MINUTES OF MEETING OF
WASHINGTON COUNTY PLANNING COMMISSION
BOARD OF ZONING APPEALS
Held February 6, 2024
Washington County Conference Room

The regular meeting of the **Washington County Planning Commission** was called to order at approximately 6:31 P.M. Board members present included Todd Ewen, Kevin Baird, Emily Rodman, Andrew Katt, Rondale Brishaber, and Danielle Walker. Absent were Lori Gilstrap and Deidre Miller.

Also present were Planning Director, Travis Elliott, and Commission Attorney, Lisa M. Fleming. Members of the public present included Max Greene, Rhonda Greene, Doug Turner, and Cory Beach.

Board of Zoning Appeals (BZA) There was no BZA meeting on February 6, 2024 and no BZA members were present at the Washington County Planning Commission meeting.

Rondale Brishaber offered a prayer and all in attendance recited the Pledge of Allegiance.

The **January 16, 2024 Meeting Minutes** were reviewed and approved following a motion from Emily Rodman, second by Rondale Brishaber, and unanimous approval.

President Todd Ewen asked Travis Elliott if he had anything to report. Travis expressed concerns that too many residents many may try avoid **compliance with the set-back requirement** if variances are granted too liberally, especially in the situations where builders/property owners do not apply for permits, start construction without approval and/in violation of setback requirements, or continue with construction in defiance of stop-work orders being issued. Travis thanked the commissioners for their support in the recent past.

He told those present that he recommends to applicants interested in building a new structure or adding on to an existing structure to start by planning to locate the edge of the structure sixty (60) feet from the edge of the road instead of the center of the road in order to have some racing room. This is not a requirement, however, just a good business practice where it is possible.

Travis commended those residents who do abide by the minimum set-back requirements or choose another site when the set-back cannot be achieved. Travis is hopeful that the current set-back requirements remain in place and that variances are not granted liberally or without good cause.

Todd Ewen asked attorney Fleming to weigh in and she responded that in addition to the safety reasons behind enforcement and support for the 60-foot set-back requirement,

enforcement of setbacks makes orderly growth, road widening and other improvements less costly, and construction faster if structures are prevented from being built within the set-back area. Attorney Fleming noted that the condemnation process is costly, and makes construction nearly impossible in some situations. When structures have to be moved or demolished in order to accommodate a project, the extra costs are borne by the taxpayers.

Doug Turner was listed on the agenda to speak generally about a **variance to the set-back requirement**. He indicated that he was interested in a variance to the setback due to the topography of his property.

Todd Ewen provided some **historical background on the set-back requirement**. Todd noted that the County Commissioners enacted a 60-feet setback requirement in 2003 following an incident where significant damage occurred at a home after a disc mower blade flew off and struck the side of the home and entered a utility room where it severed a water line and flooded the home. The family was fortunately away from the home at the time of the accident and no one was injured, but there was significant flooding and water damage. The County was hit with a major insurance claim against them. Following this incident, a calculation was made of how far away a structure would need to be in order to be outside the area of impact. The 60-foot setback (from the center of a roadway) originated from this study.

Todd encouraged Mr. Turner to go to the Board of Zoning Appeals (BZA) and ask for a variance. He advised Mr. Turner that this is strictly a matter for the BZA, and the next BZA meeting would be held in March.

Although **Jeff Souder was on the agenda to speak about minimum lot size**, he was unable to be present.

Cory Beach presented **two permit applications for approval; one was for a confined feeding permit 24-01C, and the other was for a manure compost permit 24-02M**. Both projects had been reviewed by Travis Elliott prior to the meeting. A minor change was made to the points for one category on an application but it continued to be in the acceptable range. Kevin Baird made a motion to approve the scoring sheets as modified and Danielle Walker seconded for the confined feeding permit. The vote was unanimous to accept. Following a discussion on the area of disturbance on the manure compost permit, Kevin Baird made a motion to approve which was seconded by Rondale and approved by all.

Todd Ewen reported that our Comprehensive Plan needs to be updated in order to receive grants. We may be eligible to get a $50K grant to help us with the update. There will an opportunity for public input in a series of meeting over the next several months.

The meeting adjourned at approximately 8:15 P.M. following a motion made by Emily Rodman, a second from Rondale Brishaber, and unanimous approval.

Washington County Planning Commission by:

Todd Ewen, President	**Kevin Baird, Vice President**
Danielle Walker	**Emily Rodman**
Deirdre Miller	**Rondale Brishaber**
Andrew Katt	**Loris Gilstrap**
Vacant	**Lisa M. Fleming, Attorney for WCPC/BZA**

Washington County BZA Guest Speaker(s) Sign in Sheet

Date | *time*2/6/2024 | 6:30-8:00pm

Location: Commissioners & Council Chambers (Courtroom)

Guest Speakers:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

5.03 Time Limits:

1.0 Discussion of any Item shall be limited as follows:

- **a.** The petitioner shall have 15 minutes to present his or her case.
- **b.** Remonstrators and those in support:
  - **i.** Remonstrators and those in support shall have 3 minutes per person for the presentation of evidence in opposition or support. However, multiple individuals may defer, his or her comment time to a spokesperson who shall accrue time of those who defer, subject to a limit of 10 minutes for rebuttal and to answer questions raised by the public.
  - **ii.** The petitioner shall then have 5 minutes for rebuttal and to answer questions raised by the public.
- **c.** No limit shall be placed on the amount of time the WCPC/WCBZA takes to discuss a proposal.
- **d.** The WCPC/WCBZA may grant additional time for discussion if it deems it necessary to make an informed decision. The additional time should be allocated between the applicant and the public.

Attendance:

Washington County Planning Commission & BZA

Date|Time: 2/06/2024|6:30pm

Location: Courthouse Courtroom (2nd Floor)

PC Members	Attend
Lisa Fleming	LMA
Travis Elliott	TE
Emily Rodman	ER
Danielle Walker	DW
Todd Ewen	TE
Rondale Brishaber	RB
Deidre Miller	
Kevin Baird	KB
Mark Hartman	
Andrew Katt	AK
Lori Gilstrap	

BZA Members	Attend
Lisa Fleming	
Denise Coots	
John Mishler	
Marsha Dailey	
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Lori Gilstrap	

Public	Attend
Rhonda Greene	RG
Max Greene	MG

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