

**Final Minutes
Board of Adjustment
Carnegie Town Hall
Tuesday, September 20, 2011
7:00 p.m.**

Members Present:

**Chairman John Kolander
Monty Miller
Erik Helland
Greg Neitzert
Chris Schiltz
Kathryn Henning (non-voting)**

Members Absent:

Lee Van De Walle

Staff Present

**Shawna Goldammer
Barb Stoltenburg**

NEW BUSINESS

Case 11-36: Variance in the allowable fence height from 4' to 6'.

Applicant: **Paul Vaughan**

Address: **6821 S. Avalon Cir.**

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

Vote to approve: Roll Call: Yeses: Miller, Helland, Schiltz, 3. Noes: Neitzert, Kolander, 2. **Motion failed. Variance denied.**

Case 11-37: Variance in the required number of parking spaces from two to zero for a cold storage building.

Applicant: **John P. Engelhardt**

Address: **3510 S. First Avenue Cir.**

A motion was made by Miller, seconded by Schiltz, to approve a variance in the required number of parking spaces from two to zero for a cold storage building.

Vote to approve: Roll Call: Yeses: Miller, Helland, Neitzert, Schiltz, Kolander, 5. Noes, 0. **Motion passed. Variance approved.**

Case 11-38: Variance in the required rear yard setback from 25' to 21'.

Applicant: **Brian Spaans**

Address: **4920 E. Fernwood Dr.**

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

Vote to approve: Roll Call: Yeses: Helland, 1. Noes: Miller, Neitzert, Schiltz, Kolander, 4. **Motion failed. Variance denied.**

Case 11-39: Variance in the required front yard setback from 20' to 0'.

Applicant: **Lloyd Companies**

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

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

Vote to approve: Roll Call: Yeses: Miller, Helland, Neitzert, Schiltz, Kolander, 5. Noes: 0. **Motion passed. Variance approved.**

Case 11-40: Variance in (1) the required front yard setback from 25' to 10' for parking; and (2) the allowable height of a structure from 45' to 75'.

Applicant: **Dunham Companies**

Address: **3400 S. Grange Ave.**

A motion was made by Schiltz, seconded by Helland to approve a variance in (1) the required front yard setback from 25' to 10' for parking; and (2) the allowable height of a structure from 45' to 75'.

Vote to approve: Roll Call: Yeses: Miller, Helland, Neitzert, Schiltz, Kolander, 5. Noes: 0. **Motion passed. Variance approved.**

Case 11-41: Variance in the required side yard setback from 7' to 5' 6".

Applicant: **Bob Natz**

Address: **2020 S. Pendar Ln.**

A motion was made by Miller, seconded by Schiltz to approve a variance in the required side yard setback from 7' to 5'6".

Vote to approve: Roll Call: Yeses: Miller, Helland, Neitzert, Schiltz, 4. Noes: Kolander, 1. **Motion passed. Variance approved.**

Case 11-42: Variance in the required front yard setback from 15' to 0' for a paved patio (along W. Madison St.).

Applicant: **Paul Reynolds**

Address: **909 N. West Ave.**

A motion was made by Neitzert, seconded by Schiltz to approve a variance in the required front yard setback from 15' to 0' for a paved patio (along W. Madison St.).

Vote to approve: Roll Call: Yeses: Miller, Helland, Neitzert, Schiltz, Kolander, 5. Noes: 0. **Motion passed. Variance approved.**

Case 11-43: Variance in the allowable sign height from 6' to 18'.

Applicant: **TSP, Inc.**

Address: **5101 S. Cliff Ave.**

A motion was made by Schiltz, seconded by Helland to approve a variance in the allowable sign height from 6' to 18'.

Vote to approve: Roll Call: Yeses: Neitzert, Schiltz, 2. Noes: Miller, Helland, Kolander, 3. **Motion failed. Variance denied.**

Case 11-44: Variance in the allowable fence height from 4' to 6'.

Applicant: **James Vollmer**

Address: **5201 W. Ninth St.**

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

Vote to approve: Roll Call: Yeses: 0. Noes: Miller, Helland, Neitzert, Schiltz, Kolander, 5. **Motion failed. Variance denied.**

Case 11-45: Variance in the allowable fence height from 4' to 6'.

Applicant: **Brandon Gilpin & Heather Twedt**

Address: **4108 E. 15th St.**

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

Vote to approve: Roll Call: Yeses: 0. Noes: Miller, Helland, Neitzert, Schiltz, Kolander, 5. **Motion failed. Variance denied.**

Case 11-46: Variance in the required side street front yard setback from 25' to 15' for a parking lot (along W. Algonquin St.).

Applicant: **Hugh Dodson**

Address: **1813 North E Ave. and 1814 North F Ave.**

A motion was made by Helland, seconded by Miller to approve a variance in the required side street front yard setback from 25' to 15' for a parking lot (along W. Algonquin St.)

Vote to approve: Roll Call: Yeses: Miller, Helland, Neitzert, Schiltz, Kolander, 5. Noes: 0. **Motion passed. Variance approved.**

Adjournment

A motion was made by Schiltz, seconded by Helland to adjourn the meeting at 10:18 pm. Vote to adjourn: Roll Call: Yeses: Miller, Helland, Neitzert, Schiltz, Kolander, 5. Noes: 0. **Motion passed.**

The Board was briefed on the recent Supreme Court decision, Daniel Daily v. City of Sioux Falls.