 to 1416.76 MSL for a new building.

Applicant: **Lloyd Companies**

Address: **4200 W. Empire Pl.**

A motion was made by Kolander, seconded by Kummer to approve a variance in the required lowest floor elevation (including basement) from 1419.8 to 1417.0 MSL for a new building.

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

Case 10-81: Variance to allow parking in the required front yard setback.

Applicant: **Jane Leite**

Address: **805 S. Westmoor Drive.**

Postponed to November 16, 2010.

Adjournment

A motion was made by Kolander, seconded by VanDeWalle to adjourn the meeting at 8:14 p.m. Vote to adjourn: Roll call: Yeses, Mack, Kummer, Kolander, VanDeWalle, Johnson, 5. Noes, 0. **Motion Passed.**