

**PUTNAM COUNTY BOARD OF ZONING APPEALS
PUTNAM COUNTY COURTHOUSE, ROOM 202
Thursday, September 14, 2017**

MINUTES

The Putnam County Board of Zoning Appeals held its regular meeting on Thursday, September 14, 2017 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, and Steve Sluss.

Members absent included: Tony Hodge and Jared Tully.

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

Others present who signed in were: Carolyn Hunter and Brian Raider.

MINUTES

The minutes of the July 13, 2017 meeting were reviewed. Motion was made by Al Ruebush and seconded by Patty Schiffour to approve the minutes as presented. Motion passed unanimously.

VARIANCE REQUEST

Disclosure of Conflict

No board member disclosed a potential conflict of interest with the variance request by Carolyn Hunter to allow a manufactured home that does not meet Class "A" Single Family Dwelling design standards to be placed at 86 Harmon's Branch Road in Winfield, WV (TM 193, P 18). The required design standards are found in Article 1700.07 of the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV. The property is zoned "R-2" Mixed Residential.

Public Hearing

Steve Sluss opened the public hearing for the special permit request by Carolyn Hunter to allow a manufactured home that does not meet Class "A" Single Family Dwelling design standards to be placed at 86 Harmon's Branch Road in Winfield, WV (TM 193, P 18). The required design standards are found in Article 1700.07 of the Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, WV. The property is zoned "R-2" Mixed Residential.

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: Carolyn Hunter, 88 Valley Street, Winfield, stated her name and was sworn in by the court reporter. At that time, Steve Sluss recognized the applicant and stated that he may have a potential conflict of interest as Ms. Hunter was a former client of his.

Patty Schiffour stated that she did not believe Mr. Sluss had a conflict of interest and made a motion which was seconded by Mr. Ruebush to allow Mr. Sluss to remain in the meeting. Motion carried unanimously.

Additionally, Mr. Sluss stated for the record that he would abstain from all votes regarding Ms. Hunter.

Ms. Hunter continued her comments and stated that by placing the home, the property would be improved and trespassers would be deterred.

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 Al Ruebush to approve the variance request with the condition that criteria be adhered to as stated in the Putnam County Health Department's correspondence found in Attachment D of the summary, a copy of which is attached and made a part of these minutes.

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:

- Will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents because the intended use is for a residence which may also be a deterrent to trespassers on the property.
- 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 because surrounding properties are zoned "RR" – Rural Residential with no indication as to why this particular parcel is zoned "R2" – Mixed Residential.
- Would eliminate an unnecessary hardship and permit a reasonable use of the land due to the fact that this parcel is zoned "R2" Mixed Residential" and surrounding parcels are zoned "RR"– Rural Residential.
- Will allow the intent of the zoning ordinance to be observed and substantial justice done due to the fact that this parcel is zoned "R2" Mixed Residential" and surrounding parcels are zoned "RR"– Rural Residential.

Motion Approving Findings of Fact

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

Motion Approving Order

A motion to approve the order for the Variance request was made by Patty Schiffour and seconded by Al Ruebush. The motion passed unanimously.

CITIZENS CONCERNS

There were no concerns.

STAFF REPORT

Staff reported that there is an agenda for the October 12 meeting. Additionally, staff thanked Steve Sluss for his years of service on the board. Mr. Sluss stated that he would be tendering his resignation to County Commission and expressed his appreciation to fellow board members and staff for the opportunity to serve the residents of Putnam County.

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 7:50 p.m.

Respectfully submitted: _____
Jared Tully, Secretary

Minutes were approved: _____

Attested by: _____
Presiding Officer