

MINUTES
JEFFERSON COUNTY PLANNING & ZONING COMMISSION
JUNE 22, 2004

The Jefferson County Planning & Zoning Commission met on Tuesday, June 22, 2004 with Arnie Dailey, President, presiding. Other Planning Commission members present were: Rosella Kern, Renny Smith, William Lewandowski, Rusty Morgan, John Sims and Thomas Kane. Staff members present were Roger Hunter, Roger Goodwin, Mason Carter, Rebecca Burns and Sherry Cole.

Russell Roper was absent without notification.

Mr. Dailey called the meeting to order at 7:03 p.m. Mr. Morgan motioned to accept the Minutes of the June 8, 2004 regular meeting. Mr. Sims seconded the motion which carried unanimously.

Mr. Kane arrived at 7:04 p.m.

1. Declaration of violation for Mr. Daniel P. Lutz of the Jefferson County Salvage Yard Ordinance for property designated as Parcel 13 on Tax Map 13 of the Kabletown District as in Deed Book 196 at Page 128. Mason Carter recommended postponing this item for 60 days in order to give him time to meet with Mr. Lutz and Attorney Chakmakian on the Lutz property. Ms. Kern motioned to postpone action for 60 days. Mr. Sims seconded the motion which carried unanimously.

2. Community Impact Statement Review for the Benview Subdivision. Annette van Hilst with Dewberry/Appalachian and Mr. Callow with Patton, Harris & Rust presented the project. There was public comment from Paul Rosa, Scott Faulkner, Leigh Koonce and Joy Oaks. The Public Hearing was closed. Attorney Greg Kennedy rebutted. The developer voluntarily agreed to have buffers/planting and fencing behind the same, agreed to address a berm or fence around the storm water management, offered to contribute \$5,000.00 toward a traffic light on Rt. 340, offered to contribute \$25.00 at final build out from the Homeowners Association to be allocated to the Volunteer Fire Department, and at final plat approval and recordation the developer offered one full impact fee placed in a Trust Fund for affordable housing (HUD). Staff recommended approval of the Community Impact Statement contingent upon the addendum to the Community Impact Statement containing comments from the U.S. Customs Firing Range. Mr. Goodwin, Chief County Engineer recommended acceptance of the Community Impact Statement. Mr. Lewandowski motioned to decline the Community Impact Statement based on the lack of support data from fire and emergency services, traffic, schools, historical preservation, firing range and water. Mr. Sims seconded the motion to deny the Community Impact Statement. The motion passed with a vote of 4 to 3 (Mr. Dailey, Ms. Kerns and Mr. Kane).

3. Postponed from the June 8, 2004 meeting. Action and discussion by the Commission on the Multi Use Variance Request by Bill K. Hurd and John T. Gavlas to allow two principle structures/uses on a single tract of land without processing a subdivision plat. Staff recommended postponing the variance request until the July 27, 2004 meeting per a fax letter received from Mr. Hurd. Ms. Kern motioned to postpone this variance request until the July 27, 2004 meeting. Mr. Lewandowski seconded the motion which carried unanimously.

4. Action on the Staff Report for Jefferson Security Bank (File #Z04-02). Rebecca Burns read the Staff Report. Ms. Smith motioned to approve the Staff Report for Jefferson Security Bank. Ms. Kerns seconded the motion which carried unanimously.

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5. Action on the Conditional Use Permit for Jefferson Security Bank. Richard Klein with Alpha Associates presented the project. Staff recommended issuance of the Conditional Use Permit. Ms. Smith motioned to issue the Conditional Use Permit. Mr. Morgan seconded the motion which carried unanimously.

6. Request by Mission Mountain LLC for additional time to bond and record the final plats for the Beacon Hill Estates Subdivision (Article 8, Section 8.1.d of the Jefferson County Subdivision Ordinance). Staff recommended a 60 day extension with a recording deadline of August 20, 2004. Mr. Morgan motioned to grant the request for a 60 day extension with a recording deadline of August 20, 2004. Ms. Smith seconded the motion which carried unanimously.

7. Request by Loretta Shade and Linda Shirley for a variance to divide property inherited from their parents and to change joint ownership to individual ownership (Article 2, Section 2.1 (a) of the Jefferson County Subdivision Ordinance). Peter Chakmakian presented the variance request. Staff recommended approval of the variance request. Ms. Smith motioned to grant the variance from Article 2, Section 2.1(a) of the Jefferson County Subdivision Ordinance). Ms. Kern seconded the motion which carried unanimously.

8. Discussion and/or action by the Commission on the Jefferson County Planning & Zoning Commission Bylaws. Discussion will be restricted to the members of the Commission and their Staff. Mr. Lewandowski and Mr. Hunter will draw up a proposed draft.

9. Ordinance revisions.

10. Correspondence. Staff received an email from Barbara Humes regarding the new legislation pertaining to local municipality representatives no longer sitting as an ex-officio member of the Jefferson County Planning and Zoning Commission. Staff provided a copy of Ms. Humes' email to Mr. Cassell for review and a legal opinion. A copy of Staff's response to Ms. Humes' email was placed in the Planning & Zoning Commission packets for this meeting.

Mr. Dailey advised the Planning Commission that Sam Donley resigned. Mr. Dailey will draft a thank you letter to Mr. Donley and get a plaque for Mr. Donley.

The meeting adjourned at 10:17 p.m. on June 22, 2004. A detailed transcript of this meeting can be found on Tapes #13, #14 and #15. These minutes were prepared by Sherry Cole.

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