

**PUTNAM COUNTY
BOARD OF ZONING APPEALS
PUTNAM COUNTY COURTHOUSE, ROOM 202
Thursday, July 12, 2007**

MINUTES

The Putnam County Board of Zoning Appeals held its regular monthly meeting on Thursday, July 12, 2007 at 7:00 p.m. in the Putnam County Courthouse, Room 202.

Steve Sluss, president, called the meeting to order.

Roll call was taken and a quorum was present.

Members present included: Patrick Donovan, Al Ruebush, and Steve Sluss.

Members absent included: Tom Reishman

Staff present included: Sandy Mellert, Melissa Sargent, and Linda Bess. Also present was Luanne Jividen, C.C.R.

Others present who signed in were: R. V. Barill and Sean Essinger.

MINUTES

The minutes of the May 17, 2007 meeting were reviewed. Motion was made by Patrick Donovan and seconded by Al Ruebush to approve the minutes as presented. Motion carried unanimously.

PUBLIC HEARING PROCEDURE

Steve Sluss gave a brief description of the rules for a public hearing.

SPECIAL PERMIT REQUEST BY Tim Donut U.S. Ltd., Inc

Disclosure of Conflict

No board member disclosed a potential conflict of interest with the Special Permit request by Tim Donut US LTD. to construct a Tim Horton's Restaurant on parcel 69 of tax map 223 which is zoned C-1, Suburban Commercial and located on Route 34 near Hospital Drive, Hurricane.

Public Hearing

Steve Sluss opened the public hearing for the Special Permit request by Tim Donut US LTD. to construct a Tim Horton's Restaurant on parcel 69 of tax map 223 which is zoned C-1, Suburban Commercial and located on Route 34 near Hospital Drive, Hurricane.

Staff presented the findings of fact, a copy of which is attached and made a part of these minutes. Staff also stated that the following items should be submitted and/or approved prior to final approval:

1. landscaping plan

2. NPDES Permit through the WVDEP
3. Planning Commission approval regarding the 40' right-of-way variance or a 60' ingress/egress right-of-way shown on the site plan
4. Putnam PSD's approval of the water and sewer plans
5. valid WV contractor's license for the general contractor
6. cost verification for the submitted \$500,000.00 estimated project construction cost
7. recordation information that the subdivision plat was put on record
8. payment of any outstanding fees

A question and answer session followed.

Applicant comments:

Sean Essinger, Tim Hortons representative, requested approval of the special permit.

There were no public comments.

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

Deliberation and Action

Discussion ensued with a question and answer session.

Motion was made by Al Ruebush and seconded by Patrick Donovan to approve the Special Permit request by Tim Donut US LTD. to construct a Tim Horton's Restaurant on parcel 69 of tax map 223 which is zoned C-1, Suburban Commercial and located on Route 34 near Hospital Drive, Hurricane as presented and with the conditions stated above. Motion carried unanimously.

CITIZEN COMMENTS

There were no citizen comments.

STAFF REPORT

Staff reported the following: 1) to date there is no agenda for the August meeting, 2) Regional Intergovernmental Council (RIC) has rescheduled the Board of Zoning Appeals and Planning Commission training for July 19, 2007 4 - 6 p.m., and 3) RIC is working on a bicycle and pedestrian plan for Kanawha and Putnam Counties. If you would like to participate in the survey, you may do so on our website at:
<http://planning.putnamcounty.org>

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 7:15 p.m.

Respectfully submitted: _____
Al Ruebush, Secretary

Minutes were approved: _____

Attested by: _____
Presiding Officer