

**PUTNAM COUNTY BOARD OF ZONING APPEALS
PUTNAM COUNTY COURTHOUSE, ROOM 202
Thursday, February 9, 2017**

MINUTES

The Putnam County Board of Zoning Appeals held its regular meeting on Thursday, December 8, 2016 at 7:00 p.m. in the Putnam County Courthouse, Room 202.

Steve Sluss, president, called the meeting to order at 7:00 p.m.

Roll call was taken and a quorum was present.

Regular members present included: Al Ruebush, Patty Schiffour, Steve Sluss, and Jared Tully.

Members absent included: Tony Hodge

Alternate members present included: Jessie Parker, Jr.

Staff present included: Melissa Sargent, Tim Keaton, and Lisa Powell.

Others present who signed in were: Roger Henley, Jason Perry, Lindsay Perry, Jacob White, and Ron Foster.

MINUTES

The minutes of the December 8, 2016 meeting were reviewed. Motion was made by Al Ruebush and seconded by Patty Schiffour to approve the minutes as presented. Motion passed unanimously.

ELECTION OF OFFICERS

The Nominating Committee presented the 2017 Slate of Officers. The Slate included the following: Steve Sluss as president, Al Ruebush as vice president, and Jared Tully as secretary.

Motion was made by Patty Schiffour and seconded by Jessie Parker, Jr. to accept the Slate as presented. The motion carried unanimously.

SPECIAL PERMIT REQUEST

Disclosure of Conflict

No board member disclosed a potential conflict of interest with the special permit request by Jason Mark Perry to construct a single family dwelling on parcel 9.2 of tax map 151. The property is located at 139 Adison Drive, Fraziers Bottom, WV and is zoned "C-2" High Density Commercial.

Public Hearing

Steve Sluss opened the public hearing for the special permit request by Jason Mark Perry to construct a single family dwelling on parcel 9.2 of tax map 151. The property is located at 139 Adison Drive, Fraziers Bottom, WV and is zoned "C-2" High Density Commercial.

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

A question and answer session followed.

Applicant comments: Jason Mark Perry, applicant, answered questions from the board regarding surrounding residential properties and access to the property from US Route 35.

Public comments: There were no comments.

Deliberation and Action

Discussion ensued with a question and answer session.

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

Motion for Board of Zoning Appeals Action

Motion was made by Patty Schiffour and seconded by Jared Tully to approve the special permit as presented. The motion carried unanimously.

Findings of Fact in Support of Decision

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

- A. The Board found that the use will not discourage the development nor impair the value of the surrounding and adjacent land and use districts due to the fact that there are existing residential properties in the area.
- B. The Board found that the concentration and volume of vehicles in connection with the use will not be more dangerous or hazardous than the usual traffic of the use district because only one residential dwelling is being placed on the site.
- C. The Board found that the proposed use will not produce a negative impact upon the abutting or surrounding properties and zoning uses given the characteristics, size, location, intensity and nature of the proposed use and any structure because nothing in the application indicates any negative impact will occur by placing a single family home on the site.
- D. The Board found that the location, extent, arrangement and intensity of the proposed use is to be such that its operation will not be objectionable to adjacent and surrounding uses by reason of noise, smoke, dust, odors, fumes, vibrations or glare because the requested use is residential.
- E. The Board found that the use, arrangement, and location of uses and structures are compatible with surrounding uses and zones because other uses in the area are residential.
- F. The Board found that the use and structures are not detrimental to the health, safety and welfare of the locality involved because the requested use is residential.

- G. The Board found that the use and structures conform to the purpose, intent and objectives of the Putnam County Zoning Ordinance because the requested use is residential.
- H. The Board found that the proposed use is properly located in relation to any adopted master plan, general plan, land use plan, thoroughfare plan or street plan, particularly in its relation to existing collection and local street systems and pedestrian circulation because the requested use is for a single family dwelling.

Motion Approving Findings of Fact

A motion to accept the above Findings of Fact was made by Jared Tully and seconded by Patty Schiffour. The motion passed unanimously.

Motion Approving Order

A motion to approve the order for the Special Permit request was made by Al Ruebush and seconded by Jared Tully. The motion passed unanimously.

SPECIAL PERMIT REQUEST

Disclosure of Conflict

No board member disclosed a potential conflict of interest with the special permit request by Carl Jr. Higginbotham to revise the 2016 BZA approval to construct a personal storage facility in a “C-2” High Density Commercial zoning district off Putnam Village Drive in Hurricane, WV (TM 213, P 38.5 and 38.6).

Public Hearing

Steve Sluss opened the public hearing for the special permit request by Carl Jr. Higginbotham to revise the 2016 BZA approval to construct a personal storage facility in a “C-2” High Density Commercial zoning district off Putnam Village Drive in Hurricane, WV (TM 213, P 38.5 and 38.6).

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

A question and answer session followed.

Applicant comments: Roger Henley, representative for the applicant, was available to answer questions from the board.

Public comments: There were no comments.

Deliberation and Action

Discussion ensued with a question and answer session.

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

Motion for Board of Zoning Appeals Action

Motion was made by Al Ruebush and seconded by Patty Schiffour to approve the special permit as presented. The motion carried unanimously.

Findings of Fact in Support of Decision

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

- A. The Board found that the use will not discourage the development nor impair the value of the surrounding and adjacent land and use districts because there are existing commercial uses in the area.
- B. The Board found that the concentration and volume of vehicles in connection with the use will not be more dangerous or hazardous than the usual traffic of the use district due to the fact that the proposed use will produce less traffic than the previous business on the site.
- C. The Board found that the proposed use will not produce a negative impact upon the abutting or surrounding properties and zoning uses given the characteristics, size, location, intensity and nature of the proposed use and any structure because there will be less activity associated with the proposed use than with the previous business.
- D. The Board found that the location, extent, arrangement and intensity of the proposed use is to be such that its operation will not be objectionable to adjacent and surrounding uses by reason of noise, smoke, dust, odors, fumes, vibrations or glare because the proposed use does not produce any of these issues.
- E. The Board found that the use, arrangement, and location of uses and structures are compatible with surrounding uses and zones due to the existing commercial uses in the shopping plaza.
- F. The Board found that the use and structures are not detrimental to the health, safety and welfare of the locality involved because less traffic will be present than with the previous use and no hazardous conditions will be produced.
- G. The Board found that the use and structures conform to the purpose, intent and objectives of the Putnam County Zoning Ordinance due to the nature of the proposed use.
- H. The Board found that the proposed use is properly located in relation to any adopted master plan, general plan, land use plan, thoroughfare plan or street plan, particularly in its relation to existing collection and local street systems and pedestrian circulation due to the goal of increasing commercial land uses in high growth areas.

Motion Approving Findings of Fact

A motion to accept the above Findings of Fact was made by Patty Schiffour and seconded by Jared Tully. The motion passed unanimously.

Motion Approving Order

A motion to approve the order for the Special Permit request was made by Patty Schiffour a seconded by Jared Tully. The motion passed unanimously.

CITIZENS CONCERNS

There were no concerns.

STAFF REPORT

There was no report.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

There was no further new business to discuss.

ADJOURNMENT

There being no further business, motion was made and seconded to adjourn. The meeting was adjourned at 7:45 p.m.

Respectfully submitted: _____
Jared Tully, Secretary

Minutes were approved: _____

Attested by: _____
Presiding Officer