

MINUTES
JEFFERSON COUNTY PLANNING & ZONING COMMISSION
FEBRUARY 24, 2004

The Jefferson County Planning & Zoning Commission met on Tuesday, February 24, 2004 with Arnie Dailey, President, presiding. Other Planning Commission members present were: Rosella Kern, Renny Smith, William Lewandowski, Russell Roper, Sam Donley, Rusty Morgan, John Sims and Barbara Humes. Staff members present were Roger Hunter, Michael Stevens and Sherry Cole.

David Mills and Richard Childs were absent with notification. Douglas Vaira and David Kemnitzer were absent without notification.

Mr. Dailey called the Special Meeting to order at 6:35 p.m. Barbara Humes arrived at 6:52 p.m. Russell Roper arrived at 7:00 p.m.

SPECIAL MEETING BEGINNING AT 6:30 P.M.

1. Special Planning Commission meeting at 6:30 p.m. to meet with Legal Counsel and Staff to discuss and possibly take action on the Aubrey E. Henry lawsuits and other matters of litigation. Mr. Morgan motioned to go into Executive Session. Mr. Lewandowski seconded the motion which carried unanimously. Mr. Michael Lorensen spoke to the Planning Commission. Mr. Morgan motioned to come out of Executive Session. Ms. Kern seconded the motion which carried unanimously. There was no action as a result of the Executive Session.

REGULARLY SCHEDULED MEETING BEGINNING AT 7:24 P.M.

Ms. Smith motioned to accept the Minutes of the February 10, 2004 regular meeting. Mr. Morgan seconded the motion which carried unanimously.

1. Final Plat Public Hearing for the McMurran Farm Subdivision, Lots 1-9 & Lot 10-Residue. Staff recommended approval of the Final Plat. There was no comment from the public. The public hearing was closed. Mr. Donley motioned to approve the Final Plat. Mr. Kern seconded the motion which carried unanimously.

2. Request by Michael Shepp on behalf of Arnold and Paul Dailey for additional time to bond and record the final plats for the Summit View Estates Subdivision (Article 8, Section 8.1.d of the Jefferson County Subdivision Ordinance). Arnold Dailey recused himself from the meeting room. Mike Shepp presented the request. Staff recommended accepting the request for additional time to bond and record the final plats. Mr. Lewandowski motioned to approve the request. Ms. Smith seconded the motion which carried unanimously.

3. Request by Michael Shepp on behalf of Robert Burch/Burch Manor Subdivision for a variance from the shoulder widening requirements (Article 8, Section 8.2.a.20(e)(4) of the Jefferson County Subdivision Ordinance). Mr. Lewandowski motioned to tentatively approve the variance contingent upon the Planning Commission Staff receiving a letter from the Highway Department stating the subdivision cannot have the gravel shoulder, otherwise the variance is denied. Ms. Kern seconded the motion which failed with a vote of 4 for and 4 opposed (Mr. Donley, Mr. Roper, Mr. Morgan and Mr. Sims). Mr. Morgan motioned to just let him put the grass in. Mr. Donley seconded the motion. Mr. Donley withdrew his second, as the motion was ruled out of order.

4. Request by Michael Shepp on behalf of Howard and Charlotte Demory/Demory Minor Subdivision for a variance from the resubdivision process to alter the approved subdivision plat. (Article 3, Section 3.1 of the Jefferson County Subdivision Ordinance). Kirk Norton presented the variance request. Mr. Norton stated that the shed has been demolished. Ms. Smith motioned to approve the variance request. Mr. Roper seconded the motion which carried unanimously.

5. Request by Sol and Jill Trotter/Charles Town Self Storage for a variance from the driveway grade requirements (Article 9, Section 9.1 of the Jefferson County Subdivision Ordinance). Sol Trotter presented the variance. Staff recommended approval of the variance. Mr. Donley motioned to approve

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the variance. Ms. Kern seconded the motion which carried unanimously.

6. Discussion and/or action by the Commission and Staff on proposed ordinance amendments. Mr. Hunter presented a summary of the comments received from the public during the preparation of the Comprehensive Plan. The suggestions will be taken into consideration when Staff prepares the revised Ordinances.

7. Comprehensive Plan. Mr. Hunter presented changes to the 2004 Comprehensive Plan made at the February 17, 2004 Special Planning Commission meeting. Mr. Dailey scheduled a Special Planning Commission Meeting for Tuesday, March 2, 2004 at 6:30 p.m., to go over additional changes made at the February 24, 2004 meeting.

8. Correspondence. Letter from Roger Goodwin to Mr. Larry Deitz with the West Virginia Division of Highways, advising him of the meeting date of April 1, 2004, at 7:00 p.m. to discuss traffic impact.

The meeting adjourned at 9:50 p.m. on February 24, 2004. A detailed transcript of this meeting can be found on Tapes #13 and #14. These minutes were prepared by Sherry Cole.

