

MINUTES
JEFFERSON COUNTY PLANNING & ZONING COMMISSION
JANUARY 25, 2005

The Jefferson County Planning & Zoning Commission met on Tuesday, January 25, 2005 with John Sims, Vice President, presiding. Other Planning Commission members present were: Renny Smith, Russell Roper, Dan Marken, Rosella Kern, Thomas Kane and Greg Corliss. Staff members present were Paul Raco, Roger Goodwin, Mason Carter, Sherry Kelly and Sherry Cole.

Mr. Dailey and Mr. Lewandowski were absent with notification. Mr. Sims called the Meeting to order at 7:02 p.m. Ms. Smith motioned to accept the Minutes of the January 11, 2005 regular meeting. Mr. Marken seconded the motion which carried unanimously. Ms. Smith motioned to accept the minutes of the January 18, 2005 special meeting. Ms. Kern seconded the motion which carried unanimously.

1. Declaration of violation for Mr. and Mrs. Robert Kerns of the Jefferson County Zoning and Development Review Ordinance for the operation of a hauling business on property designated as Parcel 8.1 on Tax Map 19 of the Charles Town District as found in Deed Book 923 at Page 701. Mason Carter presented the violation. Mr. Carter recommended a declaration of violation to proceed with legal action. Mr. Kerns was present and spoke. Staff recommended 30 days to move the second vehicle or file for a Zoning Certificate. Ms. Smith motioned to move the second vehicle or file for a Zoning Certificate within 30 days. Ms. Kern seconded the motion which carried unanimously.
2. Final Plat Public Hearing for the Quail Ridge Subdivision, Section 2, Phase 2, Lots 82-128 & Residue. Staff stated that all items of the Subdivision Ordinance have been met so staff and engineer recommend approval of the final plat conditioned on submitting the necessary originally signed copies, making bonding arrangements and recordation within 90 days. There was no public comment. The public hearing was closed. Mr. Kane motioned to approve the final plat with staff contingencies. Mr. Roper seconded the motion which carried unanimously.
3. Final Plat Public Hearing for the Thomas W. Weller Minor Subdivision, Lots 1 & 2-Residue. Staff and engineer recommend approval of the final plat. There was no public comment. The public hearing was closed. Ms. Smith motioned to approve the final plat with staff contingencies. Mr. Roper seconded the motion which carried unanimously.
4. Request by Gregory Burch to advance a proposed subdivision to the preliminary plat phase (Article 6 & 7 of the Jefferson County Subdivision Ordinance). Staff stated that Mr. Burch and Mr. Lorenzen were present for the request. Mr. Burch presented the request. Staff recommended approval of advancement to preliminary plat for road design only, treating the final plat format as a minor subdivision. Ms. Smith motioned to advance to preliminary plat phase with staff contingencies. Mr. Roper seconded the motion which carried unanimously.
5. Request by Arcadia Development Company to allow Section 1 of the Harvest Hills Subdivision (PC File #98-12) to be served by a central water system as opposed to wells. Mr. Corliss left the meeting room for this item on the agenda. Staff recommended approval since no lots were sold and to allow it to process as a preliminary plat minor redline provision. Mr. Roper motioned to approve the request with staff approval of the redline revision. Mr. Kane seconded the motion which carried unanimously. Mr. Corliss returned to the meeting room for the rest of the meeting.
6. Request by David Coleman to reopen his site plan (PC File #S96-19) and to reaffirm the Planning Commission's approval of filing a limited site plan for his project. Ms. Kern left the meeting room for this item on the agenda as she designed a residence for Mr. Coleman.

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Peter Chakmakian represented David Coleman. Staff stated that structures were built without permits prior to 1996. A site plan was submitted and then the file was closed since Mr. Coleman didn't bond for the improvements. Staff recommended re-opening the file, re-issuing the variance for a limited site plan, and all building code requirements be met. Staff stated the earth and dike would be checked to see if it was up to standards and would have to meet IBC and SWM Regulations. Ms. Smith motioned to reopen the site plan with staff contingencies. Mr. Kane seconded the motion which carried unanimously.

7. Request by Melvin E. And Ida L. piper for the following variances:
 - a. Allow merger transactions to take place that will allow an additional lot to be created than existed prior to the mergers (five as opposed to four); and,
 - b. Upgrading an existing right-of-way to County standards.(Articles 2, 5 and 8 of the Jefferson County Subdivision Ordinance).

Peter Chakmakian presented this request. Staff stated that this is a parent to child transfer. Staff recommended approval allowing road to stay as is. Ms. Kern motioned to approve with staff contingencies. Mr. Roper seconded the motion which carried unanimously.

8. Presentation of hillside development plan for the Rock Ferry Station Subdivision. Bruce DeAtley, President of Whitehall Partners spoke.

9. Request by Whitehall Partners for a variance from the maximum road grade of 9 percent to 12 percent for the proposed Rock Ferry Station Subdivision (Article 8, Section 8.1(7) of the Jefferson County Subdivision Ordinance).

Staff recommended postponing item #8 and item #9 on the agenda until the February 8, 2005 meeting as the Planning Commission did not receive the correspondence from the engineering firm. Mr. Marken motioned to postpone item #8 and item #9 until the February 8, 2005 meeting. Ms. Kern seconded the motion which carried unanimously.

10. Site plan approval and issuance of the Improvement Location Permit for Jefferson Security Bank. Mr. Marken left the meeting room for this item on the agenda, as he is a board member of the fire company. Staff stated the site plan meets or exceeds all standards of the Ordinance. The Chief County Engineer recommended approval of the site plan. Based on that recommendation staff recommended issuance of the Improvement Location Permit. Mr. Roper motioned to approve the site plan and issuance of the Improvement Location Permit with staff contingencies. Ms. Smith seconded the motion which carried unanimously. Mr. Marken returned to the meeting room for the rest of the meeting.

11. Request by Mike Shepp to amend the Community Impact Statement for the Jefferson Crossing II Subdivision as it pertains to the expansion of the Martins Food Store. Mike Shepp and Doug Gosik presented the request. Staff stated that Mr. Shepp met with him and he was told that the concept plan should look like the final product. Staff stated he told Mr. Shepp he would have to appear before the Planning & Zoning Commission. Staff stated the technical requirements of the additional expansion are taken care of at site plan. Staff recommended approval of the amendment to the Community Impact Statement. Mr. Marken motioned to approve the request. Mr. Roper seconded the motion which carried unanimously.

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12. Report on karst conference. Staff stated that Ms. Smith asked for this item to be placed on the agenda. Per Ms. Smith and Mr. Sim's request at the meeting, Roger Goodwin, Chief County Engineer, gave a presentation of what took place at the karst conference. Staff stated that our ordinance has a capping standard regarding sinkholes. Staff recommended changing the ordinance to require a buffer from the sink hole. Commissioner Corliss suggested having Mark give a briefing regarding USGS. Staff suggested having a special meeting in March to invite speakers from the highway department, Sheriff Boober, Twila Carr, Ground Water Protection Program with the Department of Environmental Protection and Mark with a USGS update. Staff stated that Roger Goodwin, Chief County Engineer, met with Larry Dietz, Traffic Engineer with the Highway Department several weeks ago and they drove around together going over the plan for the year.

13. Final plat policies. Staff asked the Planning & Zoning Commission what they would like to receive at final plat stage and stated that he would see that it was provided to them. Ms. Smith motioned to receive by mail prior to the final plat public hearing, a copy of the concept plan, a copy of the plan layout of the final plat and bullets with anything out of the ordinary or any changes. Ms. Kern seconded the motion which carried unanimously.

14. Budget. Staff presented the budget. Mr. Raco passed out a staff list and introduced Sherry Kelly, Planner for the Department of Planning, Zoning & Engineering. Staff asked if they would like him to request additional positions such as transportation/traffic engineers/planners or environmental staff. Staff stated that the department is doing plan review within 10 days. Staff also stated there is overtime in the budget. Staff stated that if there was a need that the Planning & Zoning wanted to add to the budget that he would be happy to submit it to the Commission. Mr. Sims stated that he would like the GIS in the budget. Ms. Kern stated she is interested in a transportation plan and a land use plan. Staff asked how much would the Planning Commission like to be added to the budget for plans such as this. By consensus, Mr. Sims agreed to write a proposal for GIS.

15. Land Use Ordinance amendments. Staff stated that the County Commission voted to send all three zoning ordinance amendments to Public Hearing on February 15, 2005 and February 16, 2005.

Staff stated that the subdivision rewrite committee agreed to choose EPD, Duncan & Associates and HRG Corporation for interviewing. Staff asked that the subdivision rewrite committee email him their available dates for interviewing.

16. Correspondence. Mike Cassell's response to Paul Burke's proposals.

The meeting adjourned at 9:37 p.m. on January 25, 2005. A detailed transcript of this meeting can be found on CD #19 and #20. These minutes were prepared by Sherry Cole.

