

MINUTES
JEFFERSON COUNTY PLANNING & ZONING COMMISSION
FEBRUARY 25, 2003

The Jefferson County Planning & Zoning Commission met on Tuesday, February 25, 2003 with Arnold Dailey, President, presiding. Other Planning Commission members present were: David Hammer, Rusty Morgan, Sam Donley, Renny Smith, Mark Schiavone, and Richard Childs. Staff members present were Stephen Bockmiller, Roger Goodwin, Sherry Cole and Michael Cassell.

Rosella Kern, Chris Stiles, Barbara Humes, and David Mills were absent with notification. Russell Roper, Clark Draper, Douglas Vaira and David Kemnitzer were absent without notification.

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

Mr. Hammer motioned to accept and amend the Minutes of the February 11, 2003 regular meeting to amend Item # 1 to see the official record for the motion as approved. Mr. Donley seconded the motion which carried unanimously.

10. Action on the Staff Report for Forest View Subdivision (formerly known as Spring Meadow). Mr. Morgan moved to postpone this item until the March 11, 2003 meeting. Ms. Smith seconded the motion which carried unanimously.

1. Declaration of Violation for Mr. and Mrs. John E. Piccolomini of the Jefferson County Subdivision Ordinance for two principal structures on property designated as Parcel 6.44 on Tax Map 4 of the Shepherdstown District as found in Deed Book 360 at Page 724. Staff advised the violation has been rectified and no action is necessary at this time. The Commission took no action.

2. Declaration of Violation for Mr. Donald Rockwell/ Rockwell s Moving & Storage of the Jefferson County Improvement Location Permit Ordinance for numerous storage bins and outside storage on property designated as Parcel 17.6 on Tax Map 1 of the Charles Town District as found in Deed Book 841 at Page 77. Staff presented the case. Shirley Rockwell, on behalf of her son, asked for a 60 day extension to come into compliance. Mr. Donley motioned to grant the 60 day extension. Ms. Smith seconded the motion which carried unanimously.

3. Declaration of Violation for Mr. Donald Rockwell/Rockwell s Moving & Storage of the Jefferson County Improvement Location Permit Ordinance for numerous storage bins and outside storage on property designated as Parcel 17.3 on Tax Map 1 of the Charles Town District as found in Deed Book 938 at Page 383. Staff presented the case. Shirley Rockwell, on behalf of her son, asked for an extension of 60 days to come into compliance. Mr. Hammer motioned to grant the 60 day extension. Ms. Smith seconded the motion which carried unanimously.

4. Final Plat Public Hearing for the Smith Mountain Estates Subdivision. Staff stated the Final Plat is in compliance with the Ordinance. Mr. Ed Johnson stated that he was present for any

questions. There was no public comment. Ms. Smith motioned to approve the Final Plat. Mr. Hammer seconded the motion which carried unanimously.

5. Final Plat Hearing for the Colonial Hills Subdivision, Phase I. Staff stated the Final Plat is in compliance with the Jefferson County Ordinance. Mr. Richard Klein presented the project. There was public comment from Paul Burke. Mr. Donley motioned to approve the Final Plat with staff contingencies. Ms. Smith seconded the motion which passed with a vote of 5 for and 2 opposed (Childs and Morgan).

6. Final Plat Public Hearing for the Cambridge Manufactured Home Development, Section 3, Lots 80-86 & Residue. Dirk Stansbury presented the project. Mr. Stansbury stated the developer is Flowing Springs, LLC, not Flowing Springs, Inc. as stated on the February 25, 2003 agenda. There was no public comment. Mr. Schiavone motioned to approve the Final Plat. Mr. Childs seconded the motion which passed with a vote of 6 for and 1 opposed (Morgan).

7. Final Plat Public Hearing for the Paul B. & Karen W. Stroup Minor Subdivision, Lots 1 & 2-Residue. Staff stated the Final Plat was in compliance with the Jefferson County Ordinance. Mr.

Schiavone motioned to approve the Final Plat. Ms. Smith seconded the motion which carried unanimously.

8. Community Impact Statement Review for the Mission Ridge Subdivision. Mark Dyck presented the project. There was public comment from Paul Burke and Bob Parker. Staff stated the Community Impact Statement is in compliance with the Jefferson County Ordinance. Mr. Hammer motioned to reject the Community Impact Statement. Mr. Morgan seconded the motion which failed with a vote of 3 for (Smith, Hammer and Morgan) and 4 opposed (Dailey, Donley, Schiavone and Childs). Mr. Donley motioned to approve the Community Impact Statement. Mr. Schiavone seconded the motion. Ms. Smith motioned to amend the original motion to direct the applicant to correct the figure on Jefferson High School. Mr. Schiavone seconded the amendment to the motion which carried unanimously. The vote on the amended motion to approve the Community Impact Statement passed with a vote of 4 for and 3 opposed (Smith, Hammer and Morgan).

11. Request by C & R Development, LLC on behalf of the Mission Ridge Subdivision for the following variances:

- (A) Allow existing Lot 15 to be served via a 50' gravel access easement;
- (B) Allow Lot 33 and Lot 1-Residue to be accessed directly from Route 9 as opposed to an internal subdivision road;
- (C) Allow 11 acre open space to access via Mission Road; and,
- (D) Allow Lot 32 and Lot 2-Residue to be accessed directly from Route 9 as opposed to the internal subdivision road.

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Mr. Dyck presented the project, and explained that Variance D was no longer needed because it would be served via a 50' long paved subdivision road with a T turnaround.

Ms. Smith motioned to grant the variance (A) to allow Lot 15 to be served via a 50' gravel access easement. Mr. Hammer seconded the motion which carried unanimously. Ms. Smith motioned to grant the variance (B) to allow Lot 33 and Lot 1-Residue to be assessed directly from Route 9 as opposed to the internal subdivision road. Mr. Hammer seconded the motion which carried unanimously. Mr. Schiavone motioned to grant the variance (C) to allow an 11 acre open space to access via Mission Road. Mr. Childs seconded the motion which carried unanimously. Variance D was not acted on, as it was withdrawn.

9. Community Impact Statement Review for the Chapel View Subdivision. Mark Dyck, Garnett Williams and John Kellogg presented the project. There was public comment from Paul Burke. Mr. Schiavone motioned to deny the Community Impact Statement due to insufficient provisions for open space and recreational facilities. Ms. Smith seconded the motion which carried unanimously.

12. Request by Mike Shepp on behalf of Dale Nelson to modify his final plat and to schedule the final plat public hearing to complete the project. Ms. Smith motioned to grant the request to modify the final plat and to schedule the final plat public hearing to complete the project. Mr. Hammer seconded the motion which carried unanimously.

13. Request by Jefferson County Parks & Recreation Commission for a waiver from the site plan process to enclose an existing pavilion at South Jefferson Park (Article 11, Section 11.2 of the Jefferson County Subdivision (Ordinance)). Mr. Childs recused himself from this item on the agenda as he is a member of the Parks & Recreation Commission. Tim Barr presented the request. Ms. Smith motioned to grant the waiver from the site plan process. Mr. Morgan seconded the motion which passed by a vote of 7-0.

14. Election of new Secretary. Mr. Schiavone motioned to elect Ms. Renny Smith for Secretary. Mr. Hammer seconded the motion. Mr. Schiavone motioned to close nominations. Mr. Hammer seconded the motion which carried unanimously. Ms. Smith was elected Secretary by unanimous vote.

15. Appointment of representative to Shepherdstown Planning Commission. Mr. Hammer volunteered to be the new Jefferson County Planning Commission's representative to the Shepherdstown Planning Commission. Mr. Dailey volunteered to be the new representative to the Bolivar Planning Commission in addition to his duties as representative to Harper Ferry.

16. Comprehensive Plan.

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17. Correspondence. Letter from Greenhorne & O Mara, Inc. regarding U. S. Customs Service Firearms Training Facility.

The meeting adjourned at 10:45 p.m. on February 25, 2003. A detailed transcript of this meeting can be found on Tape(s) #27, #28, and #29. These minutes were prepared by Sherry Cole.