

**Final Minutes  
Board of Adjustment  
Carnegie Town Hall  
Tuesday, November 17, 2009  
7:00 p.m.**

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

**Members Absent:**  
Robert Kummer

**Guests Present:**  
Chad Kucker  
Mike Cooper

**New Business**

Case 09-67: Variance in the required front yard setback from 25' to 7' for a parking pad.

Applicant: Debbie Drewes

Address: 3609 E 15th St

A motion was made by Johnson, seconded by Mack to approve a variance in the required front yard setback from 25' to 7' for a parking pad.

Vote to approve: Roll Call: Yeses, Johnson, Schiltz, Van De Walle, 3. Noes, Mack, Kolander, 2. **Concurring votes necessary to grant variance shall be three-fourths or four votes (15.56.090). Variance Denied.**

~~Other Considerations:~~  
~~○ Calls or Correspondance: None~~  
~~○ Building/parking lot lighting: n/a~~

Case 09-68: Variance in the required lot area from 7,500 square feet to 5,940 square feet.

Applicant: Rick MayBee

Address: 332 N Blauvelt Ave

A motion was made by Schiltz, seconded by Mack to approve a variance in the required lot area from 7,500 square feet to 5,940 square feet.

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

- ~~○ Other Considerations:~~
- ~~○ Calls or Correspondance:~~
- ~~○ Building/parking lot lighting~~

Case 09-69: Variance in the required side-street-side front yard setback from 25' to 0' for parking.

Applicant: Elmer Biteler

Address: 5817 W Essex Dr

A motion was made by Johnson, seconded by Mack to approve a variance in the required side-street-side front yard setback from 25' to 0' for parking.

Vote to approve: Roll Call: Yeses, 0. Noes, Mack, Johnson, Schiltz, Vand De Walle, Kolander, 5. **Motion Failed. Variance Denied.**

Case 09-70: Variance in the required side-street-side front yard setback from 20' to 8.8'.

Applicant: Donald Huber

Address: 1200 S Sycamore Ave

A motion was made by Johnson, seconded by Schiltz to approve a variance in the required side-street-side front yard setback from 20' to 8.8'.

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

- ~~○ Other Considerations:~~
- ~~○ Calls or Correspondance: None~~
- ~~○ Building/parking lot lighting: n/a~~

Case 09-71: Variance in (1.) the required lowest floor elevation (including basement) from 1,421.9' to 1,418.8' MSL; (2.) to allow the installation of in-floor automobile tailpipe exhaust ports and ductwork in the service department addition; (3.) to allow the installation of in-floor electrical outlets in a showroom; (4.) to allow a waiver from Section 45-20 (4)(a)(b)(c).

Applicant: Dealer Properties LLC, David R Billion

Address: 4400-02 W 12th St; 300 S Carolyn Ave

A motion was made by Johnson, seconded by Mack to approve a variance in (1.) the required lowest floor elevation (including basement) from 1,421.9' to 1,418.8' MSL; (2.) to allow the installation of in-floor automobile tailpipe exhaust ports and ductwork in the service department addition; (3.) to allow the installation of in-floor electrical outlets in a showroom; (4.) to allow a waiver from Section 45-20 (4)(a)(b)(c).

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

Case 09-72: Variance in the required side-street-side front yard setback from 25' to 0' along W Delaware St.

Applicant: David Baillie

Address: 800 W Delaware St

A motion was made by Mack, seconded by Van De Walle to approve a variance the required side-street-side front yard setback from 25' to 0' along W Delaware St.

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

Case 09-73: Variance in the required number of parking spaces from 98 to 82.

Applicant: Lloyd Companies, Craig Lloyd

Address: 2707 S Carolyn Ave

A motion was made by Johnson, seconded by Schiltz to approve a variance in the required number of parking spaces from 98 to 82 with the following condition: approved for the Rejoice for Life church tenant only.

Vote to approve: Roll Call: Yeses, Johnson, Schiltz, Van De Walle, Kolander, 4. Noes, 0. Board Member Roger Mack was excused from the meeting and the vote on this item. **Motion Passed. Variance Approved with conditions.**

Case 09-74: Variance in the required number of parking spaces from 54 to 37.

Applicant: Larry Toll

Address: 4501 W 61st St, N

A motion was made by Schiltz, seconded by Mack to approve a variance in the required number of parking spaces from 54 to 37.

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

Case 09-75: Variance in the required landscaping of the front yard setback from 90% to 65%.

Applicant: Confluence - Chad Kucker

Address: 909 W 33rd St

A motion was made by Mack, seconded by Johnson to approve a variance in the required landscaping of the front yard setback from 90% to 65%.

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

~~○ Other Considerations:~~

~~○ Calls or Correspondance: None~~

Case 09-76: A modification to the Board's Order for Case # 09-57 dated September 18, 2009 to change the requirement of a screen fence to a hedge.

Applicant: John F Archer

Address: 619 S Phillips Ave

A motion was made by Mack, seconded by Johnson to approve a modification to the Board's Order for Case # 09-57 dated September 18, 2009 to change the requirement of a screen fence to a hedge.

Vote to approve: Roll Call: Yeses, Mack, Johnson, Schiltz, Van De Walle, Kolander, 5. Noes, 0. **Motion Passed. Modification Approved.**

**Other Considerations:**

~~Calls or Correspondence: None~~

~~Building/parking lot lighting: None proposed~~

Case 09-77: Variance in required side yards setbacks from 15' to 7'.

Applicant: Lloyd Construction, Al Stone

Address: 1810 S Duluth Avenue

**Deferred**

**Recognition of Service: Chad Kucker**

**Adjournment**

A motion was made by Johnson, seconded by Schiltz to adjourn the meeting at 9:08 p.m.

Vote to adjourn: Roll Call: Yeses, Mack, Johnson, Schiltz, Van De Walle, Kolander, 5. Noes, 0. Motion **Passed.**

Barb Stoltenburg  
Clerk of the Board