

MINUTES  
JEFFERSON COUNTY PLANNING & ZONING COMMISSION  
APRIL 27, 2004

The Jefferson County Planning & Zoning Commission met on Tuesday, April 27, 2004 with Arnie Dailey, President, presiding. Other Planning Commission members present were: Rosella Kern, Renny Smith, William Lewandowski, Russell Roper, Rusty Morgan, John Sims and Barbara Humes. Staff members present were Roger Hunter and Sherry Cole.

Sam Donley and David Mills 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 April 13, 2004 regular meeting. Mr. Morgan seconded the motion which carried unanimously.

1. Declaration of Violation for Mr. and Mrs. Frank Worthington, III, of the Jefferson County Salvage Yard Ordinance for property designated as Parcel 61 and 67 on Tax Map 13K of the Harpers Ferry District as found in Deed Book 602 at Page 234. Mason Carter presented the Declaration of Violation. Ms. Smith motioned to find Mr. and Mrs. Frank Worthington, III in violation of the Jefferson County Salvage Yard Ordinance. Mr. Lewandowski seconded the motion which carried unanimously.

2. Community Impact Statement Review for the Cave Quarter Estates Subdivision, Section C, Lots 48-51. Mr. Russell Roper excused himself from this part of the meeting. Jack Mitchell presented the project. There was public comment from Sharon Wilson and Joyce Dunn. The Public Hearing was closed. Mr. Mitchell rebutted. Staff recommended approval of the Community Impact Statement. Mr. Lewandowski motioned to approve the Community Impact Statement with stipulations as to having access to recreation, SWM issues and quality, adequacy and consistency of water. Ms. Smith seconded the motion which carried unanimously. Mr. Roper returned to the meeting room for the rest of the meeting.

3. Public Hearing and action on the Conditional Use Permit for the Uniwest Wastewater Treatment Plant resolving the five (5) unresolved issues per Zoning Board of Appeals action on March 18, 2004. Mr. Lewandowski recused himself from this part of the meeting. Braun Hamstead and Mike Wiley represented the developer. Mr. Hamstead agreed to resolve the five unresolved issues. There was public comment from Mike Stoneburger, Dick Watson, Paul Burke, Vicki Faulkner, Richard Friedman and Jeanne Watson. The public hearing was closed. Staff recommended asking for legal opinion. Mr. Morgan motioned to postpone action on the Conditional Use Permit until the May 25, 2004 meeting after seeking legal opinion for staff. Mr. Sims seconded the motion which carried unanimously. Mr. Lewandowski returned to the meeting room.

4. Multi Use Variance Request by Troika Limited Partnership/Peter and Jane Braun for a variance from the Jefferson County Subdivision Ordinance to permit placement of an additional principal structure/use on a single tract of land without processing a subdivision plat. Staff recommended approval of the variance request subject to: (1) The new use will be limited to two display sites at the corners of the graveled secondary parking area; (2) Each display site shall be a maximum of 14' X 16' (224 sq. ft.) in area; (3) The height of any building or structure located on the two display areas shall not exceed 13.5'. All in accordance with the sketch attached to the Variance Request application and stamped as being Received on March 29, 2004, and (4) Display sheds and structures shall not be constructed on the site, but assembly from pre-manufactured components shall be permitted. Mr. Wayne Casto presented the variance request. There was public comment from Vicki Faulkner and Paul Burke. Ms. Smith motioned to grant the variance request with staff contingencies and the stipulation that (1) lighting shall be limited to 4 watts per building and (2) if the product is substantially changed to come back before the Planning Commission. Ms. Kern seconded the motion was carried unanimously.

5. Request by A&E Enterprises/Troika Limited Partnership for a waiver from the site plan process for display Breezy Knoll Storage Sheds and Cabins. Staff recommended a limited site plan. Ms. Kern motioned to deny the request for a waiver from the site plan process and to grant a limited site plan with staff contingencies. Mr. Roper seconded the motion which carried unanimously.

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6. Request by Blue Ridge Acres Community Club, Inc. for a waiver from the site plan process for the construction of a 24' x 40' partially enclosed pavilion with bath facilities for the 2004 season (Article 4, Section 4.0 of the Jefferson County Improvement Location Permit Ordinance). Staff recommended denial of the waiver of site plan and recommended a limited site plan. John Kincaid and John Walsh presented the variance request. Mr. Lewandowski motioned to deny the request for a waiver from the site plan process and to approve a limited site plan. Mr. Kern seconded the motion which carried unanimously.

7. Request by Claymont Society for Continuous Education for a waiver from the site plan process for a 2,467.2 square foot commercial greenhouse (Article 4, Section 4.0 of the Jefferson County Improvement Location Permit Ordinance). Tyler Candle and Bevin Coffee presented the request. Mr. Lewandowski motioned to approve the request for a waiver from the site plan process. Ms. Kern seconded the motion which carried unanimously.

8. Senate Bill 454 and the direct effect on Jefferson County Land Use Ordinances and proposed amendments. Mr. Hunter passed out copies of the Senate Bill 454 to the Planning & Zoning Commission. Mr. Morgan stated that a Public Hearing is needed and changes made to the Ordinance before the Senate Bill 454 takes over.

9. Correspondence. Mr. Dailey reminded the Planning Commission of the Special Meeting on Thursday, April 29, 2004. The Planning & Zoning Commission will discuss with the Jefferson County Commission, the Senate Bill 454 recently adopted by the State Legislature.

Mr. Dailey called for a special meeting to be held every off Tuesday to discuss ordinance changes.

Mr. Hunter passed out the new Zoning Maps to the Planning & Zoning Commission.

Mr. Hunter stated the Demory Community Impact Statement will be re-docketed for the May 25, 2004 meeting.

The meeting adjourned at 11:13 p.m. on April 27, 2004. A detailed transcript of this meeting can be found on Tapes #34, 35 and 36. These minutes were prepared by Sherry Cole.