

# WINFIELD PLANNING COMMISSION

## MINUTES

May 7, 2018

7:00 p.m.

Chairman William Davis called the meeting of the Winfield Planning Commission to order on May 7, 2018 at 7:00 p.m. at Winfield City Hall, 12448 Winfield Road, Winfield, WV.

**Members Attending:** Bill Davis, Pat Woodrum, Dana Campbell, Dale Vance and Sean Loyd

**Members Absent:** Diann Hodges

**Staff Present:** Randy Barrett, Mayor, Angie Hodges, Secretary; Jesse Parker, Planning Director and Tim Lafon, City Attorney

**Staff Absent:** Jackie Hunter, Recorder

**Public Present:** David Hobba, James Atkins, Shane Carter, John Hess, Philip Harrison and Jimmy Bumgarner

**Approval of Minutes:** Dana Campbell made a motion to approve the minutes of the April 2, 2018 meeting. Motion carried.

### **Staff Action/Reports:**

19 Residential Building permits and 3 Commercial Building Permits and 0 Permit Extensions were issued between March 27, 2018 through May 2, 2018.

### **NEW BUSINESS**

1. Rezoning Application 2018-2019-2 Public hearing request by G. David Hobba requesting permission to rezone .269 acres from R1 Residential to R2 Mixed Residential. Property is situated at the corner of Country Lane and Valley Street/Courthouse Drive.

Public Hearing      Opened at 7:02pm

The applicant, David Hobba, asked City Attorney, Tim Lafon, to read the R1 and R2 zoning ordinances. Mr. Hobba then proceeded to state that at the April 2, 2018 public hearing, he requested rezoning to build a \$500,000 to \$700,000 professional office building. The Planning Commission denied his request. In this public hearing, he is requesting to rezone from R1 Residential to R2 Mixed Residential. He intends to build a nice duplex or triplex of townhomes; using the same materials and style of the homes in Courtyard Estates. The townhomes will be to sell or lease; if sold each would cost approximately \$250,000.

James Atkins, who lives at 15 Mayberry Drive, stated that the Courtyard homeowners have made investments in each of their homes. He would like Mr. Hobba to build a single family home; he doesn't want a commercial or residential rental/lease property that close to the subdivision.

Shane Carter, whose family lives at 107 Mayberry, agreed with James Atkins. His family has lived there for 10 years. Once Mr. Hobba's request is approved to rezone to R2, he could change his mind and sell the property to whomever and they can then do as they want with it. He would like to see a nice home built on the lot.

John Hess, who lives at 16 Mayberry, has the same opinion as James Atkins and Shane Carter. His family has lived there 3 years; a duplex or triplex would change the nature of the neighborhood. He also would like to see a single family home built.

Philip Harrison, who owns Lot 34 in Courtyard Estates, stated he plans to build a home in the future. He questions why would it be a good thing to change the game plan after all of the current homeowners have invested in the subdivision. If the zoning is changed, the property owners across the street from his lot, could do the same. He doesn't want commercial or mixed residential properties across from his new home. He would rather see a single family dwelling built on Mr. Hobba's lot.

Jimmy Bumgarner, who owns the property at 203 Country Lane (which is across the street from Courtyard Estates, has the intension to build a single family home. However, if this rezoning is approved, he stated that he could also build duplexes or triplexes on his lot.

Mr. Hobba rebutted that the R2 definitions are clear; uses are limited. He stated do we want to tell people what they can and cannot do with their property. His property is not in Courtyard Estates; he is not asking to go in the subdivision and change anything. He wants to build a nice duplex or triplex townhome complex that will benefit families that may not be able to afford a \$300,000 to \$400,000 home. He had someone approach him about putting a doublewide on the lot. He said he doesn't believe the city would allow a doublewide.

James Atkins commented that his family lives next to the property that Mr. Hobba is requesting rezoning of. He and the other homeowners are not telling him what he can or cannot do with his property but he bought it zoned R1 Residential.

Phil Harrison commented that all the homeowners who bought homes in Courtyard Estates knew what they were buying just as Mr. Hobba knew his lot was R1 Residential.

John Hess asked if manufactured homes can be placed in the city. Tim Lafon, City Attorney, stated that he would need to research city ordinances concerning manufactured homes. Mayor Randy Barrett stated that when the city adopted the state building code, manufactured homes, not on wheels, can be placed on a lot with a solid foundation, as long as there are no restrictions in the subdivision. Since this lot is not in a subdivision, a manufactured home could be placed on it.

Angie Hodges, Planning Secretary, reported that the city received a letter from Ms. Pat Merton, who lives at 42 Mayberry Drive. Ms. Merton stated she is against the rezoning. There were no other letters or phone calls pertaining to this public hearing.

Jesse Parker, City Planning Director, again reported that in 2015, this planning commission amended the Comprehensive Plan to allow this property to be made available for commercial use. He recommends that the Planning Commission consider all public comment received in the public hearing. Staff also recommends that the Planning Commission recommend approval of this application to the City Council for rezoning of this parcel from R1 Residential to R2 Mixed Residential.

With no more public comments, Bill Davis closed the public hearing and asked for discussion from the Planning Commission members.

Public Hearing Closed at 7:26pm

Mayor Randy Barrett stated that after the last public hearing was rejected, he and Mr. Hobba had a discussion and Mr. Hobba stated that he could build a \$290,000 home on the lot. Mayor Barrett doesn't know what happened between their discussion and this public hearing to rezone to R2 Mixed Residential.

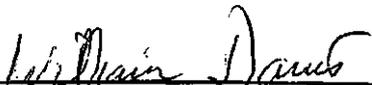
Member, Dana Campbell made a motion to reject the rezoning; Sean Loyd seconded. Mr. Campbell stated he agrees with the homeowners in Courtyard Estates and would not want a commercial or mixed residential property that close to his home. Motion carried.

### **GOOD OF THE ORDER**

Mayor, Randy Barrett commented that the DEP has the new sewer plant plans; hopefully in the next few months the financing can be secured.

### **ADJOURNMENT**

Bill Davis made a motion to adjourn at 7:36 pm until the next meeting. Motion carried.

  
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William Davis, Chairman

  
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Angie Hodges, Secretary