

**PUTNAM COUNTY BOARD OF ZONING APPEALS
PUTNAM COUNTY COURTHOUSE, ROOM 202
Thursday, March 8, 2018**

MINUTES

The Putnam County Board of Zoning Appeals held its regular meeting on Thursday, March 8, 2018 at 7:00 p.m. in the Putnam County Courthouse, Room 202.

Patty Schiffour called the meeting to order at 7:00 p.m.

Roll call was taken and a quorum was present.

Regular members present included: Tony Hodge, Al Ruebush, and Patty Schiffour.

Alternate members present included: Jessie Parker, Jr.

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

Others present who signed in were: Jimmy Calhoun, David Hobba, J.D. Rice, Eddie Morgan, and Christie Morgan.

MINUTES

The minutes of the January 11, 2018 meeting were reviewed. Motion was made by Tony Hodge and seconded by Al Ruebush to approve the minutes as presented. Motion passed unanimously.

SPECIAL PERMIT REQUEST

Disclosure of Conflict

No board member disclosed a potential conflict of interest with the Special Permit request by Hertz Corporation for a Change of Land Use to operate a car rental service at the existing Holiday Inn Express, 941 WV Route 34 in Hurricane, WV (TM 213, P 34.2). The property is zoned "C-2" High Density Commercial.

Public Hearing

Patty Schiffour opened the public hearing for the Special Permit request by Hertz Corporation for a Change of Land Use to operate a car rental service at the existing Holiday Inn Express, 941 WV Route 34 in Hurricane, WV (TM 213, P 34.2). The property is zoned "C-2" High Density Commercial.

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

A question and answer session followed.

Applicant comments: J. D. Rice thanked the board for considering the request and made himself available for questions.

Public comments: There were no comments.

Deliberation and Action

Discussion ensued with a question and answer session.

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

Motion for Board of Zoning Appeals Action

Motion was made by Jessie Parker, Jr. and seconded by Tony Hodge to approve the variance request with the condition that either freestanding signage or pavement markings be included to delineate the five (5) parking spaces for use by Hertz Corporation. The motion passed 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:

1. 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 the business fits with the surrounding land uses.
2. 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 the use is limited to five (5) vehicles within the commercially zoned area.
3. 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 of the size and intensity of the proposed use.
4. 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 fits within an existing parking lot in a high traffic area.
5. The Board found that the use, arrangement, and location of uses and structures are compatible with surrounding uses and zones by including the condition that the five (5) parking spaces be delineated with signage.
6. The Board found that the use and structures are not detrimental to the health, safety and welfare of the locality involved because the proposed use is within an existing parking lot.
7. 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 fits within a “C-2” High Density Commercial district.
8. 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 use is within a “C-2” High Density Commercial district.

Motion Approving Findings of Fact

A motion to accept the above Findings of Fact was made by Jessie Parker, Jr. and seconded by Al Ruebush. The motion passed unanimously.

Motion Approving Order

A motion to approve the order for the variance request was made by Jessie Parker, Jr. and seconded by Tony Hodge. The motion passed unanimously.

VARIANCE REQUEST

Disclosure of Conflict

No board member disclosed a potential conflict of interest with the Variance Request by FBD, LLC to allow the internal area of the proposed Alexander’s Place Campground to be served with stabilized (gravel) roads instead of either asphalt or concrete as required in Article 1200.03 of the Zoning Ordinance

for the Zoned Unincorporated Areas of Putnam County, WV. The property is located off Alexander's Drive in Fraziers Bottom, WV (Tax Map 162, Parcel 94) and is zoned "C-1" Suburban Commercial.

Public Hearing

Patty Schiffour opened the public hearing for the Variance Request by FBD, LLC to allow the internal area of the proposed Alexander's Place Campground to be served with stabilized (gravel) roads instead of either asphalt or concrete as required in Article 1200.03 of the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV. The property is located off Alexander's Drive in Fraziers Bottom, WV (Tax Map 162, Parcel 94) and is zoned "C-1" Suburban 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: Jimmy Calhoun, representative for the applicant, stated that gravel was only being requested for the interior roads and the main access road would be paved.

David Hobba, applicant, stated that there was a demand for campsites in the area. Additionally, he stated that gravel was being requested for the interior roads due to safety issues as well as financial considerations.

Public comments: There were no comments.

Deliberation and Action

Discussion ensued with a question and answer session.

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

Motion for Board of Zoning Appeals Action

Motion was made by Jessie Parker, Jr. and seconded by Tony Hodge to approve the variance request only for Phase One of the campground. The motion carried 3 to 1.

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:

1. The variance will not adversely affect the public health, safety, or welfare, or the rights of adjacent property owners because only internal roads would be graveled which would promote slower speeds and increased safety.
2. The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance:
 - yes – gravel roads would encourage proper drainage
 - no – no special attributes or conditions exist
3. The variance would eliminate an unnecessary hardship and permit a reasonable use of the land because:
 - yes - pavement would interfere with water drainage and inhibit the rustic atmosphere of the project
 - no – there is no unnecessary hardship to be considered
4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done by allowing a reasonable use of the land.

Motion Approving Findings of Fact

A motion to accept the above Findings of Fact was made by Jessie Parker, Jr. and seconded by Tony Hodge. The motion passed 3 to 1.

Motion Approving Order

A motion to approve the order for the variance request was made by Jessie Parker, Jr. and seconded by Tony Hodge. The motion passed 3 to 1.

CITIZENS CONCERNS

There were no concerns.

STAFF REPORT

Staff reported there was an agenda for the April 12 meeting.

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 8:40 p.m.

Respectfully submitted: _____
Tony Hodge, Secretary

Minutes were approved: _____

Attested by: _____
Presiding Officer