

TWENTY-FIFTH ANNUAL REPORT  
JEFFERSON COUNTY PLANNING AND ZONING COMMISSION  
JULY 1, 1991 THROUGH JUNE 30, 1992

Jefferson County Planning and Zoning Commission  
 Twenty-fifth Annual Report  
 July 1, 1991 through June 30, 1992  
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The Staff and Subdivision Review Panel conducted subdivision review work sessions, as necessary, on the first and third Friday of the month at 10:00 a.m. in the Planning Commission meeting room. During Fiscal Year 1991/92, twelve (12) subdivision review work sessions were held for the purpose of reviewing eight (8) Community Impact Statements, nine (9) Preliminary subdivision plats, and six (6) site plan reviews.

C. 1991-1992 Budget

The following is the amount expended by the Planning Commission through the fiscal year.

Total Salary	\$68,459.69
FICA	5,174.30
Insurance	6,155.28
Retirement	6,518.72
	\$86,307.99
Telephone	1,448.78
Printing	1,049.40
Travel	370.38
Maintenance/Repair - Equipment	2,495.95
Maintenance/Repair - Autos	174.62
Legal Publications	1,125.24
Postage and Refunds	49.00
Dues/Subscriptions	1,435.62
Professional Services (Prosecuting Attorney)	10,000.00
Insurance/Bonds	1,259.88
Contractual Services	5,996.84
Supplies/Materials	664.98
Auto Supplies	674.98
New Equipment	15,554.78
Total Planning & Zoning	\$128,608.44
Total Engineering	60,000.00
Total	\$188,608.44

D. Revenues \$132,462.20

Total revenues decreased by \$37,580.75 from Fiscal Year 1990/91.

II. BUILDING CONSTRUCTION ACTIVITY

A. Improvement Location Permit Activity

The total number of Improvement Location Permits issued during the 1991/92 fiscal year, as shown on the table below, decreased by 87 over the last fiscal year. A total of 909 permits were issued versus 996 in 1990/91. The total value of construction decreased from \$44 million in 1990/91 to \$33 million during the 1991/92 fiscal year.

IMPROVEMENT LOCATION PERMIT ACTIVITY  
 FISCAL YEAR 1990/91 and FISCAL YEAR 1991/92

	<u>FY1990/91</u>		<u>FY1991/92</u>	
	<u>No.</u>	<u>Value</u>	<u>No.</u>	<u>Value</u>
Apartment Buildings	0	0	2 bldgs	600,000
Single Family Homes				
Detached	316	28,072,468	303	23,466,222
Attached	21	1,426,400	22	1,899,000
Mobile Homes	91	1,436,853	67	892,617
Garages/Carports	116	730,208	123	766,620
Additions	181	1,643,502	190	1,391,428
Accessory Buildings	154	794,193	135	406,467
Farm Structures	46	295,399	26	357,900
Commercial/Industrial	35	1,745,542	22	1,844,253
Swimming Pools	20	224,015	18	264,020
Other	16	8,066,065	3	1,360,000
	996	\$44,434,645	911	\$33,248,527
Total dwelling units	428		416	
Average Construction Cost/ single family home (Excluding mobile homes and apartments)		\$72,233		\$78,047

The total number of new dwelling units created (apartment units, single family homes and mobile homes) decreased from 428 units to 416 units. The average value of residential construction increased from \$72,233 per dwelling unit in 1990/91, to \$78,047 in 1991/92, or an increase of \$5,814.00 per unit.

The number of permits issued for commercial/industrial buildings decreased from 35 in 1990/91 to 22 in 1991/92. However, the value of the construction in this category increased from \$1,745,542 in 1990/91 to \$1,844,253 in 1991/92. Overall, the number of permits decreased by 87 over the previous fiscal year and the total construction value decreased by \$11,186,118.

B. Enforcement of Flood Plain Management Ordinance

In the 1991-92 Fiscal Year, the Planning Commission staff issued eight (8) Improvement Location Permits for construction on lots within flood prone areas. Five of these permits were for construction that is to be located at or above the 100 year flood plain, one for a home, one for a shed, one for a storage mobile home and two for mobile homes. Three permits, for additions to existing structures or garages, were issued for construction within the flood plain since the value of the addition was less than 50% of the value of the existing structure. Three permits were initially denied because of improper filing without certification.

Steve Adukaitis of FEMA's Philadelphia office came to the county to review the Planning Commission files and inspect the sites, and indicated that the regulations are being enforced excellently and suggested that we would probably qualify for a lower insurance rate if the proper paperwork is submitted.

In addition, the Staff received numerous inquiries as to location of flood prone areas, and prepared a number of parcel maps indicating the regulated flood plain.

III. LAND DEVELOPMENT ACTIVITY

A. Subdivision Ordinance Activity

The number of lots, sites or units approved by the Planning Commission under the Subdivision Ordinance has fluctuated between 332 to 871 yearly over the last four fiscal years. During the 1991-92 fiscal year the Planning Commission approved 132 new lots, sites or units. In addition, the number of lots created through the subdivision exemptions in 1991/92 fiscal year is 27. The number of lots, sites or units pending completion of subdivision processing at the end of the 1991-92 fiscal year is 934. However, the number of pending lots has never been an accurate count of what actually is approved.

A listing of the specific subdivision proposals which have been approved, those currently pending further processing and approval, and Community Impact Statements (concept plans) submitted and accepted as of July 1, 1992, can be found in Appendix 1.

In addition to the subdivision activity described above, the Planning Commission received and approved three (3) variance requests to permit two or more principal buildings on a single lot.

In this Fiscal Year, whereas 148 lots were created, 416 permits were issued. Therefore, the surplus of lots went down by approximately 250.

B. Construction Inspections and Bonding

Once a project is approved by the Planning Commission, the Planning Commission Staff, and primarily, the County Engineer, inspect the subdivision improvements to insure that they conform with the approved plans.

In addition to the inspections, the Planning Commission Staff administers construction bonds provided by developers to insure completion of improvements. As of July 1, 1992, the total value of the bonds held by the County was \$3,590,047.65. The subdivisions currently bonded and the amount and form of security are listed in Appendix II.

D. Salvage Yard Ordinance Activity

The Jefferson County Salvage Yard Ordinance, adopted in August, 1984, established regulations for salvage yards not previously permitted by the State Department of Highways. The ordinance applies to the collection of three or more "junked" motor vehicles (unable to pass State inspection) or other certain accumulations of ferrous and non-ferrous material. Requirements include setbacks, fencing and other site design standards intended to minimize adverse impacts of a salvage yard.

During the 1991/92 Fiscal Year, the Planning Commission Staff investigated approximately forty (40) complaints at various locations around the County. Some of the complaints were determined not to constitute a salvage yard by the definition of "junked" motor vehicles. However, efforts have been made by a number of property owners who were investigated, to clean up their property and alleviate

the cause for the complaints. Fifteen (15) locations were determined to contain salvage yards in violation of the Salvage Yard Ordinance and were pursued. A number of these violations are awaiting trial and disposition in Magistrate Court.

III. STATUS OF PLANNING

Two (2) projects were submitted to process through the zoning procedure and the Land Evaluation/Site Assessment (LESA) system.

The Hamlet	35 Townhouses	4.5 Acres	Shepherdstown District
Daniel Fry House			
Bed and Breakfast		.39 Acre	Middleway District

The Hamlet was a previously approved project that expired. Therefore, this file was reprocessed.

C. Site Plan Reviews

With the institution of zoning, a site plan review process was instituted for any projects other than single family residential. The following projects were submitted for site plan review:

<u>Project</u> <u>Acres</u>	<u>Type Development</u>	<u>District</u>	<u>Status</u>	
Snyder Environ- mental	Commercial	Charles Town	Approved	5.43
Minnesota Mining & Mfg.	Industrial	Middleway	Approved	270.9
FCT Corporation (Pizza Hut)	Commercial	Charles Town	Approved	.901
Maddex Farm (University Heights)	Residential	Shepherdstown	Approved	1.6
Encore Catering	Commercial	Charles Town	Approved	.4628

D. Intergovernmental Cooperation

The Planning Commission has established an open working relationship with other governmental agencies to ensure cooperation and coordination of programs and planning activities affecting Jefferson County. Examples of agencies the Planning Commission communicates with on a regular basis include: the Jefferson County Commission, Board of Education, Health Department, Development Authority, Solid Waste Authority Emergency Services, Public Service District and the offices of the Assessor, County Clerk and Prosecuting Attorney; the State Departments of Health, Highways, and Natural Resources; and the U. S. Departments of Agriculture and Interior.

E. Miscellaneous Meetings and Activities

In addition to the regular and special meetings of the Planning Commission and the Zoning Board of Appeals, and individual project Neighborhood Compatibility Meetings, the Planning Commission Staff has attended numerous meetings, conferences and work sessions on such topics as groundwater protection, environment, zoning, subdivision ordinance and stormwater management.

Neighborhood Compatibility Meetings were held as follows:

<u>Date</u>	<u>Project</u>
April 29, 1992	The Hamlet
December 18, 1991	The Daniel Fry House Bed & Breakfast

The Planning Commission Staff prepared a proposed Building Code that is currently being reviewed by the County Commission.

The Planning Commission also defended several lawsuits, including a case that is still pending in Federal Court. The documents concerning these cases are available for review in the Court files.

F. Miscellaneous Information Requests

As with previous fiscal years, a large portion of Staff time is devoted to responding to inquiries received in

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person and by telephone. A large portion of these inquiries are directly related to building and subdivision activity. However, the Planning Commission also receives numerous requests for census information, aerial photographs, flood plain information, and general information related to appraisals and marketing studies. In addition, since the zoning effort has been under way and is now effective, numerous inquiries are directed along this line. The Staff keeps a daily log of in-coming and out-going telephone calls and visits in person. Also, the County switchboard keeps a daily log of in-coming calls.

The following table shows the number of calls received by the various offices for Fiscal Year 1991-92:

Assessor	5,602
Circuit Clerk	6,386
Circuit Clerk Judge	3,937
County Clerk	9,278
County Commission	3,187
County Development	4,313
Planning Commission	7,676
Prosecuting Attorney	8,225
Sheriff-Law	10,115
Sheriff-Tax	7,752
Information	5,667
Records Room	2,047

The month during which the Planning Commission handled the greatest number of calls was March, 1992, with 752 calls, and the lowest number of calls handled was in December, 1991, when 476 calls were received. The average calls received per month was 640. As indicated by the chart, the planning Staff, again, responded to a great deal of the calls coming into the court house. It is also informative to note that the large majority of these 7,676 calls are answered and routed by one executive secretary.

APPENDIX I  
Subdivisions Approved During Fiscal Year 1991/92

<u>Subdivision</u>	<u>District</u>	<u>Acres</u>	<u>No. of Lots</u>
Glenn Woods	Shepherdstown	49.205	16
Robins-Boldso Subdivision	Charles Town	17.410	3
John Tabler Minor Subdivision	Shepherdstown	*180.948	2
G. Warren Mickey Minor Subdivision	Charles Town	* 80.00	2
Marshall R. Edwards Minor Subdivision	Middleway	*105.190	2
Runnymede, Section II	Kabletown	*153.13	4
Mecklenburg Heights, Section E	Shepherdstown	10.00	9
Tusawilla Hills	Charles Town	11.815	8
Leah Miller Estate MSD	Shepherdstown	*120.51	2
Cress Creek Resubdivision, Lots 6-9	Shepherdstown	2.11	4
Cress Creek, Lots 11-18	Shepherdstown	9.96	7
Marc Sharp Subdivision	Shepherdstown	5.6	3
Howard Farm Subdivision	Shepherdstown	*133.83	8
Maddex Farm, Phase 1, Lot 1	Shepherdstown	* 99.842	2
Bobby Swartz Minor Subdivision	Middleway	27.241	3
Mariani Minor Subdivision	Harpers Ferry	9.988	3
Mallards Paddle Place	Harpers Ferry	* 34.981	3
Ronald E. Brown Minor Subdivision	Middleway	*274.69	2
FCT Corporation - Office Building	Charles Town		1
John S. Morris Subdivision	Middleway	9.123	3
Glen R. Smith	Shepherdstown	34.08	3
Sam Hansard Minor Subdivision	Charles Town	* 36.404	3
Tusawilla West Golf Course	Charles Town	*360.310	9
Robert Bradley Minor Subdivision	Kabletown	2.0054	2
Robert J. Sweeney Minor Subdivision	Kabletown	5.0420	2
Bessie O. Hendricks MSD	Shepherdstown	* 92.44	3
Nancy Grams Minor Subdivision	Kabletown	17.357	3
Richard Jenkins Minor Subdivision	Kabletown	5.922	2
Janet Dove Subdivision	Middleway	5.275	2
Eleanor Chicchirichi MSD	Kabletown	11.909	3
Tusawilla Hills, Lots 430-453	Charles Town	7.379	23
Richard Flaherty Minor Subdivision	Harpers Ferry	* 58.812	3
A. Bradley Soule, III MSD	Shepherdstown	* 73.286	3
		<u>2,045.7944</u>	<u>148</u>

NOTE: \* The acreages shown on the denoted subdivisions above are distorted because they include a large residue of property which, at a later date may be further subdivided. The total residue acreage on these denoted subdivisions is 1,166.57 acres. Therefore, the total acreage actually subdivided into lots is 879.22 acres.

Appendix I  
 Subdivisions Pending at the End of Fiscal Year  
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Subdivisions Pending At The End of Fiscal Year 1991/92

<u>Subdivision</u>	<u>District</u>	<u>Acres</u>	<u>No. of Lots</u>
Spring Hill	Charles Town	160.909	470
Rosetree (Closed)	Shepherdstown	49.205	16
Locust Grove Village (Closed)	Harpers Ferry	CIS and Concept Plan Only	
Breckenridge, Section II (Closed)	Charles Town	17.558	130 t.h.
Briar Run Estates	Charles Town	139.097	402
Yorkville	Harpers Ferry	8.9324	9
Dimon Mobile Home Park (Closed)	Charles Town	13.00	30 units
Senseney Townhouses (Closed)	Charles Town	14,979 s.f.	4
Jones Farm Commercial	Charles Town	35.22	4
Willow Spring Farm, Section IV	Charles Town	4.00	60 units
Willow Spring Farm, Section V	Charles Town	3.72	48 units
Gardner Housden	Kabletown	10.00	2
Robert Rissler	Shepherdstown	94.75	2
Carriage Park	Harpers Ferry	55.00	49
Sara Blue Minor Subdivision	Middleway	158.00	3
E. H. Lane Subdivision	Kabletown	84.70	3
J. Russell Fritts	Charles Town	34.36	2
David Childs Estate/Kitty Frye Farm Subdivision	Middleway	100.00	3
Richard Schwartz	Charles Town	<u>5.10</u>	<u>3</u>
		973.52	1,240

NOTE: The number of lots in subdivisions pending at the end of Fiscal Year 1990-91 was 1,514 d.u. (See Planning Commission 24th Annual Report.) However, only 148 lots were actually approved in this Fiscal Year (See Appendix I, Page 1).

Appendix I  
 Community Impact Statements Accepted  
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Community Impact Statements Accepted by the  
Planning Commission During Fiscal Year 1990-91  
 (Concept Plans)

<u>Subdivision</u>	<u>District</u>	<u>Acres</u>	<u>No. of Lots</u>
Carriage Park	Harpers Ferry	55.00	49
Spring Hills (2nd submittal)	Charles Town	160.90	115 t.h. 315 s.f.
Willow Spring Farm IV	Charles Town	4.00	60 apts.
Willow Spring Farm V	Charles Town	3.72	48 apts.
FCT/Pizza Hut	Charles Town	12.062 (11 acre residue)	2 commercial
Jones Farm Commercial	Charles Town	18.05	6 commercial
South Hills, Phase II	Shepherdstown	5.96	8
Howard Farm Subdivision	Shepherdstown	133.83 (93 acre residue)	8 —
TOTALS		393.522 (Including 104 acres in residues)	603 d.u.

APPENDIX II  
Outstanding Construction Bonds As Of June 30, 1992

<u>Subdivision</u>	<u>Security</u>	<u>Amount</u>
Muzzey I	Cash-in-Escrow	\$4,612.00
Willow Brook, Section III	Cash-in-Escrow	3,312.00
Patrick Henry Estates, Section B	Cash-in-Escrow	1,500.00
Willow Spring Farm, Section III	Cash-in-Escrow	2,588.00
Stafford	Cash-in-Escrow	1,500.00
Glenn Meadows, Section I	Cash-in-Escrow	20,600.00
Maddex Professional Center, Phase I	Cash-in-Escrow	1,700.00
Guy Cornell Estates	Letter of Credit	3,000.00
Eastland, Section I	Letter of Credit	5,750.00
Norwood, Sections 1 and 2	Deed of Trust	317,016.00
Schaeffer's Crossroads, Section I	Cash-in-Escrow	5,000.00
Farview Farm, Section I	Cash-in-Escrow	2,000.00
Somerset Village	Letter of Credit	10,000.00
Eastland, Section II-A	Letter of Credit	30,992.50
Stonebrook, Section I	Deed of Trust	21,275.00
Old National Bank	Cash-in-Escrow	25,000.00
Cloverdale Heights, Section I	Deed of Trust	9,200.00
Shannondale, Section 3-M & 6-C	Deed of Trust	44,850.00
Glendale Estates	Deed of Trust	225,795.00
Eastland, Section II-B	Letter of Credit	30,245.00
Canvasback Ridge	Cash-in-Escrow	2,760.00
White Rock Farm	Cash-in-Escrow	2,984.00
Norwood, Sections 3 and 4	Letter of Credit	9,750.00
Apple Blossom Meadows	Deed of Trust	43,277.40
Brentwood	Letter of Credit	5,000.00
Meadowlands, Section II	Letter of Credit	118,942.00
Highland Meadows, Section II	Letter of Credit	20,725.00
Deer Mountain Estates	Deed of Trust	280,000.00
Cherry Hill	Deed of Trust	214,732.00
Morgana	Deed of Trust	249,941.00
Elk Branch	Letter of Credit	195,132.00
Highpoint	Letter of Credit	20,000.00
The Lumber Yard	Letter of Credit	5,750.00
Patrick Henry Estates, Section C	Deed of Trust	11,500.00
Patrick Henry Estates, Section D	Cash-in-Escrow	65,000.00
Maddex Farm Ltd. Partnership (SWM Only)	Cash-in-Escrow	7,200.00
Nansfield Hunt	Deed of Trust	136,269.00
Schaeffer's Crossroads, Section II	Deed of Trust	179,400.00
Rockwell's Moving & Mini-Storage	Letter of Credit	35,958.00
Glenn Meadows, Section II	Letter of Credit	9,775.00
West Woods	Letter of Credit	5,577.50
Donley Subdivision	Letter of Credit	3,800.00
Tuscawilla Hills	Deed of Trust	95,000.00
Tuscawilla Hills	Letter of Credit	65,000.00
Tuscawilla West	Letter of Credit	200,000.00
3M Corporation	Letter of Credit	10,000.00
Runnymede, Section II	Letter of Credit	27,600.00
Shannondale, Section 24-J	Deed of Trust	248,400.00

Appendix II  
Outstanding Construction Bonds As of June 30, 1992  
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Maddex Farm, Phase II	Deed of Trust	133,425.00
Cress Creek, South Hills, Phase II	Letter of Credit	50,000.00
Howard Farm Subdivision	Cash-in-Escrow	40,000.00
Maddex Farm/University Heights	Cash-in-Escrow	25,985.25
R & R Investment	Letter of Credit	10,000.00
Feagans Mill Substation	Cash-in-Escrow	10,695.00
University Heights Apartments	Letter of Credit	57,085.00
Lots 1 & 2, FCT Corporation		
Pizza Hut	Deed of Trust	128,449.00
Tuscawilla Hills, Duplex Lots		
430-453	Letter of Credit	<u>102,000.00</u>
TOTAL		\$3,590,047.65

TABLE 1

Calendar Year <u>Initiated</u>	<u>Proposed Lots</u>	<u>Approved Lots</u>	<u>Accumulative</u>	
			<u>Proposed</u>	<u>Approved</u>
1972	806	594	808	594
1973	1135	415	1941	1009
1974	523	313	2464	1322
1975	491	277	2955	1599
1976	815	191	3770	1790
1977	193	127	3963	1917
1978	367	267	4330	2184
1979	459	87	4789	2271
1980	102	46	4891	2317
1981	53	22	4944	2339
1982	94 (88 Apts.)	93	5038	2432
1983	232	216	5270	2648
1984	115	102	5385	2750
1985	295	216	5680	2966
1986	134	133	5814	3099
1987	1275	430	7089	3529
1988	1705	723	8794	4252
1989	5457	648	14251	4900
1990	2353	404	16604	5304
1991	88 (+132 Apts)	90	16692	5394
1992 through 10/27/92	-86*	97	16606	5491

\*This reflects the difference between 548 new proposed lots and 634 proposed lots on projects that were closed out before final plat approval.