

St. Albans Board of Zoning Appeals Minutes

October 22, 2024 - Steven Meisel

8744 Jersey Mill Rd.

Present: Colleen Geiger, Tom Cunningham, Dean Schiller and Rick Burkholder

Colleen called the hearing to order at 7:00 and led the Pledge of Allegiance

Secretary read the application

Court reporter swore in all who wanted to speak

Steve said daughter and son-in-law want to build a home on the back of the property with a walk out basement and the way the hill drops off, it couldn't be constructed. He needs a variance to reduce the rear set back from 100' to 85'.

Zoning Inspector, Woody Fox couldn't arrive till 7:30.

Tom asked who owned the property behind this - Steve said he does. Tom asked if Steve realized you couldn't build there when you got an architect involved? Steve said he is an architect.

Charles Cring doesn't have any objection.

Pam Hills said Steve has been concerned in other meetings about following what's in place at the time. He has said if it doesn't meet the criteria, you're putting the cart before the horse and that applies to this. If he owns the property behind it, instead of decreasing the set back, he should move the property line so we don't have to alter the criteria.

Tom asked when Steve purchased the property and Steve said about 3 years ago and wasn't aware of the zoning requirement then. He split the property earlier this year.

Kevin Reeves said Steve was aware of the setbacks when the lots were split earlier this year, maybe he got the cart before the horse.

Colleen asked Steve if he thought about taking 15' off the field behind? Steve said he could do that but that just adds more land to the lot that doesn't need it and takes away from the field that is farmed.

Dean said since we've had precedence before, he doesn't have any problems .

Tom said you're not mitigating anyone except yourself, unless it's sold.

Rick doesn't see a problem.

Colleen read 7 factors to be considered with a variance.

Dean said it could be obviated by moving the property line.

Tom asked about the time frame and process. Steve said it could be \$2000-\$3000 for surveying and attorneys and possibly take another year.

Dean said when you came in you didn't know about zoning regs, but once you parceled the lot, you learned about needing a variance? Steve said yes.

Woody Fox, zoning inspector, came and said it was just a standard setback and this property has a history of a variance for driveway frontage and variance for acreage.

Dean asked if we should consider the present or future landowners? Woody said both.

Tom said no disrespect but you (Steve) created the problem when you split the property.

Colleen said thinking about the time involved, it will set everything back. Dean asked if the time issue was one of the 7 factors? Colleen doesn't know, probably not.


Woody said once it's a nonconforming lot, which it already is, any other structure change would require the variance process. Tom thanked Woody for being here tonight - I wasn't aware of all this, Colleen wasn't either.

David Lees asked if he could just add 15' just around the house, Woody said that would create other problems and issues.

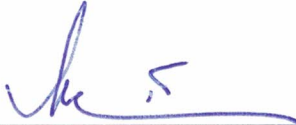
Dean moved and Rick 2<sup>nd</sup> to approve the variance because it's only 15' and Steve owns the adjoining property. Rick - yes, Dean - yes, Tom - no, Colleen - yes, motion passed 3-1, variance granted.

Rick moved and Tom 2<sup>nd</sup> to adjourn at 7:45, motion passed.

  
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Colleen Geiger, Chair                      Date

  
\_\_\_\_\_  
Rick Burkholder                              Date

  
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Dean Schiller                                      Date

  
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Tom Cunningham                              Date