

**PUTNAM COUNTY BOARD OF ZONING APPEALS  
PUTNAM COUNTY COURTHOUSE, ROOM 221  
Thursday, August 3, 2023**

**MINUTES**

The Putnam County Board of Zoning Appeals held its regular meeting on Thursday August 3, 2023, at 7:00 p.m. in the Putnam County Courthouse, Room 221.

Meeting was called to order by Jared Tully 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, Kelsey Harding, and Jared Tully.

Members absent: Jessie Parker, Robert Stonestreet

Staff present included: David Coll, Melissa Sargent, & Denise May

Others present who signed in were: Stan Kaczowski, Robert Smith, Matthew Smith, Jennifer Stowasser, Debbie & Steve Boster, Robert Brown, Richard McCallister, Travis Townsend, Freddy Tedesco, Pete Williams, T.J. Summers

**MINUTES**

The minutes of the June 1, 2023, were reviewed. A motion was made by Tony Hodge and seconded by Kelsey Harding to approve the minutes. The motion carried.

**BZA SPC 2023-03**

Huntington Cycles, Inc. has submitted a Special Use application with a conceptual site plan proposing new construction of a Harley-Davidson Motorcycle Dealership (approximately 30,000.00 square feet) that will service and sell motorcycles, parts and merchandise. An on-site motorcycle training facility is also proposed. The property is located off Liberty Park Drive (Tax Map 214, Parcel 48.4) and is zoned "C-2" High Density Commercial.

***Disclosure of Conflict***

No board member disclosed a conflict of interest.

***Public Hearing***

Jared Tully opened the public hearing for Special Use **2023-03**. Staff presented the Summary document.

***Applicant comments:*** Freddy Tedesco 2691 Alex Lee Blvd, Florence SC introduced himself to the Board and requested approval of Special Use request. Mr. Tedesco answered questions from the Board members.

**Public comments:**

- Stan Kaczowski 859 Liberty Park Drive, Scott Depot, WV 25560

Mr. Kaczowski is opposed to the Special Use due to being so close to his home and other surrounding single-family homes, he has lived in the area for the past 30 plus years. Believes this will create more traffic, just a negative impact to the property owners. Mr. Kaczowski believes this would be great business to relocate to Putnam County but not in this location, he is a Harley owner and knows that noise comes along with that.

There being no further questions and comments, Jared Tully closed the public hearing.

**Deliberation and Action**

Discussion ensued with a question answer session.

**Motion to Adopt Factual Record & Findings of Facts**

A motion was made by Jared Tully and seconded by Tony Hodge to adopt as its Factual Record the staff summary report as well as the testimony given by witnesses and staff. The motion carried.

**Findings of Fact in support of Decision for the Special Permit Use**

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

1. The use will not discourage the development or impair the value of the surrounding and adjacent land and use districts. *Tony Hodge believes the answer is "true" will be in line with other business in same location, the way its zoned "C-2".*
2. 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. *Tony Hodge believes the answer is "true" will not be more dangerous or hazardous, vacant land.*
3. 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. *Tony Hodge believes the answer is "true" states that the site plans will blend in well with other stores in the area. Kelsey Harding questioned the number of motorcycles that would be attending the training – Freddy Tedesco stated only 6 per class. Hours of Operation are M-F 9-6, Sat 9-5, Sunday 12-5.*

**Public Hearing**

Jared Tulley, Re-opened the public hearing for **BZA-SPC 2023-03**

Freddy Tedesco- answered questions regarding Business Hours of Operation for the Harley-Davidson Dealership. The other 2 local shops are currently operating M-F 9-6, Saturday 9-5, Sunday 12-5 & landscaping was asked at rear of property, Freddy stated that there was a buffer of trees lining the property & we have no plans to do anything back there, would be left as it is. Jared Tulley asked if anyone else wished to make a public comment.

There being no further questions or comments, Jared Tully closed the public hearing.

4. 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. *Tony Hodge believes the answer is “true” stated that the Dealership would be adjacent to I-64, there is noise from there, also be landscaping buffer to cover the back side of the building.*
5. The use, arrangement of and location of uses and structures must be compatible with surroundings uses and zones or is capable of being made compatible through the imposition of conditions. *Tony Hodge believes the answer is “true” that this property is zoned C-2 commercial and close to other business, Home Depot, Big Sandy, Moses Car Lot.*
6. The use and structures are not detrimental to the health, safety and welfare of the locality involved. *Tony Hodge believes the answer is “true” doesn’t see any reason traffic would be detrimental to the public, traffic in and out of the area daily.*
7. The use and structures conform to the purpose, intent, and objectives of this Zoning Ordinance. *Tony Hodge believes the answer is “true” stated the applicant came before the Board to apply for the Special Use.*
8. The proposed use if 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. *Tony Hodge believes the answer is “true” not normally a pedestrian walking area, road is already dealing with the traffic.*

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

Motion was made by Tony Hodge and seconded by Kelsey Harding to approve the Special Use application for Harley-Davidson Motorcycle Dealership located off Liberty Park Drive, Scott Depot, WV 25560, for the reasons given above & with the conditions that the existing screening shall remain in place at the northern boundary. The motion carried.

***Motion to Approve Orders and Authorize to Execute Order***

Motion was made by Jared Tully and seconded Tony Hodge to approve the Order and authorize the president to sign. Motion carried.

Jared Tully made a motion to hear **BZA SPC 2023-04 & BZA SPC 2023-05** as one public hearing, and Tony Hodge seconded the motion. The motion carried.

**BZA SPC 2023-04 & BZA SPC 2023-05**

CMH Homes, Inc. has requested a Special Permit to locate a single-family home on a legal-nonconforming lot. The property is located off Beech Street in Hurricane, WV (TM 230C, P 145) and is zoned “R-1” Single Family Residential.

CMH Homes, Inc. has requested a Special Permit to locate a single-family home on a legal-nonconforming lot. The property is located off Beech Street in Hurricane, WV (TM 230C, P 162) and is zoned “R-1” Single Family Residential.

***Disclosure of Conflict***

No board member disclosed a conflict of interest.

***Public Hearing***

Jared Tully opened the public hearing for Special Permits **2023-04 & 2023-05**. Staff presented the Summary document.

***Applicant comments:*** Travis Townsend 147 Morris Court, Culloden, WV 25510 gave a brief description of plans to locate 2 single-family homes on 2 separate lots on Beech Street in Hurricane, WV. Mr. Townsend stated 3 similar projects have been done on Beech & Cherry Street. This would be a complete turn key ready permanent foundation with concrete driveway, sidewalks, and affordable priced for the area.

***Public comments:***

- Mr. Robert Smith 2485 Beech Street, Hurricane, WV 25526  
Mr. Smith is opposed to putting two single-family homes on this location, stating it’s only 11 feet from neighbors’ privacy fence, fire hazard. Please keep uniform with all the other homes on this street. They want to turn the house sideways to fit on this nonconforming lot to make more money. Please enforce the law as it’s written. I don’t oppose it if they merge the 2 lots and place 1 home on it.
  
- Jennifer Stowasser 2462 Beech Street, Hurricane, WV 25526  
Jennifer is opposed. She believes this will hurt her property value. She has lived on this street for 17 years, built her home 9 years ago, recently got her home appraised in the amount of \$ 300k, just doesn’t want this to be an eye sore to the neighborhood.
  
- James Boster, speaking on behalf of his mother- in- law Mae Faulkner who lives at 2480 Beech Street, Hurricane WV 25526. Mrs. Faulkner is unable to attend due to her health issues. She has lived at this address for 63 years; she believes with will destroy the value of her property. Please enforce the zoning laws, if they want to merge the 2 lots to place 1 home on it so its parallel with others on street that would be ok with that.

There being no further questions and comments, Jared Tully closed the public hearing.

***Deliberation and Action***

A question-and -answer session followed.

***Motion to Adopt Factual Record & Finding of Facts***

A motion was made by Jared Tully and seconded by Tony Hodge to adopt as its factual record, the staff summary report, as well as testimony given by witnesses and staff, and along with Exhibit A. The motion carried.

***Findings of Facts in support of Decision for the Special Permit***

The Board of Zoning Appeals found the following to be true with regards to the specific criteria set forth in the Zoning Ordinance.

1. The use will not discourage the development or impair the value of the surrounding and adjacent land and use districts. *Tony Hodge believes the answer is “true” as there are homes with the same use in the area.*
2. 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. *Tony Hodge believes the answer is “true” stated no more traffic than normal.*
3. 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. *Tony Hodge & Kelsey Harding believe the answer is “false” that this will be completely out of line with the rest of the homes on this street, the proposed 2 single family homes would be perpendicular not parallel to the street like the other homes.*
4. 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. *Tony Hodge believes the answer is “true” states there will be no negative effect.*
5. The use, arrangement of and location of uses and structures must be compatible with surroundings uses and zones or is capable of being made compatible through the imposition of conditions. *Kelsey Harding believes the answer is “true” regarding the frontage.*
6. The use and structures is not detrimental to the health, safety, and welfare of the locality involved. *Tony Hodge believes the answer is “true.”*
7. The use and structures conform to the purpose, intent, and objectives of this Zoning Ordinance. *Tony Hodge believes the answer is “true” it would conform to the lot, as a single-family home.*
8. 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. *Tony Hodge believes the answer is "true."*

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

Motion was made by Tony Hodge and seconded by Kelsey Harding to deny both Special Permit Requests 2023-04 & 2023-05 for CMH Homes, Inc. to locate a single -family home on a legal nonconforming lot.

***Motion to Approve Deny Orders Authorize President to Execute Order***

Motion was made by Jared Tully and seconded by Tony Hodge to deny both orders 2023-04 & 2023-05 and authorize the president to sign. Motion carried.

**CITIZEN CONCERNS**

There were no citizen concerns.

**STAFF REPORT**

The next scheduled BZA meeting is September 7, 2023.

**UNFINISHED BUISNESS**

There was no unfinished business.

**NEW BUSINESS**

- Jared Tully brought up maybe a change to the Bylaw if there is nothing on the agenda that we do not have to meet once a quarter (in person) maybe by phone?
- Jared Tully asked if we would look into consider moving our meeting back to the to the 2<sup>nd</sup> Thursday of each month, 1<sup>st</sup> Thursday seems to be harder to get a quorum, with Holidays etc.

**ADJOURNMENT**

Motion was made and seconded to adjourn.

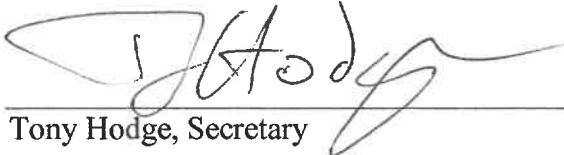
Respectfully submitted: \_\_\_\_\_

  
Jared Tully, Presiding Officer

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

9/7/2023

Attested by: \_\_\_\_\_

  
Tony Hodge, Secretary

**Exhibit A**

