

**Final Minutes
Board of Adjustment
Carnegie Town Hall
Tuesday, July 19, 2011
7:00 p.m.**

Members Present:

**Chairman John Kolander
Chris Schiltz
Greg Neitzert
Erik Helland
Lee VanDeWalle**

Members Absent:

**Monty Miller
Kathryn Henning**

Staff Present:

**Shawna Goldammer
Sue Osthus**

NEW BUSINESS

Case: 11-26: Variance in the allowable fence height from 4' to 5' and 6' in the required front yard setback

Applicant: **Patrick Huxford**

Address: **903 W 3rd Street**

A motion was made by VanDeWalle , seconded by Schiltz to approve the variance in the allowable fence height from 4' to 5' and 6' in the required front yard setback.

Vote to approve: Roll Call: Yeses: 0. Noes. VanDeWalle, Helland, Neitzert, Schiltz, and Kolander, 5. **Motion Failed. Variance Denied.**

Case: 11-27: Variance in: (1) the required lowest floor elevation (including basement) from 1421.9 to 1420 MSL for a coffee kiosk drive-up; and (2) Relief from Section 45-19 (2) & (3).

Applicant: **Eric Willadsen**

Address: **2900 W 12th Street**

A motion was made by Helland, seconded by VanDeWalle to approve variance in: (1) the required lowest floor elevation (including basement) from 1421.9 to 1420 MSL for a coffee kiosk drive-up; and (2) Relief from 45-19 (2) & (3).

After discussion, a motion to amend the main motion to approve variance in: (1) the required lowest floor elevation (including basement) from 1421.9 to 1420 MSL for a coffee kiosk drive-up, as long as, they provide the required openings in the building (vents); and relief from Section 45-19 (2) & (3) was made by Schiltz, seconded by VanDeWalle.

Vote to approve the amendment: Roll Call: Yeses, VanDeWalle, Helland, Neitzert, Schiltz, and Kolander, 5. Noes, 0. **Motion Passed. Variances Granted As Amended.**

Vote to approve the main motion as amended: Variance in: (1) the required lowest floor elevation (including basement) from 1421.9 to 1420 MSL for a coffee kiosk drive-up, as long as, they provide the required openings in the building (vents); and relief from Section 45-19 (2) & (3). Roll Call: Yeses, VanDeWalle, Helland, Neitzert, Schiltz, and Kolander, 5. Noes, 0. **Motion Passed. Variances Granted.**

Case: 11-28: Variance in required side yard setback from 7' to 5'.

Applicant: **Albert L Arndt**

Address: **3708 S Lewis Court**

A motion was made by Neitzert, seconded by VanDeWalle to approve variance in the required side yard setback from 7' to 5'.

Vote to approve: Roll Call: Yeses, VanDeWalle, Helland and Kolander, 3. Noes, Neitzert, and Schiltz, 2. **Motion Failed. Variance Denied.**

Case: 11-29: Waiver of hardsurfacing parking lot until August 1, 2012.

Applicant: **Alazar Dimue**

Address: **1013 N Garfield Avenue**

A motion was made by Helland, seconded by VanDeWalle to approve waiver of hardsurfacing parking lot until August 1, 2012.

Vote to approve: Roll Call: Yeses. VanDeWalle, Helland, Schiltz, and Kolander, 4. Noes: Neitzert. 1. **Motion Passed. Waiver Granted.**

Case: 11-30: Variance in required side street front yard setback from 25' to 0'.
(Ebenezer Avenue)

Applicant: **John P Engelhardt**

Address: **4904 W. 12th Street**

A motion was made by Schiltz, seconded by Helland to approve variance in the required side street front yard setback from 25' to 0' on Ebenezer Avenue.

After discussion, a motion to amend the main motion to approve the variance in the required in required side street front yard setback from 25' to 0' on Ebenezer Avenue for parking lot only.

Vote to approve the amendment: Roll Call: Yeses, VanDeWalle, Helland, Neitzert, Schiltz, and Kolander, 5. Noes, 0. **Motion Passed. Variance Granted as Amended.**

Vote to approve the main motion as amended. Variance in the required side street front yard setback from 25' to 0' on Ebenezer Avenue for parking lot only. Roll Call: Yeses, VanDeWalle, Helland, Neitzert, Schiltz, and Kolander, 5. Noes, 0. **Motion Passed. Variance Granted.**

Case: 11-31: Variance in required side street front yard setback from 20' to 11.8' to allow parking.

Applicant: **Robert Morrow**

Address: **5820 W Dardanella Road**

A motion was made by VanDeWalle, seconded by Neitzert to approve variance in required side street front yard setback from 20' to 11.8' to allow parking.

Vote to approve: Roll Call: Yeses, O. Noes, VanDeWalle, Helland, Neitzert, Schiltz, and Kolander, 5. **Motion Failed. Variance Denied.**

Case: 11-32: Variance in building height from 45' to 55'9 1/2".

Applicant: **Wendel Potratz**

Address: **2725 S Carolyn Avenue**

A motion was made by Helland, seconded by Neitzert to approve variance in building height from 45' to 55' 9 ½".

Vote to approve: Yeses, VanDeWalle, Helland, Neitzert, Schiltz, and Kolander,5. **Motion Passed. Variance Granted.**

Case 11-33 Variance to allow parking in the required front yard setback.

Applicant: **David A. Larson**

Address: **1508 E. 33rd Street**

A motion was made by Helland, seconded by Neitzert to approve variance to allow parking in the required front yard setback.

Vote to approve: Yeses, Helland, 1. Noes, VanDeWalle, Neitzert, Schiltz, and Kolander, 4. **Motion Failed. Variance Denied.**

Adjournment

A motion was made by VanDeWalle, seconded by Schiltz to adjourn the meeting at 9:50 p.m. Vote to adjourn: Roll Call: Yeses, VanDeWalle, Helland, Neitzert, Schiltz, and Kolander, 5. Noes, 0. **Motion Passed.**