

MINUTES  
JEFFERSON COUNTY PLANNING COMMISSION  
JUNE 24, 2008

The Jefferson County Planning Commission met on Tuesday, June 24, 2008, with Commission members John Sidor, President; Robert Reynolds, Vice President; Jim Surkamp; Tom Kane; Edward Dunleavy; Ellen May and John Maxey present. Staff members present included Tony Redman, Director; Sherry Kelly, Deputy Director of Planning; Damien Davis, County Engineer and Shannon Hayden, Administrative Assistant.

Lynne Deming and Arnold Dailey were absent with notification.

Mr. Sidor called the meeting to order at 7:00 PM.

1. Approval of Minutes. Ms. May abstained from voting on the June 10, 2008 minutes because she was not present at that meeting. Mr. Dunleavy moved to approve the minutes of the June 24, 2008 Planning Commission meeting. Mr. Reynolds seconded the motion, which passed unanimously.
2. Requests for postponement. None.
3. Final Plat Public Hearing for the K.L. Wilt Tract, Lots 1 & 2-Residue. Ms. Kelly and Mr. Davis recommended approval of the final plat. Mr. Maxey questioned the 100-year flood plain. Mr. Davis confirmed that there was no issue. Matt Powell with Greenbrier Investments was present to answer Planning Commissioners' questions. Mr. Sidor opened the public hearing. There were no comments from the public. The public hearing was closed. Mr. Reynolds moved to approve the final plat. Mr. Kane seconded the motion, which carried unanimously.
4. Final Plat Public Hearing for the Blue Stone Investments Subdivision, Lots 1, 2 & 3-Residue. Ms. Kelly recommended approval of the final plat with the condition that the road maintenance note on the plat be revised to state "Each lot owner shall be responsible for his/her pro rata share of the road maintenance.

Mr. Davis recommended approval of the final plat. Mr. Kane stated that Item #18 on the Final Plat was crossed out and asked if it would be removed and renumbered before recordation. Ms. Kelly stated that her approval is based on the language of Item #18 changing as previously read from her Staff Report. Mr. Maxey asked if the only entrance and exit access route on Mission Road. Mr. Davis stated Mission Road the only route. Mr. Maxey questioned the variance approval date referenced in Item #19 on the final plat. Matt Powell with Greenbrier Investments was present to answer Planning Commissioners' questions. Mr. Powell stated that the date the variance was approved was April 8, 2008. There was further discussion regarding the road maintenance. It was explained that pro rata means equal shares. Mr. Kane stated that Item #2 on the final plat should read, "FEMA", instead of "HUD". Mr. Sidor opened the public hearing. There were no comments from the public. The public hearing was closed. Mr. Kane moved to approve the final plat with the condition that Items #2, 18 and 19 be amended as discussed. Mr. Reynolds seconded the motion, which carried unanimously.

5. Final Plat Public Hearing for the Oxford Meadows Subdivision, Lots 1-14 & Residue. Ms. Kelly and Mr. Davis recommended approval of the final plat. Mr. Sidor asked how close the closest lot would be from the original structure. Mr. Davis stated there is approximately 300 feet between the original structure and the closest lot. Mike Shepp with Dewberry was present to answer Planning

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Commissioners' questions. Mr. Sidor opened the public hearing. There were no comments from the public. The public hearing was closed. Mr. Reynolds moved to approve the final plat. Mr. Kane seconded the motion, which carried unanimously.

6. Final Plat Public Hearing for the Jefferson Crossing II Subdivision, Lot 1A-1E & 2. Ms. Kelly and Mr. Davis recommended approval of the final plat. Mike Shepp with Dewberry was present to answer Planning Commissioners' questions. There was discussion regarding the difficulty of getting from one parking lot to the other. Mr. Shepp stated that it is not a requirement for this issue to be addressed. Mr. Sidor opened the public hearing. There were no comments from the public. The public hearing was closed. Mr. Reynolds moved to approve the final plat. Ms. May seconded the motion, which carried unanimously.
7. Issuance of the Conditional Use Permit (CUP) for a 4,800 square foot Dairy Queen on 0.62 acres. Ms. Kelly stated that there should be a correction in the description of the property from .062 acres to 0.62 acres. Ms. Kelly recommended approval of the issuance of the CUP. Mr. Davis deferred to the County Planner. Mr. Sidor opened the public hearing. There were no comments from the public. Mr. Sidor closed the public hearing. Mr. Kane moved to approve the issuance of the Conditional Use Permit for Dairy Queen. Mr. Reynolds seconded the motion which carried unanimously.
8. Site Plan approval and issuance for the Improvement Location Permit for a 4,800 square feet Dairy Queen on 0.62 acres. Ms. Kelly and Mr. Davis recommended approval of the site plan and issuance for the Improvement Location Permit. George Hughley was present to answer the Planning Commissioners' questions. Mr. Sidor opened the public hearing. There were no comments from the public. Mr. Sidor closed the public hearing. Mr. Kane moved to approve the site plan and issuance of the Improvement Location Permit. Mr. Maxey seconded the motion, which carried unanimously.
9. Postponed from the June 10, 2008 Planning Commission meeting. Request by Herbert Snyder for a variance from having to upgrade a 50' easement to County standards for a proposed parent-to-child lot. Ms. Kelly deferred to the County Engineer. Mr. Davis recommended approval of the variance. Mr. Dunleavy asked Mr. Davis about issues that were addressed. Mr. Davis stated that most issues have been addressed by the applicant, although the variance is still needed. The issues pertained to ditch lines, a paved entrance and the road not being centered on the right-of-way. Herb Snyder was present to answer Planning Commissioners' questions. Mr. Snyder submitted three photographs of the property showing the improvements that he had made, as referenced by Mr. Davis. Mr. Sidor opened the public hearing. There were no comments from the public. Mr. Sidor closed the public hearing. Mr. Kane moved to grant the variance. Mr. Surkamp seconded the motion, which carried unanimously.
10. Director's Report on office activities. Mr. Reynolds asked Mr. Redman for his opinion on the County Commission executive session regarding the budget. Mr. Redman said there had been no results yet.
11. Draft report on the Proposed Zoning Ordinance and Zoning Map's consistency with the Comprehensive Plan. Mr. Redman provided a copy to each present member of the Planning Commission and asked that they disregard the earlier version that was sent by e-mail.

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12. Schedule a Public Hearing for the Proposed Zoning Ordinance and Zoning Map. The Planning Commission discussed how many meetings should be held, the location of the meeting and the public notice that would be required for the Public Hearing. Mr. Reynolds moved to hold one Public Hearing on a weeknight with the location to be determined by Mr. Redman. Mr. Kane seconded the motion, which carried 4 for and 3 in opposition. (Mr. Maxey, Mr. Sidor and Mr. Surkamp). There was further discussion regarding the Public Hearing and the process of changes in the document between the Planning Commission and the County Commission. It was agreed that the Public Hearing would be held on July 21, 2008, and the location would be determined by Mr. Redman.
13. Planning Commission Exchange. Mr. Reynolds inquired about the Chriswood Subdivision and the correspondence that had been received by the Department of Planning. Mr. Redman stated that he met with the client, and the client stated he was in no hurry and would wait for Mr. Redman to review the issues. Ms. Kelly informed the Planning Commission that this item is scheduled to come before the Planning Commission again on July 8, 2008.

Mr. Sidor called a break at 8:16 PM in order to change CD. The meeting resumed at 8:23 PM.

14. Reports from Legal Counsel and legal advice to PC. Mr. Casimiro handed out a one-page Complaint filed by Winston Threadgill. Ms. Kelly provided an overview of the legal case to the Planning Commission.

Mr. Kane moved to enter into Executive Session. Mr. Reynolds seconded the motion, which carried unanimously.

The Planning Commission entered into Executive Session at 8:25 PM

15. Consideration and vote on settlement agreement for Shenandoah School litigation. This matter was discussed in Executive Session.

The Planning Commission resumed the Public Hearing at 8:37 PM.

16. Actionable Correspondence. None.

17. Non-Actionable Correspondence. None.

Mr. Reynolds moved to adjourn the meeting at 8:40 PM. Mr. Dunleavy seconded the motion, which carried unanimously. A detailed transcript of this meeting may be found on CDs #\_\_\_ & \_\_\_. These minutes were prepared by Shannon Hayden.