

**PUTNAM COUNTY BOARD OF ZONING APPEALS  
PUTNAM COUNTY COURTHOUSE, ROOM 202  
Thursday, June 14, 2018**

**MINUTES**

The Putnam County Board of Zoning Appeals held its regular meeting on Thursday, June 14, 2018 at 7:00 p.m. in the Putnam County Courthouse, Room 202.

Patricia Schiffour 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.

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

Members absent: Jared Tully

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

Others present who signed in were: Karen Villanneua-Matkovich and Brett Wellman.

**MINUTES**

The minutes of the April 12, 2018 meeting were reviewed and approved as corrected. Motion was made by Al Ruebush and seconded by Tony Hodge to correct the minutes adding under New Business:

“Al Ruebush requested that an item be placed on the next meeting agenda to discuss revisions of procedure for Special Permits and Variances.” The motion carried unanimously.

**VARIANCE REQUEST**

***Disclosure of Conflict***

No board member disclosed a potential conflict of interest with the Variance Request submitted by Valley Health Systems to allow an existing roof sign to remain at its location at 3729 Teays Valley Road, Hurricane, WV (TM 222J, P 97). The property is zoned “C-1” Suburban Commercial.

***Public Hearing***

Patty Schiffour opened the public hearing for the Variance Request submitted by Valley Health Systems to allow an existing roof sign to remain at its location at 3729 Teays Valley Road, Hurricane, WV (TM 222J, P 97). The property 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: Brett Wellman, representative for Valley Health thanked the Board and staff for hearing his request and stated that Valley Health had, in good faith, entered into a contract with Paris Signs. He further stated that all required permits had been received in compliance with the county ordinances.

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 Adopting Findings of Fact***

A motion was made by Robert Stonestreet and seconded by Al Ruebush to adopt as its Factual Findings of Fact the staff summary report as well as the testimony of Mr. Wellman. 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:

1. The variance will not adversely affect the public health, safety, or welfare, or the rights of adjacent property owners because there is no indication that the current sign presents any adverse affects or infringes on nearby property owners.

Motion was made by Robert Stonestreet and seconded by Al Ruebush to find criterion one to be satisfied. Motion carried unanimously.

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 due to the erroneous approval of the sign by staff.

Motion was made by Robert Stonestreet and seconded by Tony Hodge to find criterion two to be satisfied. Motion carried unanimously.

3. The variance would eliminate an unnecessary hardship and permit a reasonable use of the land because the site plan was erroneously approved by staff and the applicant would incur expense to remove the sign and repair the roof.

Motion was made by Robert Stonestreet and seconded by Tony Hodge to find criterion three to be satisfied. Motion carried unanimously.

4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done based on the facts presented by staff and adopted by the board.

Motion was made by Robert Stonestreet and seconded by Tony Hodge to find criterion four to be satisfied. Motion carried unanimously.

***Motion for Board of Zoning Appeals Action***

Motion was made by Robert Stonestreet and seconded by Al Ruebush to approve the variance request with the following condition as recommended:

BZA VAR 2018-02 is approved for the Valley Health Systems existing roof sign only. If a change of business, business name, or land use occurs to a portion or whole of the structure, the roof sign shall be removed.

Motion carried unanimously.

***Motion Approving Order***

A motion to approve the order for the variance request was made by Robert Stonestreet and seconded by Tony Hodge with the addition, in handwriting, of the condition by which the variance was approved. The motion carried unanimously.

**CITIZENS CONCERNS**

There were no concerns.

**STAFF REPORT**

Timothy Smith introduced new employee, Patricia Usher and stated there was an agenda for the July 12 meeting.

**OLD BUSINESS**

There was no old business to discuss.

**NEW BUSINESS**

There was no further new business to discuss.

**REVISION OF PROCEDURE FOR SPECIAL PERMIT AND VARIANCE REQUESTS**

Extensive discussion ensued regarding the process for Special Permit and Variance requests. The following procedure was agreed upon:

- I. APPLICATION
- II. AUTHORITY
- III. FACTS
- IV. RECOMMENDATION
- V. OPEN PUBLIC HEARING
- VI. BOARD OF ZONING APPEALS CONSIDERATION
- VII. CLOSE PUBLIC HEARING
- VIII. MOTION TO ADOPT FACTUAL RECORD
- IX. FINDINGS OF FACT IN SUPPORT OF DECISION
- X. MOTION APPROVING FINDINGS OF FACT
- XI. MOTION FOR BOARD OF ZONING APPEALS ACTION
- XII. MOTION TO APPROVE ORDER AND AUTHORIZE PRESIDENT TO EXECUTE

**ADJOURNMENT**

There being no further business, motion was made and seconded to adjourn. The meeting was adjourned at 9:00 p.m.

Respectfully submitted: \_\_\_\_\_  
Tony Hodge, Secretary

Minutes were approved: \_\_\_\_\_

Attested by: \_\_\_\_\_  
Presiding Officer