



AGENDA
Jefferson County Planning Commission
Tuesday, July 10, 2018 7:00 PM

Planning Commission meetings are held in the Old Charles Town Library Meeting Room located at 200 East Washington Street, at the side entrance on Samuel Street in the City of Charles Town.

All Citizens that desire to speak must sign-in prior to the Agenda Item being addressed.

1. Approval of Meeting minutes:
 - June 10, 2018
2. Citizen Communications: If you wish to comment, please sign-in to speak for issues that are not on the agenda or items that are not open for public comment. Items not open for public comment will be so noted.
3. Request for postponement.
4. **Public Hearing:** Request by applicant/property owners, Emil M. Kosko, Jr. & Christopher K. Kosko and Gary & Cathy Stanhope, for a Final Plat Amendment in accordance with Section 24.202A of the Subdivision Regulations. The request is to lift the single family restriction from the Harold E. & Suella M. Jewell Minor Subdivision, Lots 1 & 2-Residue (PC File #90-34) for the purpose of operating a farm winery. Location: 5071 Middleway Pike, Kearneysville, WV and 5013 Middleway Pike, Kearneysville, WV. Tax District: Middleway (07); Tax Map: 19; Parcels 27.1 and 27.2. Zoned: Rural. Size: 2.32 acres combined.
5. **Public Hearing:** Request by applicants Garnett & Harry Catrow (PC File #09-26, Lots 1, 2 & 3 Catrow Minor Subdivision) for an approval of a waiver from Section 20.201 and 20.202(C) of the 2008 Subdivision Regulations (adopted 10/9/08) that requires all lots to face on an access easement having a width of 50 feet and that the easement shall be part of the residue or remaining property. Applicant is requesting Lot 2 of the Catrow Minor Subdivision (PC File #09-26) be permitted to utilize a separate driveway onto Sandpiper Lane. Owner/Applicant: Garnett & Harry Catrow. The property is designated as Catrow Minor Subdivision, Lot 2; Tax District: Shepherdstown (09); Tax Map: 7; Parcel 32.13; Size: .82 ac; Zoned: Residential Growth. File: PCW18-08.
6. **Public Hearing:** Request by applicant/owner Universal Forest Products, Eastern Division, Inc. for approval of a waiver from Section 20.203A.2 of the 2008 Subdivision Regulations adopted Oct. 9, 2008, amended February 1, 2018 which requires the submittal and approval of a Concept Plan for an 8,750 square foot structure. Property Owner/applicant: Universal Forest Products, Eastern Division, Inc. Location: 249 16th Avenue, Ranson, WV. Tax District: Charles Town (02); Tax Map: 7; Parcel 11.16 and 11.18; Size: 29.88 Zoned: Industrial-Commercial. File: PCW18-09.

There is no public comment for the following items.

7. Reports from Legal Counsel and legal advice to the Planning Commission.
8. Planner's Memo
9. President's Report.

10. Actionable Correspondence:

11. Non-Actionable Correspondence

DRAFT

Jefferson County Planning Commission
June 12, 2018

The Jefferson County Planning Commission met on June 12, 2018 with the following Commission members present: Steve Stolipher, Vice President; Wade Louthan, Secretary; Peter Onoszko, County Commission Liaison; Jack Hefestay, Mike Shepp and Ray Bruning. Staff members present included Jennifer Brockman, County Planner, Nathan Cochran, Assistant Prosecuting Attorney; and Rhonda Greenholtz, Planning Clerk.

Mr. Ron Thomas was absent with prior notification. Mr. Donnie Fisher was absent without prior notification. Mr. J Ware arrived at 7:14 PM.

Mr. Steve Stolipher presided over the meeting in Mr. Fisher's absence and called the meeting to order at 7:05 PM.

1. The minutes from the May 1, 2018 meetings were approved with no objections.
2. Citizen Communications. None
3. Request for postponement. None
4. A Public Hearing was held for a Waiver Request for Starbucks (PCW#18-07) The applicant is requesting a waiver from Appendix B, Section 10.6 of the Subdivision Regulations that requires sidewalks to support all non-residential subdivision/site development. The applicant is requesting to provide a 10' bike/pedestrian easement in lieu of the sidewalk.

Ms. Jennifer Brockman provided an overview of the proposed location.

Ms. Jamie McLean, Greenway Engineering, representative for the applicant and Ms. Helen McCarron, representative for the owner, Kentland Foundation were present. Ms. McLean provided an overview of the request for the proposed pedestrian/bike trail in lieu of the sidewalk stating that there are existing utilities under the area such as a sanitary sewer pump station, sewer force main, sewer lines, and the stormwater management basin limits are also located in that location, as well as overhead utility lines. She stated that connection capability and easements for any future connections will be provided and shown on the plat and recorded. The location of the force main is a big concern if a sidewalk is required to be installed in that location. Ms. McLean stated that if there are any issues with the utilities then the sidewalk would need to be torn up and reinstalled.

Ms. Brockman stated that there is a provision in the Subdivision Regulations which allows Staff to waive this requirement in specific circumstances. Generally this has only been applied for commercial development in rural areas. As this area is primarily commercial, Staff believes that this waiver request should come before the Planning Commission for a Public Hearing. Ms. Brockman discussed the surrounding property uses and noted that this location is ideal for pedestrian connectivity. The Comprehensive Plan also recommends providing connectivity between commercial and residential properties. Staff prefers to see the beginning of an interconnected sidewalk for this area of the County; however, if the Planning Commission is

Minutes
Planning Commission
June 12, 2018

inclined to approve this waiver, staff recommends that the proposed 10' easement be provided for by deed or plat and that the easement be marked either by signage or striping if the area is paved so both drivers and pedestrians are aware that foot traffic may occur in this area.

A discussion ensued on locations of future sidewalks, connectivity and of the existing utilities.

Mr. Steve Stolipher opened the floor to public comment.

No Public comment was made.

Mr. Stolipher closed the floor to Public Comment

Mr. Mike Shepp made a motion to approve the waiver contingent upon the 10' easement being shown on the plat and recorded.

Mr. Peter Onoszko seconded the motion. A vote was taken which carried unanimously.

5. Reports from Legal Counsel and legal advice to the Planning Commission.
 - a) Mr. Nathan Cochran reported that the Jefferson County Historical Landmark Commission (JCHLC) has filed an Appeal on a decision made by the Zoning Administrator regarding the applicability of Section 4.4C regarding the existing house and a portion of the property. This will be heard at the June 28, 2018 Board of Zoning Appeals meeting. No action is required by the Planning Commission.
 - b) Active Litigation:
 - None

6. Planners Memo.

Ms. Brockman provided an overview of the progress and changes to the upcoming text amendments to the Zoning Ordinance and the Subdivision Regulations.

The next scheduled Planning Commission meeting will be held on July 10, 2018.

7. President's Report. None
8. Actionable Correspondence. None
9. Non-Actionable Correspondence. None

Mr. Stolipher motioned to adjourn the meeting at 7:27 PM with no objections.

Staff Report
Jefferson County Planning Commission Meeting
July 10, 2018

Background

On September 26, 1990, the 2.32 - acre parcel owned by Harold E. & Suella M. Jewell was divided into two lots through the Minor Subdivision Plat (attached) process in effect at the time (Jefferson County Subdivision Ordinance, July 18, 1979). Under that Subdivision Ordinance, all Minor Subdivision Plats were required to place a note on the plat restricting the use of the lots created to occupancy by one single family dwelling (Note #3), which is not a requirement of the 2008 Subdivision and Land Development Regulations, as amended. Each of the two lots are occupied by a single family home and accessory structures. Parcel 27.1 (Lot 1) also has grapevines planted as a permitted agricultural use. The owners of both lots are requesting this plat amendment.

Plat Amendment Requirements

Section 24.202A of the Jefferson County Subdivision and Land Development Regulations, “Amendment, Modification, and the Vacating of Subdivision Plats”, states that the Planning Commission (or staff, in the case of a minor subdivision plat) may approve an amendment to a subdivision plat in the same manner as the plat was originally approved, provided:

1. All of the property that is affected by the amendment is under the ownership of the applicant;
2. The amendment will not affect the ownership or right of convenient access of persons owning other parts of the subdivision; and
3. The amendment complies with all of the standards of these Regulations, including verification of compliance with the Zoning Ordinance.

Because all plats, including Minor Plats, were approved by action of the Planning Commission under the 1979 Subdivision Ordinance, this amendment is required to be placed on the Planning Commission agenda for a Public Hearing and Planning Commission action. The required 30-day public notice has been advertised in the Spirit of Jefferson newspaper.

Recommendation

It should be noted that lifting this single family restriction allows the properties to utilize other Principal Permitted Uses listed in the current Zoning Ordinance or to apply for a Conditional Use Permit.

Staff recommends approving the requested plat amendment to include deleting Note #3 as specified in the request. Staff also recommends that the Planning Commission authorize the staff to review and approve the plat amendment reflecting these requested changes prior to recordation.

Mrs. Jennifer Brockman, AICP
County Planner, Jefferson County, West Virginia.
Office of Planning and Zoning, Department of Engineering.

I, Chris Kosko, along with my father, and business partner, Mr. Emil Michael Kosko, Jr seek to establish a fully-functioning farm winery on our property found at 5071 Middleway Pike, Kearneysville, West Virginia 25430. It has come to our attention that this plot, along with its adjoining plot (Lot 2 of the Jewell Subdivision) carry a certain "Single Family Restriction" that prevents regulatory permission from the Office of Planning and Zoning for the operation of a farm winery on-site.

As such, we (along with the proprietors of Lot 1, Mr. and Mrs. Gary Stanhope) respectfully request of the Zoning Committee that "Note 3" of *Final Plat, Lots 1 and 2, Minor Subdivision and Residue of Lands; Harold E. and Suella M. Jewell* be hereto lifted.

Our forward-looking intent is to establish the main winery operation, to include tastings and marketing of bottles of finished alcoholic wine product, to be executed on what is now Lot 1; and to purchase what is now Lot 2 from the Stanhope family to cultivate that land for use as viniferous production (growing grape on their vines).

Please find below the requisite signatures of all persons involved as a testament of the mutually agreed desire that the lifting of said restriction take place.

Thank you.

The Proprietors of Lot 1, Jewell Subdivision, and signatory representatives of Wine Down Winery.

Emil M. Kosko, Jr; Owner and CEO.

Christopher K. Kosko, Owner and COO.

Interested Parties of Lot 2, The Stanhope Family.

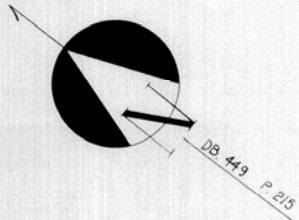
Gary Stanhope

Cathy Stanhope.

I, Fred W. Gates, hereby certify that this plat contains correct and true surveys made by me in February 1990, that the boundary control survey had at least a 1 foot in 10,000 feet closure, and that the boundaries as shown hereon actually exist.

FRED W. GATES L.L.S. 559 21 MAY 1990

Robert D. Nelson et ux
DB. 565 P. 1
TM. 19 P. 26

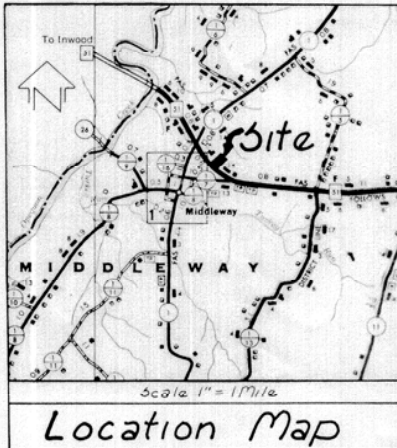


Franklin D. Harding et ux
DB. 314 P. 380
TM. 19A P. 15.3

Franklin D. Harding et ux
DB. 383 P. 457
TM. 19A P. p/o 17

Franklin D. Harding et ux
DB. 383 P. 457
TM. 19A P. 18

William B. Schill
WB. R P. 494
TM. 19 P. 29



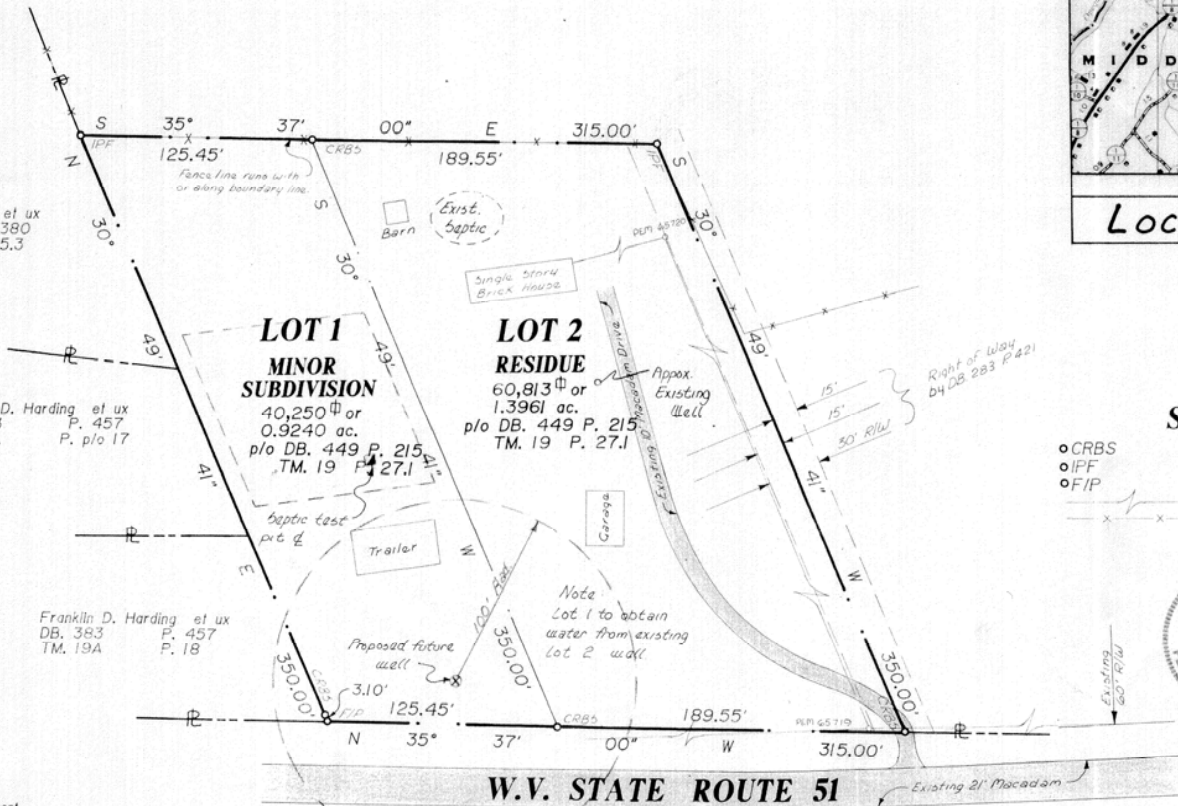
TOTAL LANDS
Minor Subdivision = 0.9240 ac.
Residue = 1.3961 ac.
TOTAL LANDS = 2.3201 ac.

NOTES:

- The lands hereon being that of Harold E. and Suella M. Jewell, as described in Deed Book 449 Page 215, Tax Map 19 Parcel 27.1 and being 101,063 square feet or 2.3201 acres total.
- There are no additional restrictive covenants for the lands conveyed at this time.
- Lots are restricted to one single family dwelling units.
- Lots shall not be further subdivided without approval of the Jefferson County Planning Commission.
- Buildings shall be setback a minimum of 40 feet from the front boundary lot line and a minimum of 15 feet from side and 50 feet from rear lot lines.
- The public service district may require the connection to a centralized water or sewer system if one or both become available in the future.
- Septic Disposal System: The seller of any lot within this subdivision shall provide the buyer with a reasonable opportunity before settlement to determine that the lot is suitable for the construction of a septic disposal system. If the buyer is denied a septic system permit by the Jefferson County Health Department, the buyer may refuse to purchase the property without penalty.
- Flood Zone: Flood Zone C by Firm Map 540065 0044 B
- Verification from a well driller that a pressure grouted well has been drilled and is producing water of a quantity approved by the local or state health department prior to the issuance of an Improvement Location Permit. Certification that this water is potable must be submitted to the Planning Commission Office within 6 months of the issuance of an Improvement Location Permit.
- Owners Statement: The owner, in signing this plat, agrees to abide by all conditions, terms and specifications provided hereon.

Harold E. Jewell
Harold E. Jewell

Suella M. Jewell
Suella M. Jewell



6683
RECEIVED AND RECORDED
October 3rd 1990
11:25 AM
Page 58
BOOK 9 PAGE 58
JOHN E. OTT
CLERK OF COUNTY COURTS
JEFFERSON COUNTY

Symbol Key
 ○ CRBS
 ○ IFF
 ○ FIP
 ——— CAPPED REBAR SET
 ——— IRON PIPE FOUND
 ——— FENCE POST
 ——— POWER LINES
 ——— FENCE LINES

Approved Subdivision
Paul J. Rocco (RFD)
Director of Planning
Sept. 26, 1990
JEFFERSON COUNTY
OFFICIAL SEAL
1987
PLANNING COMMISSION

Developer:
Harold E. & Suella M. Jewell
Rte. 1 Box 311 Kearneysville,
West Virginia 25430
(304) 725-6079

FINAL PLAT
LOTS 1 & 2
Minor Subdivision & Residue
of the lands of
HAROLD E. & SUELLA M. JEWELL

Situate along the northerly margin of West Virginia State Route 51, approximately 0.25 of a mile easterly of its intersection with West Virginia County Route 1, in the Middleway Magisterial District, Jefferson County, West Virginia.




Revised 10/07/90
Reviewed 2/26/90
Plat 853
Date: 22 May 90
Scale: 1"=50'
Tax Map: 19
Middleway
Drawn by: B.J.G.
Gates Associated
RFD 1, Box 532 (Rte. 45)
Shepherdstown
West Virginia 25443
Phone: 1-304-876-6124

Staff Report
 Jefferson County Planning Commission Meeting
 July 10, 2018

Item #5

Public Hearing: Request by applicant Garnett & Harry Catrow (PC File #09-26, Lots 1, 2 & 3 Catrow Minor Subdivision) for an approval of a waiver from Sections 20.201 and 20.202(C) of the 2008 Subdivision Regulations (adopted 10/9/08) that requires all lots to face on an access easement having a width of 50 feet and that the easement shall be part of the residue or remaining property. Applicant is requesting Lot 2 of the Catrow Minor Subdivision (PC File #09-26) be permitted to utilize a separate driveway onto Sandpiper Lane.

APPLICANT:	Garnett & Harry Catrow
OWNER:	Same as Applicant
DEVELOPER:	Same as Applicant
CONSULTANT:	Same as Applicant
PROPERTY LOCATION:	Catrow Minor Subdivision, Lot 2
LEGAL DESCRIPTION & ZONING DISTRICT	<p style="text-align: center;">Tax District: Shepherdstown (09); Tax Map: 7; Parcel 32.13; Zone: Residential Growth</p> 
SURROUNDING PROPERTIES:	Zoning Map Designation: <i>North, South, East, and West: Residential Growth</i>
APPROVED USE:	Single Family Residential
PARCEL HISTORY:	Lots 1, 2 & 3 Catrow Minor Subdivision (PC File #09-26) recorded in Courthouse: 03/04/10

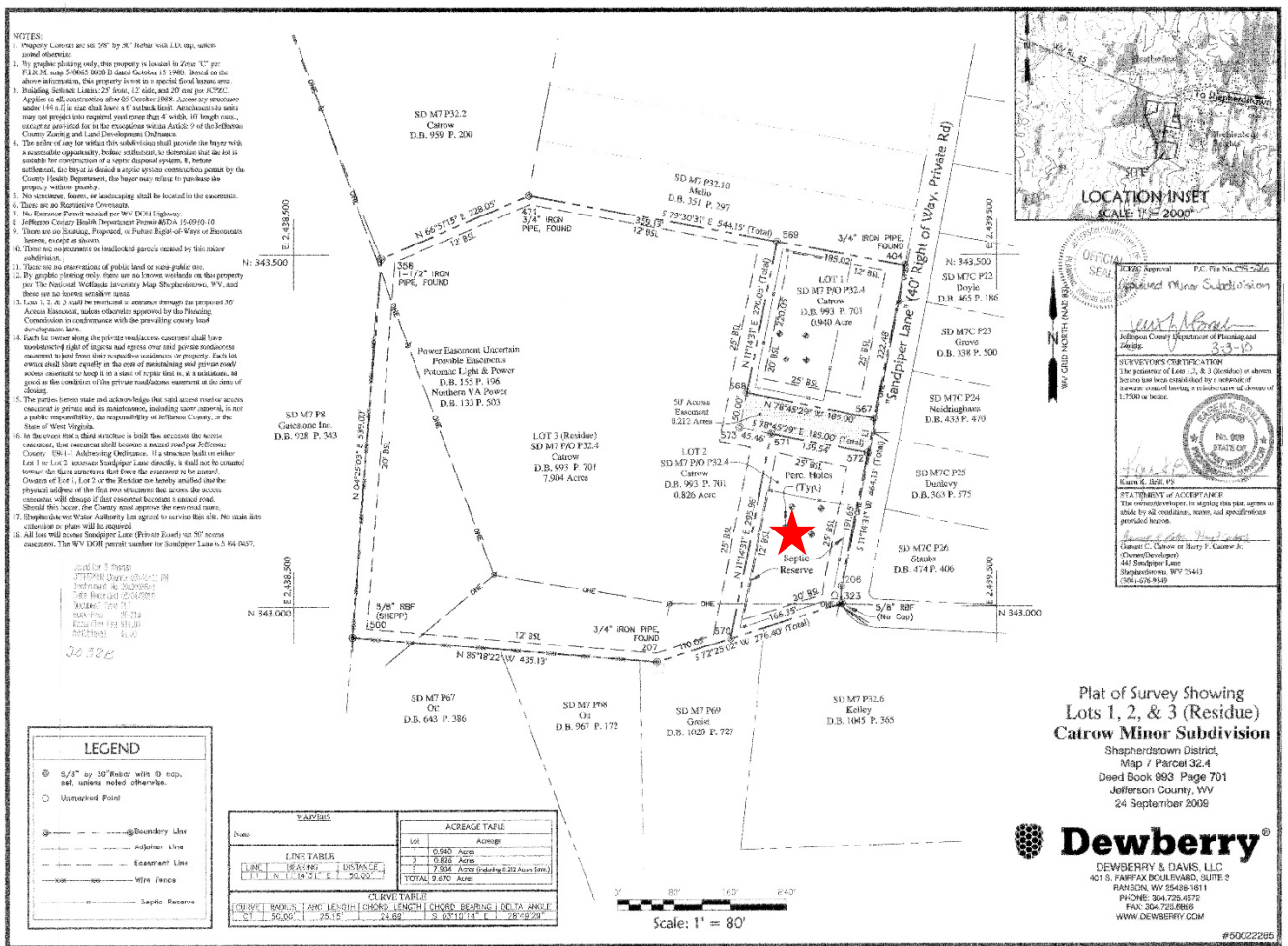
Staff Report

Jefferson County Planning Commission Meeting

July 10, 2018

1. Background:

The Catrow Minor Subdivision, Lots 1, 2, & 3-Residue (below), approved in 2010, was the resubdivision of a lot in Section D of Mecklenburg Heights, which was approved prior to the adoption of a Subdivision Ordinance in Jefferson County. Catrow Minor Subdivision is a three-lot Minor Subdivision off a private right-of-way, Sandpiper Lane. The 2008 Subdivision and Land Development Regulations (adopted 10/9/08) were the rules in effect when the Catrow Minor Subdivision was approved. The current Subdivision Regulations are based on these 2008 Subdivision Regulations and were amended 2/1/18. Both versions of the Regulations require that all lots in a minor subdivision, regardless of the zoning district, have motor vehicle access via a 50' access easement, provided that the access easement serves no more than 5 lots. In 2010, this easement was required to be retained with the residue lot.



2. Summary of the Request:

The applicant is requesting a waiver from Sections 20.201 and 20.202(C) of the 2008 Subdivision Regulations (adopted 10/9/08) which required all lots to face on an access easement having a width of 50 feet and that the easement be part of the residue or remaining property. Applicant is requesting that Lot 2 of the Catrow Minor Subdivision (PC File #09-26) be permitted to utilize a separate driveway onto Sandpiper Lane.

Staff Report
Jefferson County Planning Commission Meeting
July 10, 2018

3. Staff Comments:

The provision that requires Minor Subdivision lots to access via a 50' access easement is intended to minimize the number of driveways intersecting state roads throughout the County. In this particular case, the Minor Subdivision is accessing a privately owned and maintained subdivision road. The Mecklenburg Maintenance Association, which maintains Sandpiper Lane as well as other roads in this subdivision, has written a letter, attached to the waiver application, supporting this request and requesting that Lots 1 and 2 be permitted to access directly on to Sandpiper Lane as the other lots in the neighborhood do. The nature of this development does not appear to be negatively affected by this waiver request.

4. Waiver Requirements:

The applicant is requesting that the requirement that all lots in a Minor Subdivision face on an access easement having a width of 50 feet that is a part of the residue and that Lot 2 of the Catrow Minor Subdivision (PC File #09-26) be permitted to utilize a separate driveway onto Sandpiper Lane. The applicant has provided a brief response to each of the following requirements found in "Division 24.300 Waivers" of the Subdivision Regulations in their attached application:

Waivers from the minimum standards in these Regulations may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- (1) that the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature;
- (2) that the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- (3) that the waiver, if granted, will be in keeping with the intent and purpose of these Regulations;
and
- (4) that the waiver if granted will result in a project of better quality and/or character. Process and procedural waivers shall be reviewed and found consistent with the above criteria prior to approval.

5. Staff Recommendation:

Staff does not object to the approval of this waiver that will allow Lot 2 to have direct access to Sandpiper Lane rather than accessing the internal 50' easement on the plat.



JEFFERSON COUNTY, WEST VIRGINIA
Dept. of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 716
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: ^{PCW} 18-08
 Staff Initials: GH
 Sketch Received:
 List of Adjoiners:
 Fees Paid: \$100.00

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304)
 Fax: (304)

Waiver Request

Note: Waivers from the 2008 Amended Subdivision Regulations must comply with Division 24.300 of the Subdivision Regu.

Sketch on a separate sheet of paper the shape and location of lot. Show the location of the intended construction or use indicating building setbacks, size, and height. Identify existing buildings, structures, or land uses on the property and date the sketch. Provide a vicinity map of the area and a list of the adjoining property owner's mailing address

Property Owner Information

Name: Garnett Catrow Harry Catrow
 Mailing Address: P.O. Box 1223 Shepherdstown, WV 25443
 Phone Number: 304-676-9349 Email: garnett@hgcatrow.com

Applicant Contact Information

Name: Garnett Catrow
 Mailing Address: P.O. Box 1223 Shepherdstown, WV 25443
 Phone Number: 304-676-9349 Email: garnett@hgcatrow.com

Applicant Registered Engineer(s), Surveyor(s), or Consultant(s)

Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Physical Property Details

Physical Address 205 Sandpiper Lane Shepherdstown
 Tax District: Shepherdstown Map No: 7 Parcel No: 32.13
 Parcel Size: .826 Deed Book: 993 Page No: 701

Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential- Light Industrial- Commercial (R-LI-C)	Village (V)	Neighborhood Commercial (NC)	Gene Comm (GC)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p align="center">RECEIVED</p> <p align="center">JUN 18 2018</p> <p>JEFFERSON COUNTY PLANNING, ZONING & ENGINEERING</p>			Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/Cor Mixed- (OC)
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

June 15th, 2018

**Mecklenburg Maintenance Association, Inc. (MMA)
P.O. Box 1464
Shepherdstown, WV 25443**

To: Jefferson County Department of Planning and Zoning (JCDPZ)
116 East Washington Street
P.O. Box 716
Charles Town, WV 25414

**RE: Harry F. Catrow
207 Sandpiper Lane (Lot 1) and 205 Sandpiper Lane (Lot 2) Driveways**

To Whom It May Concern:

I am writing you at the request of Harry F. Catrow regarding the installation of driveways for two new residential houses on the lots referenced above.

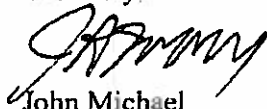
Mr. Catrow contacted me via phone on June 14th, 2018 and stated that your organization (JCDPZ) had informed him that he may have to install a single "shared" driveway for two new houses on the above lots due to a 50' right of way shown on the county plat that exists between the two structures. Mr. Catrow further asked me if the MMA would have any problem with each of the new houses having their own separate driveways and, if not, asked that I write a letter to the JCDPZ to indicate as such.

On behalf of the MMA, I am informing the JCDPZ that the MMA does not oppose the installation of separate driveways for the two new houses. More specifically, we strongly encourage the JCDPZ to issue a permit(s) to allow Mr. Catrow to construct a separate driveway dedicated solely for the new house constructed on Lot 2 at 205 Sandpiper Lane, Shepherdstown, WV 25443 in addition to a separate driveway dedicated solely to the new house on Lot 1 at 207 Sandpiper Lane.

It is the MMA's position that, when possible, each individual single family residential structure in Mecklenburg Heights Subdivision should have their own driveway. We believe this for numerous reasons including the avoidance of possible property owner disputes, property owners' privacy, and conformance to the existing construction of almost every driveway in the development.

Thank you for your time and consideration. If you have any questions or concerns regarding this matter, please do not hesitate to contact me at 304-671-8268.

Sincerely,



John Michael
MMA President

RECEIVED

JUN 18 2018

JEFFERSON COUNTY PLANNING,
ZONING & ENGINEERING

C:\Users\jplank\CATROW - Small Minor Sub.dwg - Layout1, 2/24/2010 4:03:42 PM, bldg

NOTES:

- Property Corners are set 5/8" by 30" Rebar with I.D. cap, unless noted otherwise.
- By graphic plotting only, this property is located in Zone "C" per F.L.R.M. map 540065 0020 B dated October 15 1980. Based on the above information, this property is not in a special flood hazard area.
- Building Setback Limits: 25' front, 12' side, and 20' rear per JCPZC. Applies to all construction after 05 October 1988. Accessory structures under 144 s.f. in size shall have a 6' setback limit. Attachments to units may not project into required yard more than 4' width, 10' length max., except as provided for in the exceptions within Article 9 of the Jefferson County Zoning and Land Development Ordinance.
- The seller of any lot within this subdivision shall provide the buyer with a reasonable opportunity, before settlement, to determine that the lot is suitable for construction of a septic disposal system. If, before settlement, the buyer is denied a septic system construction permit by the County Health Department, the buyer may refuse to purchase the property without penalty.
- No structures, fences, or landscaping shall be located in the easements.
- There are no Restrictive Covenants.
- No Entrance Permit needed per WV DOH Highway.
- Jefferson County Health Department Permit #SDA 19-0910-10.
- There are no Existing, Proposed, or Future Right-of-Ways or Easements hereon, except as shown.
- There are no remnants or landlocked parcels created by this minor subdivision.
- There are no reservations of public land or semi-public use.
- By graphic plotting only, there are no known wetlands on this property per The National Wetlands Inventory Map, Shepherdstown, WV, and there are no known sensitive areas.
- Lots 1, 2, & 3 shall be restricted to entrance through the proposed 50' Access Easement, unless otherwise approved by the Planning Commission in conformance with the prevailing county land development laws.
- Each lot owner along the private road/access easement shall have unobstructed right of ingress and egress over said private road/access easement to land from their respective residences or property. Each lot owner shall share equally in the cost of maintaining said private road/access easement to keep it in a state of repair that is, at a minimum, as good as the condition of the private road/access easement at the time of closing.
- The parties hereto state and acknowledge that said access road or access easement is private and its maintenance, including snow removal, is not a public responsibility, the responsibility of Jefferson County, or the State of West Virginia.
- In the event that a third structure is built that accesses the access easement, that easement shall become a named road per Jefferson County E91-1 Addressing Ordinance. If a structure built on either Lot 1 or Lot 2 accesses Sandpiper Lane directly, it shall not be counted toward the three structures that force the easement to be named. Owners of Lot 1, Lot 2 or the Residue are hereby notified that the physical address of the first two structures that access the access easement will change if that easement becomes a named road. Should this occur, the County must approve the new road name.
- Shepherdstown Water Authority has agreed to service this site. No main line extension of plans will be required.
- All lots will access Sandpiper Lane (Private Road) via 50' access easement. The WV DOH permit number for Sandpiper Lane is 5-84-0457.

Permit for 9 Neches
JEFFERSON County 0344-11 PA
Instrument No 2010035041
Date Recorded 05/06/2010
Document Type PLT
Book-Page 25-210
Recording Fee \$10.00
Additional \$1.00

20388

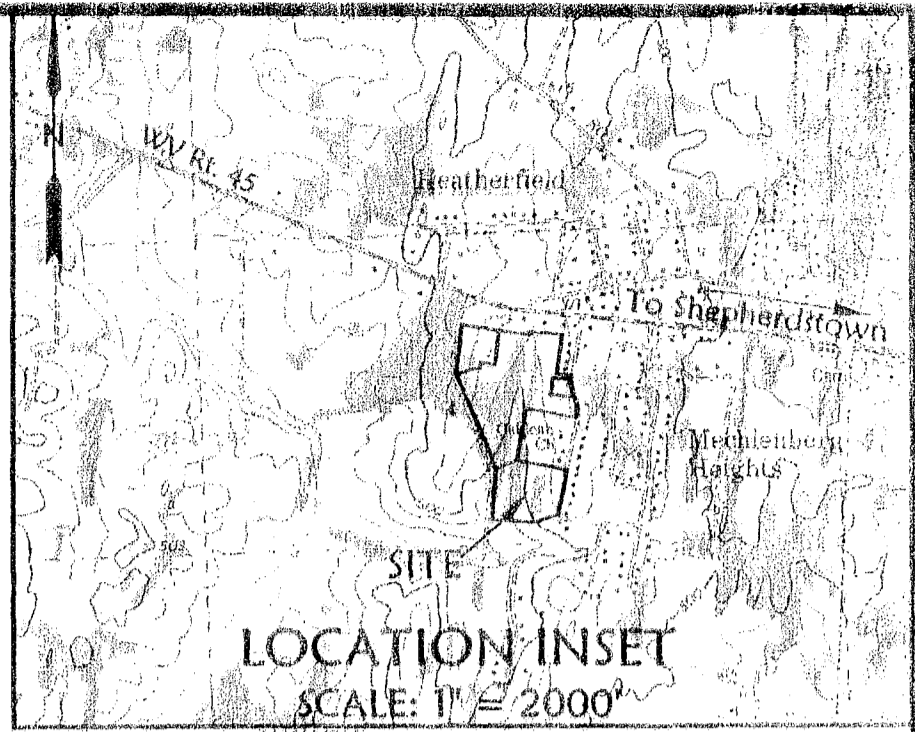
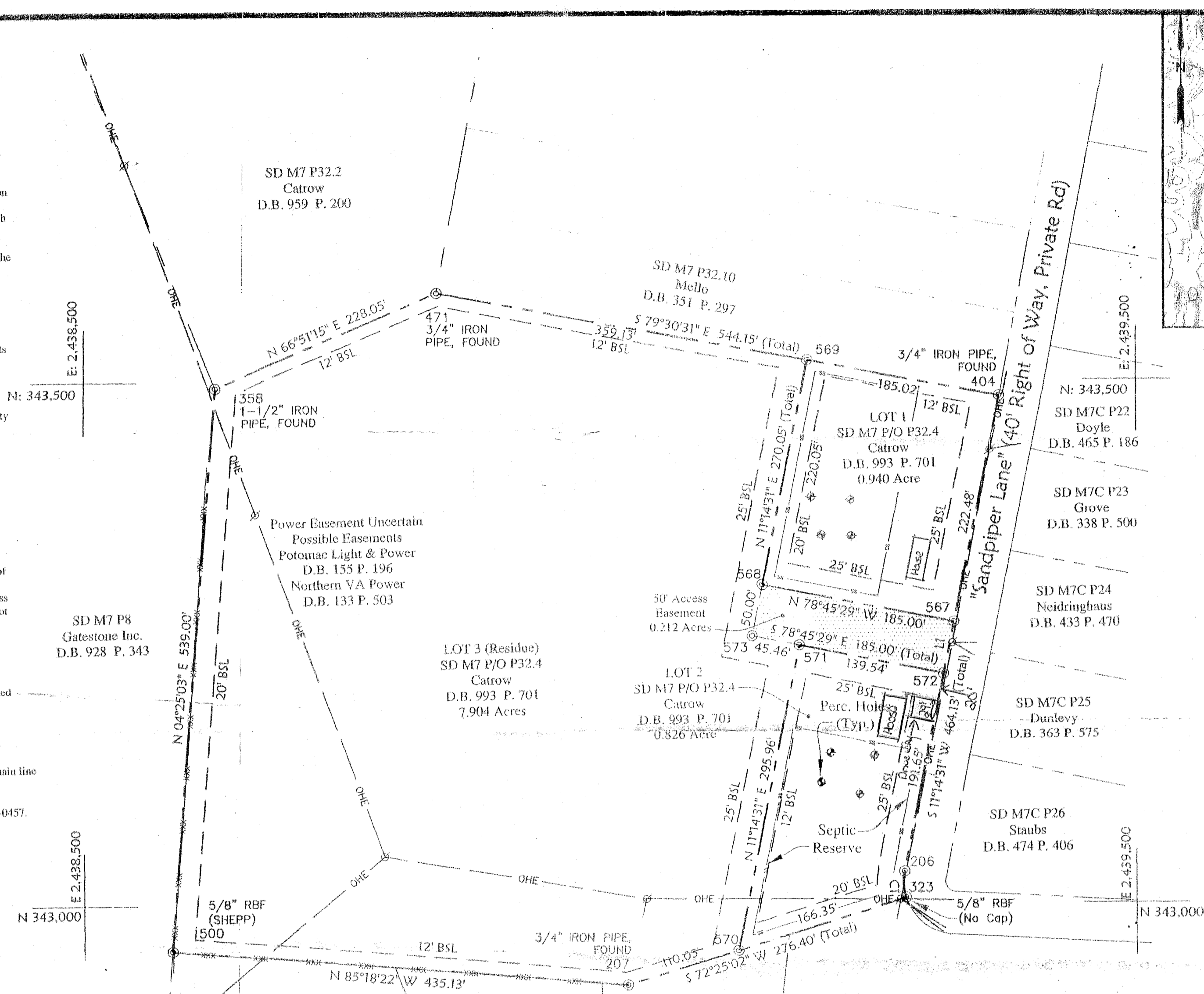
LEGEND	
⊙	5/8" by 30" Rebar with I.D. cap, unless noted otherwise.
○	Unmarked Point
—	Boundary Line
—	Adjoiner Line
---	Easement Line
---x---	Wire Fence
---	Septic Reserve

WAIVERS	
None	

ACREAGE TABLE	
Lot	Acreage
1	0.940 Acres
2	0.826 Acres
3	7.904 Acres (including 0.212 Access Emt.)
TOTAL	9.670 Acres

LINE TABLE	
LINE	BEARING DISTANCE
L1	N 11°14'31" E 50.00'

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	25.15'	24.88'	S 03°10'14" E	28°49'29"



JEFFERSON COUNTY PLANNING, ZONING AND ENGINEERING

OFFICIAL SEAL

JCPZC Approval P.C. File No. 2010-035041

Approved Minor Subdivision

Karen K. Brill

Karen K. Brill, PS
Jefferson County Department of Planning and Zoning

SURVEYOR'S CERTIFICATION
The perimeter of Lots 1, 2, & 3 (Residue) as shown hereon has been established by a network of traverse control having a relative error of closure of 1:7500 or better.

STATEMENT OF ACCEPTANCE
The owner/developer, in signing this plat, agrees to abide by all conditions, terms, and specifications provided hereon.

Garnett C. Catrow

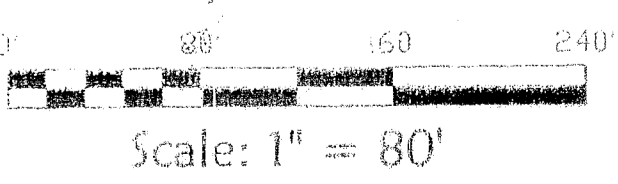
Garnett C. Catrow or Harry F. Catrow Jr.
(Owner/Developer)
443 Sandpiper Lane
Shepherdstown, WV 25443
(304) 676-9349

Plat of Survey Showing
Lots 1, 2, & 3 (Residue)
Catrow Minor Subdivision
Shepherdstown District,
Map 7 Parcel 32.4
Deed Book 993 Page 701
Jefferson County, WV
24 September 2009

Dewberry

DEWBERRY & DAVIS, LLC
401 S. FAIRFAX BOULEVARD, SUITE 3
RANSON, WV 25438-1611
PHONE: 304.725.4572
FAX: 304.725.6896
WWW.DEWBERRY.COM

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#500227
PCW18-68

Catrow Adjoiners

Parcel_ID 09007C00240000
ROSA & JOSE PARTNERSHIP
714 RUDDER RD
SHEPHERDSTOWN, WV 25443

Parcel_ID 09007C00250000
GARY R & CAROL L DUNLEVY
PO BOX 781
SHEPHERDSTOWN, WV 25443

Parcel_ID 09007C00260000
RANDY D & BRENDA L STAUBS
PO BOX 891
SHEPHERDSTOWN, WV 25443

Parcel_ID 09000700320006
ROLFE M & BONITA C KELLEY
PO BOX 1257
SHEPHERDSTOWN, WV 25443

Parcel_ID 09000700690000
MATTHEW D MILLER
116 SPRING WARBLER WAY
SHEPHERDSTOWN, WV 25443

Lot 2 Catrow Property
PC File # 09-26



Cc: Garnett & Harry Catrow
P.O. Box 1223
Shepherdstown, WV 25443

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JUL 03 2018

JEFFERSON COUNTY PLANNING,
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July 2nd, 2018

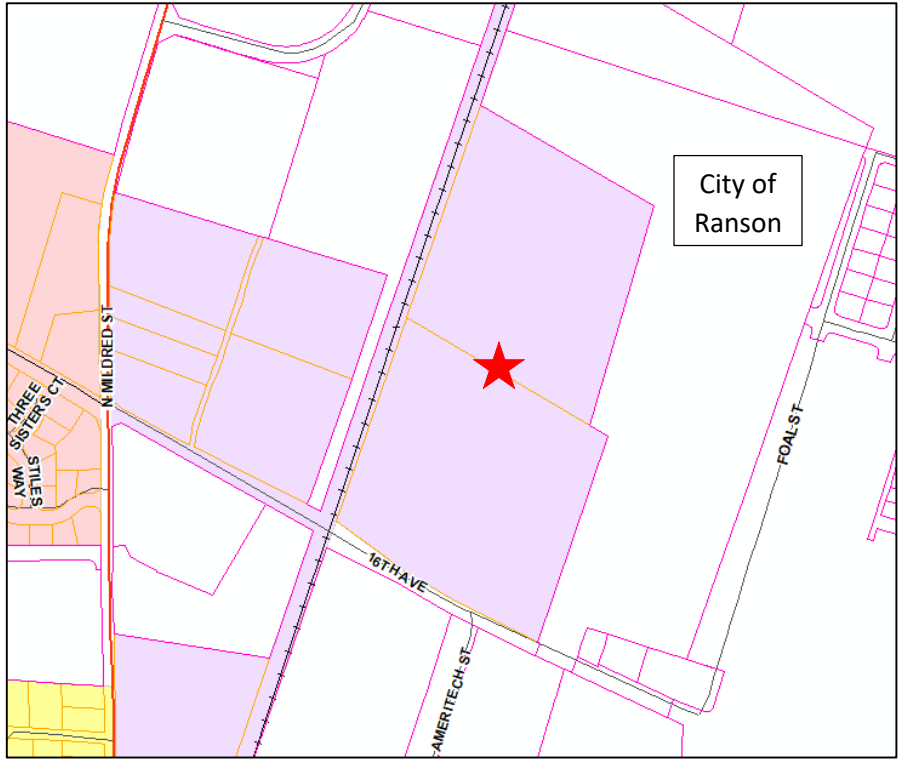
I own the adjoining property (141 Sandpiper Ln) and support the request for the waiver per the other page. Most properties on Sandpiper Ln have their own driveways - The traffic is such on Sandpiper Ln that said request would not hinder said traffic -

R. M. Kelly

Staff Report
 Jefferson County Planning Commission Meeting
 July 10, 2018

Item #6

Public Hearing: Request by applicant Universal Forest Products, Eastern Division, Inc. for a waiver from Section 20.203A.2 of the 2008 Subdivision Regulations adopted Oct. 9, 2008, amended February 1, 2018 which requires the submittal and approval of a Concept Plan for an 8,750 square foot structure. File: PCW18-09.

APPLICANT:	Universal Forest Products, Eastern Division Inc.
OWNER:	Same as Applicant
DEVELOPER:	Same as Applicant
CONSULTANT:	Pennoni Associates, Inc.
PROPERTY LOCATION:	249 16 th Ave., Ranson, WV
LEGAL DESCRIPTION & ZONING DISTRICT	District: Charles Town (02); Tax Map: 7; Parcel: 11.16 & 11.18; Size 29.88 ac; Zone: Industrial Commercial 
	Zoning Map Designation: <i>North:</i> City of Ranson <i>South:</i> City of Ranson <i>East:</i> City of Ranson <i>West:</i> Industrial Commercial
PARCEL HISTORY:	S05-14: Site Plan for a 9,000 sq. ft. additional building & proposed treating facility. 10/20/05: BZA granted variance from landscaping requirements.

1. Background:

The development of the Universal Forest Products, Eastern Division property, located just outside of the Corporation of Ranson, pre-dates the adoption of Zoning and Subdivision Regulations in Jefferson County. Universal Forest Products in Ranson manufactures and supplies wood products used in

Staff Report
Jefferson County Planning Commission Meeting
July 10, 2018

industrial packaging and construction; supplies concrete formwork used in construction; and supplies lumber and components to building supply dealers.

In 1999, a merger plat was processed creating the 29.88 acre parcel where the facility currently exists. In 2005, a Site Plan (S05-14) was processed that showed the relocation of a 9,000 square foot manufacturing building, the construction of a proposed treating facility addition, and revisions to the on-site stormwater facilities. At this time, a variance was granted by the BZA related to the required screening and buffering requirements around the perimeter of the property for those proposed improvements.

In 2006 and 2008, a number of red-line revisions were processed related to changes in materials and stormwater design. In recent years, numerous changes were made on site including some changes to the stormwater retention design in response to comments from WV DEP. In early 2017, the applicants attended a Pre-Proposal Conference (PPC) meeting regarding relocating a planned future 9,000 sq. ft. building shown on the approved site plan and the construction of a new 8,750 sq. ft. building. At that time, based on aerial imagery, it became apparent that the site had expanded beyond the scope of the approved Site Plan (S05-14). As a result of the PPC, the applicant was told that in order to correct this violation, they were required to either restore the site to the original condition or to process a revised Site Plan. They were also authorized to process a red-line revision for the relocation of the previously approved 9,000 sq. ft. building. This red-line was approved in October 2017.

On May 18, 2018, the applicant submitted a Site Plan proposing two pre-engineered buildings, one of which is 8,750 sq. ft. and one of which is 45,000 sq. ft., both of which require processing a Concept Plan and a Site Plan prior to the issuance of a building permit. On May 25, 2018, a Site Plan Determination letter was sent to the applicant stating that a Concept Plan is required prior to processing the Site Plan. It should be noted that the Site Plan includes significant revisions to the stormwater management design as well as the two new buildings.

2. Summary of the Request:

The applicant is requesting a waiver from Section 20.203A.2 of the 2008 Subdivision Regulations adopted Oct. 9, 2008, amended February 1, 2018 which requires the submittal and approval of a Concept Plan for all new structures or new additions to structures located on a parcel which total more than 5,000 and less than 250,000 sq. ft. gross floor area.

This waiver request is limited to requesting that the Concept Plan not be required for the 8,750 square foot building only. A Concept Plan was received on June 29, 2018 which includes all revisions and both buildings and will be placed on the August, 2018 Planning Commission meeting. The applicant would like to process the 8,750 sq. ft. building as soon as possible in order to cover materials located where the structure is proposed.

3. Staff Comments:

Procedurally, all site developments which propose buildings, both new and additions to existing, where all new structures or new additions to structures located on a parcel total more than 5,000 and less than 250,000 sq. ft. gross floor area may process as a Minor Site Development but require the submittal and approval of a Concept Plan prior to the administrative review of the Site Plan.

Section 20.203A.3 does provide an exception for “building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater”. While this property is zoned Industrial-Commercial and has an approved Site Plan, it is not within a master planned non-residential

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Jefferson County Planning Commission Meeting
July 10, 2018

subdivision. Therefore the only way to allow the construction of a structure over 5,000 square feet is to first process a Concept Plan or to request a waiver of this requirement.

The Site Plan submitted for this project includes a number of designed improvements, including documenting that changes made to the stormwater management facilities meet our current Stormwater Management Ordinance requirements, changes drive aisles and parking, and the proposed two structures (8,750 sq. ft. and 45,000 sq. ft.). A Concept Plan has been submitted which is slated for the August 14, 2018 Planning Commission meeting; however, the applicant has requested this waiver in order to be permitted to process the 8,750 sq. ft. structure prior to this meeting.

This structure which is the subject of this waiver request is a proposed open-sided structure to be placed on an already impervious surface, covering materials currently being stored outdoors. The structure will not house employees and have no utilities other than electric. It will not generate the need for any additional parking. The applicant's request is to be able to obtain a building permit for this structure prior to the approval of the Concept Plan, understanding that this is at their own risk. Staff intends to proceed with the review and approval of the Site Plan concurrently with the Concept Plan and, if this waiver is approved, allow the 8,750 building to be constructed at the applicant's risk. The Site Plan cannot be officially approved unless and until the Concept Plan Public Workshop has been held and approved.

4. Waiver Requirements:

The applicant is requesting that the requirement for the submittal and approval of a Concept Plan for an 8,750 square foot structure prior to submittal of a Site Plan be waived. They have addressed the following requirements found in "Division 24.300 Waivers" of the Subdivision Regulations in their attached application:

Waivers from the minimum standards in these Regulations may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- (1) that the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature;
- (2) that the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- (3) that the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and
- (4) that the waiver if granted will result in a project of better quality and/or character. Process and procedural waivers shall be reviewed and found consistent with the above criteria prior to approval.

5. Staff Recommendation:

Staff does not object to the approval of this waiver that will allow the proposed 8,750 square foot building to be approved without the submittal of a Concept Plan, noting that this approval is at the applicant's risk. The applicant has submitted the required Concept Plan and Site Plan which are under review at this time as well as a Zoning Variance for the required landscaping and buffer.



JEFFERSON COUNTY, WEST VIRGINIA
Dept. of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 716
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: PCW18-09
 Staff Initials: gh
 Sketch Received:
 List of Adjoiners:
 Fees Paid: 100.00

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Waiver Request

Note: Waivers from the 2008 Amended Subdivision Regulations must comply with Division 24.300 of the Subdivision Regulations.

Sketch on a separate sheet of paper the shape and location of lot. Show the location of the intended construction or land use indicating building setbacks, size, and height. Identify existing buildings, structures, or land uses on the property. Sign and date the sketch. Provide a vicinity map of the area and a list of the adjoining property owner's mailing addresses.

Property Owner Information

Name: UFP Eastern Division, Inc.
 Mailing Address: Route 9 West, P.O. Box 188; Ranson, WV 25438
 Phone Number: (616) 364-6161 Email: sweir@ufpi.com

Applicant Contact Information

Name: UFP Eastern Division, Inc.
 Mailing Address: 2801 East Beltline Avenue; Grand Rapids, Michigan 49525
 Phone Number: (616) 364-6161 Email: sweir@ufpi.com

Applicant Registered Engineer(s), Surveyor(s), or Consultant(s)

Name: Pennoni Associates, Inc.
 Mailing Address: 208 Church Street, SE; Leesburg, VA 20175
 Phone Number: (703) 777-3616 Email: mjerussi@pennoni.com

Physical Property Details

Physical Address 249 16th Avenue; Ranson, WV 25438
 Tax District: Charles Town Map No: 7 Parcel No: 11.16 A&B
 Parcel Size: 29.8757 Deed Book: 926 Page No: 215

Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential-Light Industrial-Commercial (R-LI-C)	Village (V)	Neighborhood Commercial (NC)	General Commercial (GC)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/Commercial Mixed-Use (OC)
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**Email application rec'd 06/19/18 - OK per BB - gh*

What Section of the Subdivision Regulations are you Requesting to Waive?

Section 20.203.A.2.a

Briefly Describe the Nature of Your Waiver Request

Waiver request to construct a 50' x 175' (8,750 SF) pre-engineered building prior to submission and approval of a Concept Plan.

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

The construction of the 50' x 175' (8,750 SF) pre-engineered building will improve the overall site appearance by providing a covered area for the stacks of wood on pallets. The pre-engineered building will also provide a level of screening from the adjacent properties.

Explain how the waiver, if granted, will not adversely affect the public health, safety, or welfare or the rights of adjacent property owners or residents.

The waiver request is for a pre-engineered building that is not a closed in structure, and is only a roof top structure to provide cover for the products produced by UFP's daily operation. The proposed structure is on the interior of the subject 29.8757 acre parcel and is not easily accessible by surrounding properties.

Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

The intent of the ordinance is to provide a public process for buildings greater than 5,000 SF. Although the proposed building is 8,750 SF, it is an open structure and basically just a roof to protect product from the elements. Therefore, not a traditional building.

Explain how the waiver, if granted, will result in a project of better quality and/or character.

Construction of the 50' x 175' (8,750 SF) pre-engineered building will improve the overall site appearance. Providing a covered area for the stacks of wood on pallets will also keep the subject site organized. The pre-engineered building will also provide a level of screening from the adjacent properties.

Original signature is required. The information given is correct to the best of my knowledge.

6/15/18

Signature of Property Owner

Date

Signature of Property Owner

Date

To Be Completed By Office

_____ Date of Public Meeting/Public Hearing

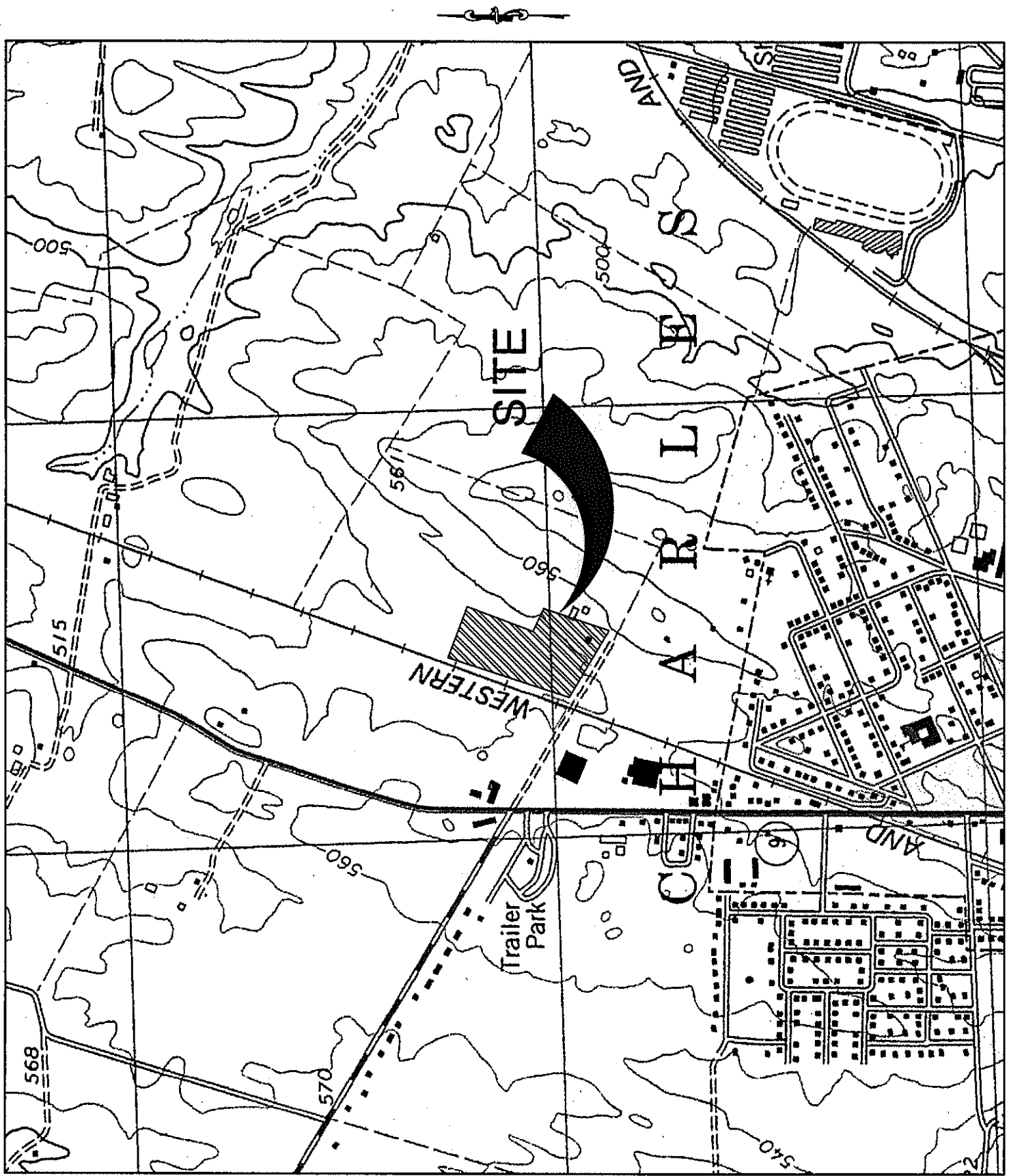
_____ Date Property to be Posted By

_____ Official/Administrative Body

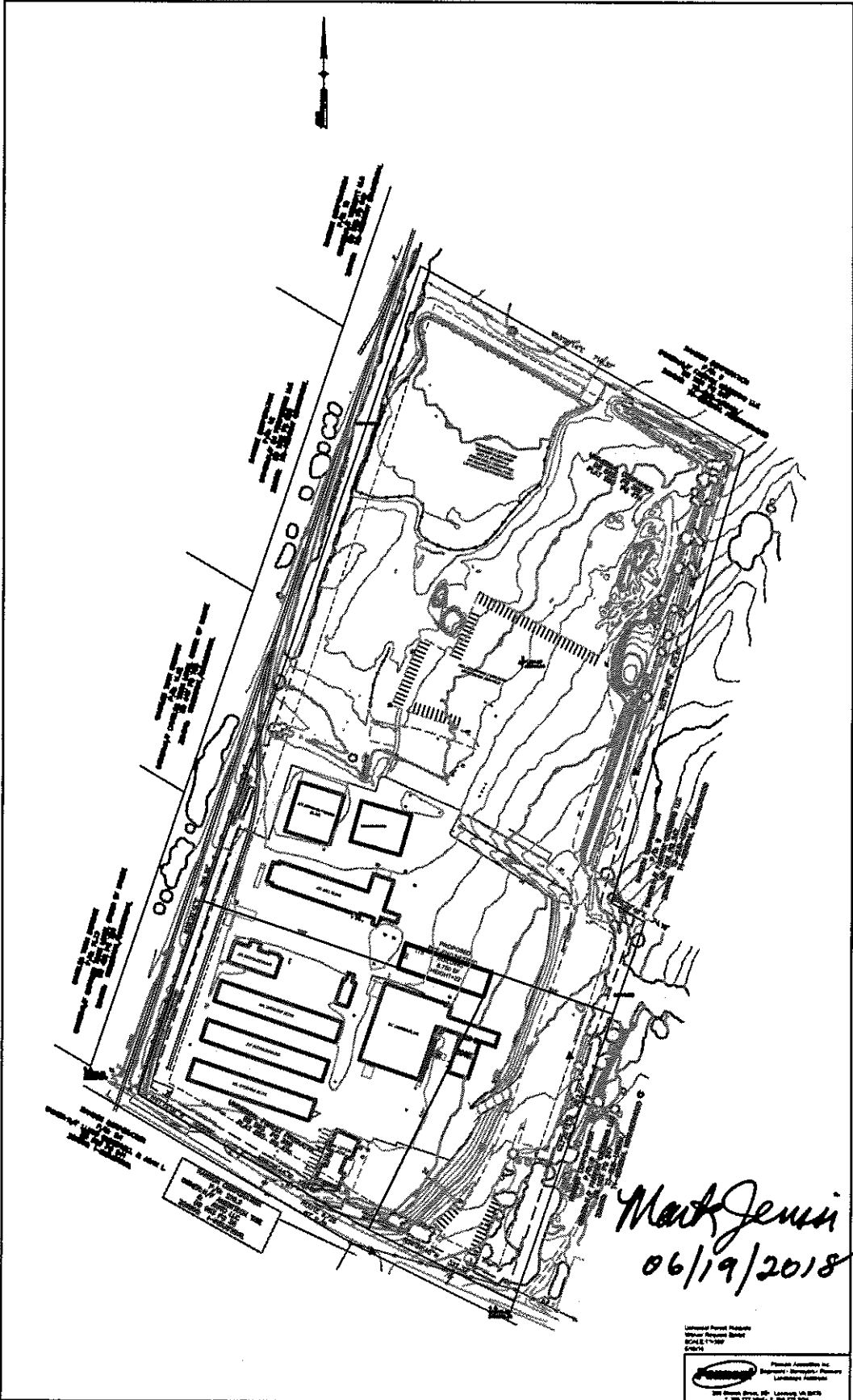
_____ Date Adjoiner Letters to be Mailed

Approved/Denied by a vote of _____ for and _____ against this _____ day of _____.

Approved Denied




VICINITY MAP
1" = 500'



Mark Jensen
 06/19/2018

Licensed Professional Engineer
 License No. 10000
 SCALE 1"=100'
 2018


 Mark Jensen, PE
 Department of Transportation
 Louisiana Department of Transportation & Development
 300 Poydras Street, Suite 2000, New Orleans, LA 70112
 T 504.727.8200 F 504.727.8200



Jefferson County, West Virginia

Office of Planning and Zoning
116 East Washington Street, 2nd Floor
Charles Town, WV 25414

Email: planningdepartment@jeffersoncountywv.org
Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Planner's Memorandum Planning Commission Meeting July 10, 2018

1) Zoning Ordinance Text Amendments

a) Landscape Standards

- Stakeholder meeting with staff held – draft amendment to be developed.

b) Parking Standards

c) WV45 Gateway Design Standards (ZTA17-02)

- Shepherdstown Planning Commission input received 4/4/18
- Staff to initiate effort in Fall 2018

2) Subdivision Regulation Text Amendments

a) Subdivision and Land Development Regulations Amendments (STA18-01)

- Staff initiated effort on larger amendment including reorganization of Sub Reg. sections is underway.

3) Upcoming PC meetings

- #### a) Next Regular Meeting: August 14, 2018