

**MINUTES OF THE LANCASTER COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING**

June 3, 2025 at 6:00 PM

1. Roll Call/Call to Order

Board Members present: Quorum is present (4 Board Members)

Charles Deese Mark Boland James Faulkenberry Aaron Fender

Absent: Mr. Alden resigned effective Monday, June 2, 2025

Staff: April Williams, Planning Director
Allison Hardin, Development Services Director
Aimee Sholar, Recording Secretary
Jennifer Bryan, Planning Technician

Members of the press were notified in advance but were not present. All adjacent property owners were notified by mail. A notice of public hearing was published in the Lancaster News at least 15 days prior to the meeting. The agenda was posted on the County website and posted in the lobby of the administration Building one week prior to the meeting. A copy of the agenda is on file.

THE FOLLOWING IS A SUMMARY ONLY; IT IS NOT A VERBATIM TRANSCRIPT.

Chairman Deese called the meeting to order at 6:00 p.m.

2. Approval of Agenda

Aaron Fender moved to Approve the Agenda; 2nd by **James Faulkenberry**. The motion was approved by unanimous consent.

3. Approval of Minutes

a. Minutes of 5/5/2025 Training Meeting

Call for a motion. Motion to approve by **Aaron Fender**; 2nd by **Mark Boland**

Vote: 4:0 Minutes are approved

4. Public Hearing Items

Chairman Deese recused himself from hearing item **4a: Milhorn Variance.**

a. VAR-2025-0914: Milhorn

Application by Jim Crumpler/Iseley Surveying and Gary Milhorn on behalf of owner Karla Sistare Milhorn for a Variance from UDO Sec. 2.4 Lot Standards: *Setback requirements*, for eight lots on Old Lynwood Circle at TM# 0087G-0D-011.00 (Numbers 1655, 1657, 1663, 1667, 1671, 1675, 1679 and 1683 Old Lynwood Circle), to resolve existing nonconformities

STAFF PRESENTATION: Allison Hardin for Planning and Zoning:
See Staff Report.

QUESTIONS FOR STAFF:

James Faulkenberry: So, you are saying that each lot would have to be given a variance, that's what it looks like from this list or graph.

Mark Boland: The staff report is through my question refers to MDR lots that have water and sewer. I counted 6 clean outs and 5 water meters. Has that been verified?

APPLICANT STATEMENT: Jim Crumpler from Iseley Surveying (on behalf of owner Karla Sistare Milhorn.) That is what my boys found. The front setbacks are fine it's the sides that we are worried about.

APPLICANT STATEMENT: Mr. Milhorn for owner Karla Sistare Milhorn. My wife is out of town so I will be speaking to her. Thank you to the staff for this very thorough report. I don't have anything to add but I am here for my wife. If you have any questions.

QUESTIONS FOR APPLICANT:

James Faulkenberry: "So, water and sewer is available, correct?"

Allison Hardin: The houses are already there.

James Faulkenberry: So, you're saying that each lot would have to be given a variance, that's what it looks like from this list.

Allison Hardin : Based on the proposed plat, yes. We can't approve lot line changes that have less than what the code requires for separation between the lot line and the house. They did the best job that they could, and cleared up several of them having at least 10 feet from the sideline. Lot areas and widths are still correct. If you decide to grant the variance that is listed in your report and are in green, these are the lots that are listed, this is where the variance is needed.

Mark Boland: I do have a question, and it refers to the MDR of the subdivision. I looked under lot standards section B where it talks about lot width of 70 foot for having water and sewer. The

surveyor has marked something like 6 cleanouts and 5 water meters so there were lots that appear to not have water meters. Has this been verified? Or are any of these homes on well or septic?

Allison Hardin: I haven't been able to verify that, but the provision of 70ft verses 130 is determined by whether there is water and sewer available to the lot. All of these lots already have water and sewer service. If separate taps or meters are needed that can be remedied after the variance.

James Crumpler: We only marked what was obvious, we didn't search for additional cleanouts or meters.

PUBLIC HEARING: VAR-2025-0108 (see sign-in sheets) No one signed in.

CALL FOR A MOTION TO POSTPONE, APPROVE, OR APPROVE WITH CONDITIONS :
Motion to Approve by **Mark Boland**; 2nd by **Aaron Fender**.

CALLED VOTES: VARIANCE CRITERIA

Agree (A) or Disagree (D)

i. THAT THERE ARE EXTRAORDINARY AND EXCEPTIONAL CONDITIONS PERTAINING TO THE PARTICULAR PROPERTY

M. Boland: A A. Fender: A J. Faulkenberry: A

3 : 0

ii. THAT THESE CONDITIONS DO NOT GENERALLY APPLY TO OTHER PROPERTY IN THE VICINITY

M. Boland: A A. Fender: A J. Faulkenberry: A

3 : 0

iii. THAT BECAUSE OF THESE CONDITIONS, THE APPLICATION OF THE ORDINANCE TO THE PARTICULAR PROPERTY WOULD EFFECTIVELY PROHIBIT OR UNREASONABLY RESTRICT THE UTILIZATION OF THE PROPERTY

M. Boland: A A. Fender: A J. Faulkenberry: A

3 : 0

iv. THAT THE AUTHORIZATION OF A VARIANCE WILL NOT BE OF SUBSTANTIAL DETRIMENT TO ADJACENT PROPERTY OR TO THE PUBLIC GOOD, AND THE CHARACTER OF THE DISTRICT WILL NOT BE HARMED BY THE GRANTING OF THE VARIANCE

M. Boland: A A. Fender: A J. Faulkenberry: A

3 : 0

The following criteria are satisfied . ALL

The Variance is Approved

5. Other Business:

No cases have been submitted for July.

We will be electing new officers at the next meeting in July.

Mr. Charles Deese recommended the board review the rules and procedures.

6. Adjournment:

With there being no further business, **Aaron Fender** moved to adjourn; motion seconded by **Mark Boland**. The motion was approved by unanimous consent. **Adjourned at 6:38PM**.