

MINUTES  
JEFFERSON COUNTY PLANNING & ZONING COMMISSION  
FEBRUARY 10, 2004

The Jefferson County Planning & Zoning Commission met on Tuesday, February 10, 2004 with Arnie Dailey, President, presiding. Other Planning Commission members present were: Rosella Kern, Renny Smith, William Lewandowski, Russell Roper, Sam Donley, Richard Childs and Rusty Morgan. Staff members present were Roger Hunter, Michael Stevens, Mason Carter, Rebecca Burns and Sherry Cole.

David Mills was absent with notification. Barbara Humes, Douglas Vaira and David Kemnitzer were absent without notification.

Mr. Dailey called the meeting to order at 7:00 P.M.

Mr. Lewandowski motioned to accept the Minutes of the January 13, 2004 regular meeting. Ms. Kern seconded the motion which carried unanimously. Ms. Smith arrived at 7:03 p.m.

1. Declaration of violation for Mr. Michael Hudnall of the Jefferson County Salvage Yard Ordinance for property designated as Parcel 77.1 on Tax Map 15 of the Harpers Ferry District as found in Deed Book 938 at Page 178. Mason Carter presented the violation. Mr. Hudnall requested a six month extension. Mr. Donley motioned to give Mr. Hudnall until October 1, 2004 to come into compliance and to immediately apply for a building permit. Ms. Kern seconded the motion. Mr. Lewandowski made an amendment to the motion adding the following conditions: (1) requiring drip pans under all vehicles; (2) 30 days for Mr. Hudnall to apply for a building permit; (3) that putting any new salvaged vehicles or salvaged materials on the property will make this extension null and void. Ms. Smith seconded the amendment which passed with a vote of 8 for and 1 opposed (Ms. Kern). The original motion passed unanimously.

2. Declaration of violation for Mr. George Rutherford of the Jefferson County Improvement Location Permit Ordinance for property designated as Parcel 20 on Tax Map 4A of the Middleway District as found in Deed Book 938 at Page 249 for the location of a mobile home. Mr. Carter presented the violation. Mr. Rutherford asked for a 30 day extension. Ms. Smith motioned to allow a three month extension. Ms. Kern seconded the motion which passed unanimously.

3. Declaration of violation for Mark Marlowe et al of the Jefferson County Salvage Yard Ordinance for property designated as Parcel 104 on Tax Map 13E of the Harpers Ferry District as found in Deed Book 823 at Page 126. Mr. Marlowe asked for a 30 day extension. Mr. Morgan motioned to give Mr. Marlowe a 90 day extension. Mr. Childs seconded the motion which carried unanimously.

4. Final Plat Public Hearing for the Ray M. and Elfrieda P. Trussell Minor Subdivision, Lots 2, 3 & 4-Residue. Staff recommended approval of the Final Plat. There was no comment from the public. The public hearing was closed. Mr. Childs motioned to approve the Final Plat. Mr. Roper seconded the motion which carried unanimously.

5. Site Plan approval and issuance of the Improvement Location Permit for River Riders. Staff recommended approval of the site plan. Ms. Smith motioned to approve the site plan and issuance of the Improvement Location Permit with staff contingencies. Mr. Childs seconded the motion which carried unanimously.

6. Site Plan approval and issuance of the Improvement Location Permit for Charles Town Races & Slots, Phase II, Area IV. Staff recommended approval of the site plan. Mr. Ken Shultz presented the project. Mr. Childs motioned to approve the site plan and issuance of the Improvement Location Permit. Ms. Smith seconded the motion which carried unanimously.

7. Site Plan approval and issuance of the Improvement Location Permit for the Childs Road Church of God. Staff recommended approval of the site plan and issuance of the Improvement Location Permit. Randy Litwin and Pastor Wilbourne were present for any questions. Mr. Morgan motioned to approve the Site Plan and issuance of the Improvement Location Permit. Mr. Lewandowski seconded the motion which carried unanimously.

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8. Request by Renny Smith to discuss ordinance amendments. Roger Hunter presented a summary of recommended changes to the Ordinances. The discussion of ordinance amendments will be docketed for the February 24, 2004 meeting.

9. Fiscal Year 2005 Budget. Roger Hunter presented the Fiscal Year 2005 Budget. Mr. Lewandowski motioned to approve the 2005 Budget with the change of the training and education amount being increased to \$13,000.00. Mr. Donley seconded the motion which carried unanimously.

Mr. Childs left the meeting at 8:28 p.m.

10. Comprehensive Plan. The 2004 Comprehensive Plan was presented to the Planning Commission. The Planning Commission has 45 days to enact and make recommended changes. Mr. Donley motioned to have a Special Planning Commission Meeting on Tuesday, February 17, 2004 at 7:00 p.m., to discuss the recommended changes to the 2004 Comprehensive Plan. Ms. Smith seconded the motion which carried unanimously.

11. Correspondence. Memo from Roger Goodwin to Roger Hunter regarding a traffic impact meeting with Mr. Dietz of the West Virginia Department of Highways. Mr. Dietz asked that he be provided with written questions prior to the meeting. Mr. Lewandowski motioned to have staff set a meeting date. Mr. Morgan seconded the motion which carried unanimously.

12. Executive Session 6-9A-4(b)6- Personal Privacy. Mr. Lewandowski motioned to go into Executive Session. Mr. Donley seconded the motion which carried unanimously. Mr. Morgan motioned to leave the Executive Session. Mr. Lewandowski seconded the motion which carried unanimously.

13. Executive Session 6-9A-4(b)2A - Personnel. Mr. Morgan Motioned to go into Executive Session. Mr. Lewandowski seconded the motion which carried unanimously. Mr. Morgan motioned to leave the Executive Session. Ms. Smith seconded the motion which carried unanimously.

Mr. Roper left the meeting at 9:30 p.m.

There was no action taken as a result of the Executive Sessions.

The meeting adjourned at 9:40 p.m. on February 13, 2004. A detailed transcript of this meeting can be found on Tapes # 7 and 8. These minutes were prepared by Sherry Cole.

