

**Final Minutes
Board of Adjustment
Carnegie Town Hall
Monday, December 17, 2012
7:00 p.m.**

Members Present:

Chairman Chris Schiltz
Kathryn Henning
Monty Miller
Greg Neitzert
John Kolander

Members Absent:

Lee Van De Walle
Erik Helland

Staff Present:

Shawna Goldammer
Barb Stoltenburg
Albert Schmidt

OLD BUSINESS

Case 12-69: Variance in the required front yard setback from 16'9" to 9'3".

Applicant: **Dana Storm, Midcontinent Communications**

Address: **3507 S. Duluth Avenue**

A motion was made by Kolander, seconded by Neitzert to approve a variance in the required front yard setback from 16'9" to 9'3" at 3507 S. Duluth Avenue.

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

NEW BUSINESS

Case 12-70: Withdrawn

Case 12-71: Withdrawn

Case 12-72: Variance in the required rear yard setback from 25' to 20'.

Applicant: **Cindy Van Gerpen**

Address: **6513 W. 5th Street**

A motion was made by Neitzert, seconded by Kolander to approve a variance in the required rear yard setback from 25' to 20' at 6513 W. 5th Street.

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

Case 12-73: Variance in the required front yard setback from 25' to 21'.

Applicant: **Bruce & Karen Olson**

Address: **1713 S. Grandview Avenue**

A motion was made by Kolander, seconded by Miller to approve a variance in the required front yard setback from 25' to 21' with a stipulation that only what is shown in the elevations that were presented would be allowed to be built and no spread footings and no wall would be allowed to be built at 1713 S. Grandview Avenue.

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

Case 12-74: Variance in the required rear yard setback from 25' to 18.8'.

Applicant: **Abram Hotz**

Address: **4804 E. Fernwood Drive**

A motion was made by Miller, seconded by Henning to approve a variance in the required rear yard setback from 25' to 18.8' at 4804 E. Fernwood Drive.

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

Case 12-75: Variance in: (1) the required lowest floor elevation (including basement) from 1431.4 to 1429.5 MSL for an addition onto existing building; and (2) relief from Section 45-20(2) and (4)(a)(b)&(c).

Applicant: **Tami Haug-Davis, Girl Scouts – Dakota Horizons**

Address: **1101 S. Marion Road**

A motion was made by Neitzert, seconded by Miller to approve a variance in the required lowest floor elevation (including basement) from 1431.4' to 1429.5' MSL for an addition onto existing building at 1101 S. Marion Road.

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

Staff reported that the Planning Commission has switched to a 6 pm meeting start time; all members have been satisfied with the change. Staff asked if the board would like to start their meeting next month, January 23, 2013, at 6 pm. The board did not have any objections to changing the start time of meetings from 7 pm to 6 pm.

Staff reminded the Board that the meetings in January and February 2013 will be on a Wednesday due to holidays in those months.

Staff gave a brief update on the new zoning ordinance adoption process. The board was provided information about how to make comments. The ordinance is being compiled by the Multimedia support team, and comments from the public are being incorporated into the document. The next draft should be available in the next couple of days.

The board generally would like an active role in the zoning rewrite. Staff explained the process of adoption, which starts with a recommendation from Planning Commission. To lessen confusion, staff suggested the board members approach the topic of the new zoning ordinance with the City Council after the Planning Commission hearing.

Adjournment

A motion was made by Neitzert, seconded by Miller to adjourn the meeting at 8:37 pm. Chairman Schiltz called for a voice vote, all members present voted yes.