

Jefferson County Planning Commission
February 09, 2016

The Jefferson County Planning Commission met on February 9, 2016 with the following Commission members present: Mike Chapman, President; Wade Louthan, Vice President; Donnie Fisher, Secretary; Gary Phalen, Steve Stolipher, Gene Taylor, Dick Childs, and Peter Fricke. Staff members present included Jennie Brockman, Director of Planning and Zoning; David Simon, County Planner; Lydia Lehman, Assistant Prosecuting Attorney; and Rhonda Greenholtz, Planning Clerk.

Eric Bell was absent with prior notification.

Mr. Mike Chapman called the meeting to order at 6:58 PM.

1. Approval of the Minutes from the following Planning Commission Meeting
 - January 12, 2016

The minutes were approved with no objections.

2. Citizen Communications. None
3. Request for postponement. None.
4. **Public Hearing:** Public Hearing: Request by applicant Daniel Zappe (File #PCW16-01) for a waiver from Section 21.104.B.1 of the Subdivision Regulations requiring a 3:1 depth to width ratio to allow the property owner to subdivide his lot to create two legal lots where Route 9 divides his parcel.

Mr. Daniel Zappe gave a brief explanation to the nature of his request stating that the new Route 9 split his property into two separate parcels.

Ms. Jennifer Brockman gave an overview of the request stating that the WV Division of Highways acquired a portion of this property through a Condemnation Order for the purpose of constructing the four lane portion of WV Route 9. With advice from Legal Counsel, it was recommended that Mr. Zappe process a subdivision plat in order to formally create these two parcels as separate lots. The purpose of having a 3:1 depth to width ratio is to prevent pipestem lots from being created. Because the division requested is a result of action taken by the WV DOH and the applicant's request is to divide the property along the DOH right-of-way, the lot size and shape is predetermined.

Staff recommended approval of the requested waiver of the lot depth to width ratio as the division was created by the DOH's action.

Mr. Mike Chapman opened the floor to Public Comment. No Public comment was made.

Mr. Mike Chapman closed the floor to Public Comment.

Mr. Stephen Stolipher made a motion to approve the waiver.

Mr. Gary Phalen seconded the motion. A vote was taken which carried unanimously.

5. Reports from Legal Counsel and legal advice to the Planning Commission. Active Litigation
 - Far Away Farms: Report on legal action in Jefferson County Circuit Court Case # 11-C-325 Possible Executive Session. No updates.
 - Shiloh Citizens Association: Report on legal action on Supreme Court Docket #15-1031 Possible Executive Session.

Ms. Lydia Lehman stated there were no new updates on the cases.

Directors Report.

- A Stakeholders' Roundtable Discussion is scheduled for February 10, 2016 at 3:00 PM in the Old Charles Town Library Meeting room.
- Ms. Brockman provided an update on the status of the various proposed text amendments.

12. Planning Commission Exchange and Liaison Reports. None.

13. President's Report. None.

14. Actionable Correspondence. None.

15. Non-Actionable Correspondence. None.

Mr. Mike Chapman motioned to adjourn the meeting.

The meeting was adjourned at 7:25 PM.