

Town of Johnsbury  
Zoning Board of Appeals  
Tannery Pond  
January 06, 2025

**Attendance:** Jim Jones, Cathy Allen, Erwin Morris, Rick Bennett, and Secretary Joann Morehouse

**ABSENT:** Reisha Thissell

**Applicants:** - Craig Corn

**Guests:** Shale Miller

**Public hearing:** Meeting called to order 7:00 pm by Cathy Allen

**V-06-2024-Corn-Oven Mountain Rd- Tax Map # 100.-2-37**

Mr. Miller was present to represent Mr. Corn in this application. Mr. Miller explained that he was not the original architect, he was hired after the plans had been almost completed as it was more convenient for the property owner to have someone local to the property.

Mr. Miller told the board that they are applying for a height variance of 1 and ½ feet. Mr. Miller said the previous architect had used the APA height as their standard and never even looked at the towns. When he took over, he realized that the towns rules were slightly different, and they would need to apply for a height variance. To change the plans would be very expensive and would mean they would have to completely change the house plans, and they would have to do a completely different style home.

Mr. Jones made a motion at 7:13pm to close the public hearing, seconded by Mr. Morris all in favor.

**Call Regular meeting to order:** Ms. Allen called the regular meeting to order at 7:13 pm.

**Approval of Minutes:** Mr. Jones made a motion to approve the minutes from the November meeting, seconded by Mr. Morris all in favor

**New Business:**

**V-06-2024-Corn-Oven Mountain Rd- Tax Map # 100.-2-37**

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The board asked a few more questions and discussed the project a little.

Mr. Bennett made a motion to approve variance V-06-2024, seconded by Mr. Morris all in favor.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance. *The board does not feel that the variance would in anyway impact the neighbors or neighborhood.*

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance. *Mr. Miller said not without causing headroom issues on the second floor and that it would affect the roof pitches which would mean changing the style home and incur a major cost.*

3. Whether the requested area variance is substantial. *No it is not a substantial variance.*

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. *No, the board does not feel there would be an adverse effect on physical or environmental conditions*

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the area variance. The best way to understand the rules is to examine each in its turn, together with the court decisions that rely on them. *Yes the difficulty was technically self-created but not that the home owner knew about until the new engineer took over and to change things now would be at a substantial cost to the homeowner and the design of the home. The board feels that the homeowner should not be penalized and feels that the variance should be granted.*

**Old Business: None**

**ZEO Report: None**

**Privilege of the Floor:**

Mr. Jones made a motion to close meeting at 7:45pm, seconded by Mr. Morris all in favor.

Respectfully,

Joann M. Morehouse

**Next Zoning Board meeting scheduled  
for February 3, 2025 at the Tannery Pond**