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Case 10-75:  Withdrawn.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.**