

MINUTES  
JEFFERSON COUNTY PLANNING & ZONING COMMISSION  
MARCH 23, 2004

The Jefferson County Planning & Zoning Commission met on Tuesday, March 23, 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, Rebecca Burns 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 Meeting to order at 7:00 p.m.

Ms. Smith motioned to accept the Minutes of the March 9, 2004 regular meeting. Mr. Morgan seconded the motion which carried unanimously. Mr. Lewandowski did not vote as he was not at the last meeting.

1. Final Plat Public Hearing for the James C. & Clara Pearson Minor Subdivision, Lots A & B-Residue. Ms. Kern recused herself from the meeting room because of a previous employment situation. Staff recommended denial of the Final Plat as the property is not in compliance as there are structures that were moved on the property without building permits and there is a mobile home on the property that was shown as a storage shed but apparently is being occupied. Mr. Gates and Mr. Pearson presented the final plat. There was public comment from Claude Engleton. The public hearing was closed. Mr. Donley motioned to table action on the Final Plat until all matters are rectified to the Staff's satisfaction. Ms. Smith seconded the motion which carried unanimously. Mr. Kern returned to the meeting room for the rest of the meeting.

2. Final Plat Public Hearing for the Beacon Hill Estates Subdivision, Lots 1-19 & 20-Residue. Staff recommended approval of the Final Plat. There was public comment from Paul Burke and Mrs. Wilt. The Public Hearing was closed. Mr. Morgan motioned to approve the request. Mr. Roper seconded the motion which carried unanimously.

3. Request by Peter Chakmakian on behalf of Recreational Adventures Campgrounds, LLC/KOA Kampgrounds for a waiver from the site plan process to place cabin trailers on two existing pads sites (#62 and #63) (Article 11, Section 11.2 of the Jefferson County Subdivision Ordinance). Staff recommended the applicant withdraw his request on the basis that site plan approval was not required for the intended improvements. Mr. Chakmakian wanted the staff's comments recorded in the minutes for the record and withdrew the variance application.

4. Request by Michael Shepp on behalf of Robert Burch/Burch Manor Subdivision to re-docket the variance from the shoulder widening requirements heard by the Planning Commission at their February 24, 2004 meeting (Article 8, Section 8.2.a.20(e)(4) of the Jefferson County Subdivision Ordinance). Staff recommended to re-docket this item for the first available meeting after the April 12, 2004 staff meeting with the Department of Highways. Mr. Lewandowski motioned to postpone this variance request until the April 13, 2004 meeting. Ms. Kern seconded the motion which carried unanimously.

5. Request by Beallair Homes, Inc. on behalf of the Beallair Subdivision for the following variances from the Jefferson County Subdivision Ordinance:

1. Article 8, Section 8.3.c.1.a - Minimum finished road width from 24' to 15' for rear access drives. Staff and engineer recommended approval of the variance contingent that a storm sewer system is provided for the rear access drives, to collect and control the minimum 10 year 24 hour storm event runoff such that it does not flow outside the inverted roadway channel. Ms. Smith motioned to grant this variance with staff contingencies. Mr. Lewandowski seconded the motion which carried unanimously.

2. Article 8, Section 8.3.c.1.b - No curbs included with the rear access drives; Staff and engineer recommended approval of the variance with the same condition as the previous

request. Ms. Smith motioned to grant this various. Mr. Donley seconded the motion which carried unanimously.

3. Article 8, Section 8.3.c.1.c - No sidewalks on the one way rear access drives; Staff and engineer recommended approval of the variance with the same condition as the previous request. Ms. Smith motioned to grant this variance. Mr. Sims seconded the motion which carried unanimously.
4. Article 8, Section 8.3.c.1.d - 3' from the back of the curb to 2.5' from the edge of pavement. Staff and engineer recommended approval of the variance. Ms. Smith motioned to grant this variance. Mr. Lewandowski seconded the motion which carried unanimously.
5. Article 8, Section 8.3.c.5.a - No buffer screening between common areas and adjoining properties with single family detached residences. Staff recommended denial of this variance. Ms. Smith motioned to approve the variance. Ms. Kern seconded the motion which carried unanimously.
6. Article 8, Section 8.3.c.7.d - Allow parking spaces to be in the driveway on the lot in addition to the garage parking per previously approved plan on 3/25/03. Staff recommended the applicant withdraw this variance. Applicant withdrew the variance request.

6. Request by Sherry Duncan to discuss the Planning Commission's action on October 28, 2003 regarding the Community Impact Statement for the Albin Manor Subdivision and her public testimony requesting a buffer between her property and the proposed subdivision. Ms. Duncan asked for this item to be postponed until the April 13, 2004 meeting. Ms. Smith motioned to postpone this item until the April 13, 2004 meeting. Mr. Roper seconded the motion which carried unanimously.

7. Site Plan approval and issuance of the Improvement Location Permit for Country Roads Market. Staff recommended approval of the site plan and issuance of the Improvement Location Permit. Mr. Donley motioned to approve the site plan and issuance of the Improvement Location Permit. Mr. Morgan seconded the motion which carried unanimously.

8. Request by Sol and Jill Trotter/Charles Town Self Storage for a variance to process Phase II of Charles Town Self storage through Article 11 of the Subdivision Ordinance as opposed to Article 9 without processing /recording a final plat (Article 9 and Article 11 of the Jefferson County Subdivision Ordinance). Sol Trotter presented the variance. Staff recommended approval of the variance. Ms. Kern motioned to approve the variance. Mr. Donley seconded the motion which carried unanimously.

9. Ranson Comprehensive Plan. Staff stated that the City of Ranson asked him to review their Comprehensive Plan and make comments. Staff requested direction from the Planning Commission on what they would like him to do. The Planning & Zoning Commission advised staff to make copies available to them for their review and comments.

10. Comprehensive Plan. Staff advised that all the recommendations were accepted by the County Commission except for the recommendation with respect to restrictive covenants and the recommendation to elevate the paragraph on protective scenic vistas to "recommendation" status. The recommendations that were approved included those on affordable housing, master perks and recreation planning. Mr. Morgan asked staff to get the clean copies printed as soon as possible.

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11. Personnel. Mr. Roper motioned to go into Executive Session. Ms. Smith seconded the motion which passed with a vote of 7 for and 1 opposed (Mr. Morgan). Mr. Lewandowski motioned to go out of Executive Session. Ms. Smith seconded motioned the motion which carried unanimously. Mr. Lewandowski motioned to give Roger Hunter full-time permanent employment status. Mr. Sims seconded the motioned which carried unanimously.

Ms. Kern would like a meeting with counsel about the new SB 454 State Law. Mr. Lewandowski motioned to have staff write a letter to the delegates. Ms. Smith seconded the motion which passed with a vote of 5 for and 3 opposed (Mr. Roper, Mr. Donley and Mr. Morgan).

12. Correspondence. PSD Minutes for the January 12, 2004 and January 24, 2004 meetings. Staff read memo regarding T Mobile Wireless.

The meeting adjourned at 9:50 p.m. on March 23, 2004. A detailed transcript of this meeting can be found on Tapes #24 and #25. These minutes were prepared by Sherry Cole.

