

PUTNAM COUNTY PLANNING COMMISSION
Tuesday, October 3, 2017
Putnam County Courthouse Courtroom 202
Special Meeting

MINUTES

The Putnam County Planning Commission held a special meeting on Tuesday, October 3, 2017 at the Putnam County Courthouse, Second Floor Courtroom, Room 202.

Sarah McCallister, president, called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.

Roll call was taken and a quorum was present.

Members present: Jason Asbury, Wayne Bennett, Scott Chambers, John Dill, Jim Dodrill, Bryan Hoylman, Vic Mays, Sarah McCallister, Thor Meeks, Jacob Pack, David Powell, and Greg Williamson.

Members absent: Ron Foster, David Hobba, and Steve Perry.

Staff present: Timothy Smith, Melissa Sargent, Judy Graley, and Lisa Powell.

Others present who signed in were: Daniel Newman, Michael Jackson, Robert Beckett, and Rebecca Beckett.

APPROVAL OF MINUTES

The minutes of the August 22, 2017 meeting were reviewed. Motion was made by Vic Mays and seconded by John Dill to approve the minutes as presented. The motion carried unanimously.

PCDA REPORT

Wayne Bennett reported the following: PCDA annual meeting was held on September 14, 2017.

CITIZEN CONCERNS

There were no citizen concerns.

RIGHT OF WAY VARIANCE

Robert Beckett requested a variance to subdivide a 0.594 acre lot from 10.419 acres from County Route 19/6 to the existing 30' right-of-way on Snake Mountain Road instead of the required 40' right-of-way, Hurricane, WV. (TM 201; P 30.2)

Public Hearing

Sarah McCallister opened the public hearing for the requested variance to subdivide a 0.594 acre lot from 10.419 acres from County Route 19/6 to the existing 30' right-of-way on Snake Mountain Road instead of the required 40' right-of-way, Hurricane, WV. (TM 201; P 30.2)

Disclosure of Conflict

No commissioner disclosed a conflict of interest.

Staff presented the Summary, a copy of which is attached and made a part of these minutes.

Applicant comments: Robert Beckett stated that he is unable to obtain the required 40' right of way due to the fact there is an existing structure owned by another individual on a portion of property that would be needed to extend the right of way. He further stated that another adjoining property owner could not be contacted.

Public comments: There were no comments.

There being no further questions or comments, Sarah McCallister closed the public hearing and reconvened the regular meeting.

Deliberation and Action

Discussion ensued with a question and answer session.

Motion was made by David Powell and seconded by Wayne Bennett to approve the variance request with the following conditions:

- The owner(s) of the 0.594 acre parcel and the 9.825 acre parcel shall be responsible for paying a pro-rata share of the access road maintenance.
- There shall be no further subdivision of land until the requirements of the *Putnam County Subdivision Regulations* are met.

The motion carried unanimously.

Findings of Fact in Support of Decision

The Planning Commission made the following Findings of Fact with regard to the specific criteria set forth in the Subdivision Regulations:

- A. The Board found that granting of the waiver or variance will not be detrimental to the public safety, health, welfare, or injurious to other property because of the information submitted in the packet.
- B. The Board found the conditions upon which the request for a waiver or variance are based arise from special conditions or attributes which pertain to the property for which a waiver or variance is sought and were not created by the person seeking the waiver or variance because of Mr. Beckett's comments as well as the information presented in item 2 on Attachment G of the Summary.
- C. The Board found the waiver or variance would eliminate an unnecessary hardship, as distinguished from a mere inconvenience, and would allow the intent of the subdivision regulations to be observed and substantial justice done because of information presented in item 3 on Attachment G of the Summary.
- D. The Board found the waiver or variance will not in any manner vary the provisions of any other regulations, ordinance, or plans adopted by the County because of information presented in item 4 on Attachment G of the Summary.
- E. In approving waivers or variances, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards, or requirements of these regulations. The Board found this criterion to be met due to the fact that Mr. Beckett is willing to increase the right of way on his property to meet the requirements of the regulations.

- F. A petition for any such waiver or variance shall be submitted in writing by the applicant. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner. The Board found this criterion to be met as evidenced by the packet submitted by the applicant.

TEMPORARY PERMIT

Mistie Jackson applied for a Temporary Use Zoning Permit for a Haunted House/Truck Stop attraction. The property is located at 18573 Winfield Road, Fraziers Bottom, WV (TM 162; P 1.1) and is zoned C-2: High Density Commercial.

Public Hearing

Sarah McCallister opened the public hearing for the Temporary Permit request by Mistie Jackson for a Haunted House/Truck Stop attraction. The property is located at 18573 Winfield Road, Fraziers Bottom, WV (TM 162; P 1.1) and is zoned C-2: High Density Commercial.

Disclosure of Conflict

No commissioner disclosed a conflict of interest.

Staff presented the Summary, a copy of which is attached and made a part of these minutes.

Applicant Comments: Daniel Newman stated that part of the proceeds from the attraction would go to Winfield High School, the Winfield Fire Department, and canned food donations to the new food bank in Fraziers Bottom. He also stated that the fire department would provide onsite medical personnel during the event.

Public Comments: There were no comments.

Motion was made by Wayne Bennett and seconded by Thor Meeks to approve the Temporary Permit request with the following conditions as recommended by staff as well as the additional condition suggested by Mr. Dodrill that a certificate of insurance be submitted.

- Operational dates and hours shall be implemented as presented.
- The wall sign be placed on the building and will be removed once the Haunted Truck Stop ceases.
- The concession stand and kettle corn stand shall be placed as delineated on site plan.
- Free-standing banners, pennants, flags, spinners, or streamers are prohibited and may not be used as advertisement.
- The Temporary Use Permit shall expire November 13, 2017.
- A copy of certificate of insurance for the event shall be submitted. (added)

The motion carried unanimously.

TEXT AMENDMENT

Proposed Text Amendment to the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV to add "Sign, blade" to Section 150.02, Definitions; Add "Blade Signs" to Section 1400.07, On-Premise Signs for Zoning Districts; Add "Portable signs" to Section 1400.03, Permit Exemptions; Delete "Schools" from Section 1400.09, On-Premise Signs for Unique Land Uses; A revision to "Sign, Changeable copy," "Sign, animated," and "Sign, portable" in Section 150.02, Definitions; A revision to "Changeable Copy Signs" in Section 1400.07, On-Premise Signs for Zoning Districts.

Public Hearing

Sarah McCallister opened the public hearing for the requested Text to add “Sign, blade” to Section 150.02, Definitions; Add “Blade Signs” to Section 1400.07, On-Premise Signs for Zoning Districts; Add “Portable signs” to Section 1400.03, Permit Exemptions; Delete “Schools” from Section 1400.09, On-Premise Signs for Unique Land Uses; A revision to “Sign, Changeable copy,” “Sign, animated,” and “Sign, portable” in Section 150.02, Definitions; A revision to “Changeable Copy Signs” in Section 1400.07, On-Premise Signs for Zoning Districts.

Disclosure of Conflict

No commissioner disclosed a conflict of interest.

Staff presented the Summary, a copy of which is attached and made a part of these minutes.

Public comments: There were no comments.

There being no further questions or comments, Sarah McCallister closed the public hearing and reconvened the regular meeting.

Deliberation and Action

Discussion ensued with a question and answer session.

John Dill commented on the Ethics Committee ruling stating that no conflict of interest existed for business owners to sit on the signage subcommittee or to vote on any sign-related issues.

Motion was made by David Powell and seconded by Wayne Bennett to recommend the Text Amendment to County Commission for approval with the following changes:

- Page 2 of the Summary – Omit changes in definition of “Sign, animated”
- Page 3 of the Summary – Omit changes in definition of “Sign, changeable copy”
- Page 4 of the Summary – Omit changes in section “h - Changeable copy signs”
- Page 5 of the Summary – Omit changes in section “i – Changeable copy signs”
- Page 6 of the Summary – Retain section “E – schools”

A roll call vote thereon was taken and the votes were as follows:

Jason Asbury – “Nay”
Wayne Bennett – Aye”
Scott Chambers – “Nay”
John Dill – “Nay”
James Dodrill – “Nay”
Bryan Hoylman – “Nay”
Vic Mays – “Nay”
Thor Meeks – “Nay”
Jacob Pack – “Nay”
David Powell – “Aye”
Greg Williamson – “Nay”

The motion failed 9 to 2.

Motion was made by Jacob Pack and seconded by Greg Williamson to recommend the Text Amendment to County Commission for approval as presented.

The motion carried with a 10-1 vote.

Findings of Fact in Support of Decision

The Planning Commission made the following Findings of Fact with regard to the specific criteria set forth in the Zoning Ordinance:

- A. The Board found the proposed amendment will protect and promote the public health, safety, convenience, moral and general welfare; due to the fact that the changes are consistent with Federal Highway Administration (FHWA) standards and International Sign Association (ISA) guidelines. In addition, the signage subcommittee was made up of individuals with a wide range of opinions on signage.

- B. The Board found the proposed amendment to be consistent with the adopted Comprehensive Plan for Putnam County, specifically when it comes to supporting development of the zoned areas under the Comprehensive Plan and promoting business.

VIOLATIONS REPORT – FRUTH PHARMACY

Fruth Pharmacy has a changeable copy sign that is scrolling and changing more than 8 times per day in the zoned area of Putnam County at 4012 Teays Valley Road, Scott Depot on Tax Map 223, Parcels 28 and 28.3. Ms. Fruth did not obtain a permit for the digital changeable copy sign.

Staff presented a revised summary from the August 22 meeting. No further action was taken on the violation at this time. The Planning Commission will review the status of this violation at its next meeting on October 24, 2017.

ADMINISTRATIVE SUBDIVISION REPORT

Staff presented a summary of the administrative subdivision approvals for August. There were no comments or questions.

FINANCIAL REPORT

Financial information was not available for August due to fiscal year-end procedures.

MONTHLY REPORTS

Staff presented the monthly reports for August summarizing the building/zoning permit approvals. There were no comments or questions.

STAFF REPORT

Staff welcomed new Planning Commission member James Dodrill. Staff also presented a Metro News article, a copy of which is attached and made a part of these minutes, commenting on economic development in the state as well as Putnam County.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

The Planning Commission requested that Timothy Smith contact county attorney Larry Frye with questions regarding liability insurance and temporary permits.

ADJOURNMENT

Motion was made and seconded to adjourn. Motion carried unanimously. The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Signed: _____, Lisa Powell, Secretary

Attest: _____, Presiding Officer

Minutes were approved: _____