

**GEORGETOWN BOARD OF ADJUSTMENT  
MEETING MINUTES  
July 28, 2021**

**CALL TO ORDER**

The meeting of the Georgetown Board of Adjustment on July 28, 2021, was called to order at 9:00 a.m. and was a virtual meeting due to COVID-19 regulations.

**ROLL CALL**

Answering the roll were members Tom Elliott, Chairman, Mary Riddle Clark, Coralie Anderson, and Sharon Rossino. Town Administrator, Kent Brown was present, and Town Clerk Jennifer Yobski was present as recording secretary.

**AUDIENCE**

George and Rita Schnittgrund, Sam Winfrey, Suzie McConnell, Sam Winfrey, Michael Stavy, and Gary Faselt

**NEW BUSINESS**

**George Schnittgrund – Block 42, Lots 11-14, Main St. between 9<sup>th</sup> St. and 10<sup>th</sup> St. - Variance request to Section 17.16.041 (d)(1) Historic Residential District Area/Bulk**

The applicants, George and Rita Schnittgrund, own the properties in Block 42, Lots 11, 12, 13 and the south half of Lot 14 on Main St. between 9<sup>th</sup> and 10<sup>th</sup> Street. The applicants completed a subdivision exemption application for a lot line adjustment on lots 11, 12, and 13. The subdivision exemption application was heard at the Planning Commission meeting on June 16, 2021, that included a public hearing. The application was approved; however, a condition was attached that made the approval contingent on an approval of a variance request application before the Board of Adjustment. Consequently, the applicant has completed an application for a variance in the application of the Georgetown Municipal Code to the real property located at Block 42, Lots 11-14, Main St. between 9<sup>th</sup> St. and 10<sup>th</sup> St.

**Action requested:**

The following sections of the Georgetown Municipal; Code are requested to be varied:

- Section 17.16.041 (d)(1) Historic Residential District Area/Bulk regulations:  
Minimum lot area: 5,000 sq. ft.

Approval of the application would allow relocation of existing lot lines to create three buildable lots of less than 5000 sq. ft. in area.

**Staff Comments**

The application appears to be in order and should allow the Board to make findings as to whether all requirements have been satisfied. The Board of Adjustment (BOA) evaluates variance requests against the criteria in Section 17.32.020 c (2) of the Code, which provides that the BOA may grant a variance only if it makes findings that all the following requirements, insofar as applicable, have been satisfied. Staff review of the criteria follows:

<b>Requirement</b>	<b>Applicable and satisfied the requirement</b>
a. Unique physical conditions of property	Lot 11 is currently 3250 sq. ft. Lot 12 is currently 4142 sq. ft. Lot 13 is currently 3964 sq. ft. (from County Assessor's office website) ½ lot of Lot 14 is unbuildable currently. This is least amount of variance to create 3 buildable lots. Lot 11 proposed to be 3834 sq. ft. Lot 12 proposed to be 3766 sq. ft. Lot 13 & 14 proposed to be combined at 3777 sq. ft.
b. Unusual conditions don't exist throughout neighborhood	Because of the historic shed on Lot 11 and the ½ lot of Lot 14, similar conditions do not exist in the neighborhood.
c. Because of conditions – can't develop according to Title 17	Development could occur, but with portions of Lot 14 remaining unbuildable
d. Unnecessary not hardship created by applicant	The current lot configuration and sizes were not created by the applicant
e. That the variance will not alter the character of the neighborhood	Will be going from 3 ½ lots to 3 lots. Will not increase the density. Similar sized lots are on block 42 on both Griffith and Main St.
f. Minimum variance to afford relief	Applicant is requesting variance for the minimum changes necessary to keep 3 lots. This will create 3 lots just over 3750 sq. ft. on which a house could be built.
g. Development in flood hazard area, geologic hazard area or 30% grade?	Not applicable

**Coralue Anderson made a motion to approve the variance request of George and Rita Schnittgrund-Block 42, Lots 11-14, Main St. between 9<sup>th</sup> St. and 10<sup>th</sup> St. of the Georgetown Municipal Code Section 17.16.041 (d) (1) Historic Residential Area/Bulk regulations, to permit three buildable lots of less than 5,000 square feet, and recommend landowners maintain the barn for historical purposes, Mary Riddle Clark seconded, and the motion passed unanimously.**

**Coralue Anderson made a recommendation to the Board of Selectmen, Design Review Commission, and Planning Commission that the landowners (currently the Schnittgrunds) of Block 42, Lots 11-14, maintain the barn for historical purposes, Mary Riddle Clark seconded the motion and it passed with unanimous vote.**

**MINUTES APPROVAL – January 12, 2021**

**Sharon Rossino made a motion to approve the January 12, 2021, minutes as presented, Mary Riddle Clark seconded the motion and it passed with unanimous vote.**

**ADJOURN**

**Sharon Rossino made a motion to adjourn the meeting at 10:03 a.m., Coralue Anderson seconded, and the motion passed with unanimous vote.**

  
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Tom Elliott, Chairman

  
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Jennifer Yobski, Town Clerk



**DRC recommendation**

DRC met on July 8, 2021, to provide its recommendation on the proposed variance, as required by Code 17.32.020(b)(2). The Design Review Commission stated it does not encourage the formation of new lots that do not meet the minimum size required (5,000 square feet) of new lots. This proposal also impacts several other items in design guidelines.

Mr. Schnittgrund stated that there is a very old barn on Lot 11 that encroaches onto Lot 12, which is one of the reasons they bought the lots, was to protect the old barn. While the barn is old, it is not considered a Contributing Structure in the town. The Schnittgrund's stated they want to continue to protect the barn and don't intend on building on Lot 11 where the barn is located.

The original plat of Georgetown identified Lots 11-13 at 3,750 sq. ft., these lots were grandfathered in at the time of when Town lots were amended to be 5,000 sq. ft.

The Planning Commission reviewed the variance request at its June 16, 2021, meeting, and had a concern that the lots will remain with a non-conforming status, after the lot lines are altered.

Town Staff distributed a map of the neighborhood which displayed that a majority of lots in that neighborhood are less than 5,000 sq. ft.

Mr. Elliott opened the public hearing at 9:20 a.m.

Sam Winfrey, property owner of 301 10<sup>th</sup> St., asked the length of time that the Schnittgrund's have owned the lots. *Mr. Schnittgrund answered over 20 years. He explained that the previous owner wanted to tear down the barn, so him and his wife bought the lots to protect the barn.*

Mr. Elliott closed the public hearing at 9:30 a.m.

Mr. Elliott re-opened the public hearing at 9:35 a.m.

Michael Stavy, owner of 907 Main St., is a neighbor of the Schnittgrund's and had a concern about the fence that is shared with them, and he does not want it removed.

Mr. Schnittgrund stated that he would like research done to determine if the barn can be put on the historical register.