



AGENDA
Jefferson County Planning Commission
Tuesday, January 8, 2013

Planning Commission meetings are held in the Old Charles Town Library Meeting Room located at 200 East Washington Street, at the side entrance on Samuel Street at 7:00 p.m.

All Citizens that desire to speak must sign-in prior to the Agenda Item being addressed.

1. Election of Officers.
2. Approval of the 2013 Planning Commission Meeting Schedule.
3. Approval of the minutes for the December 11, 2012 meeting.
4. Citizen Communications: If you wish to comment, please sign-in to speak for issues that are not on the agenda or items that are not open for public comment. Items not open for public comment will be so noted.
5. Request for postponement.
6. Request by applicant Morgan's Grove Market (S12-06) to be represented by Peter Corum (Twin Oaks Subdivision, L.L.C) and Fred Blackmer (FB solutions) for a waiver from the following sections of the Jefferson County Subdivision and Land Development Regulations:
 - a) Section 20.102(B): to allow surface site grading in anticipation of subsequent procedural and document approvals (PCW12-08).
 - b) Section 22.208: requesting relief from the road frontage sidewalk (PCW12-09).
 - c) Section 24.116(B)6: relief from subdivision ordinance requesting traffic study (PCW12-10).

This project consists of an agricultural-based market. Intended uses are to consist of, but are not limited to, a Food Hub, General Merchandise (retail), Professional/Business Offices, Community Amenities, and other associated uses. This property is located at 3988 Kearneysville Pike (Rt. 480), adjacent to Morgan's Grove Park and is designated as Tax District: Shepherdstown; Tax Map: 13; Tax Parcel: 26.1, 26.2, 26.3 and 26.4.

7. Request by applicant Fred Blackmer with FB solutions to have the Planning Commission schedule a public hearing for the Morgan's Grove Market Major Site Plan (S12-06) prior to staff deeming it complete as required by the Jefferson County Subdivision and Land Development Regulations (Section 24.119.D). This project consists of an agricultural-based market. Intended uses are to consist of, but are not limited to, a Food Hub, General Merchandise (retail), Professional/Business Offices, Community Amenities, and other associated uses. This property is located at 3988 Kearneysville Pike (Rt. 480), adjacent to Morgan's Grove Park and is designated as Tax District: Shepherdstown; Tax Map: 13; Tax Parcel: 26.1, 26.2, 26.3 and 26.4. *This item is not open for public comment.*

8. Discussion on a draft amendment to the Jefferson County Planning Commission Bylaws regarding the Conduct of Public Hearings and Public Hearing procedures for Applications. *This item is not open for public comment.*
9. Reports from Legal Counsel and legal advice to the Planning Commission.
Active Litigation:
 - Far Away Farms
 - Cedar Meadows Airpark
9. Director's Report.
10. Monthly Development Activity Report.
11. Liaison Reports:
 - County Commission Meeting
 - Health Department Meeting
 - Public Service District Meeting
 - Parks and Recreation Meeting
 - Jefferson County Development Authority Meeting
 - Water Advisory Committee Meeting
12. President's Report.
13. Actionable Correspondence
14. Non-Actionable Correspondence

All files are made available for public review Monday through Friday, 9:00 a.m. to 5:00 p.m. (excluding Holidays). The Planning Commission welcomes written comments at any time. Submitting a document no later than the Thursday before a scheduled meeting will provide the Commission an advanced opportunity to review your comments prior to the meeting. Please note that documentation and exhibits submitted at a Planning Commission meeting are retained as part of the official record.

Feel free to submit your comments to any of the addresses below:

Location: 116 E. Washington St., Charles Town, West Virginia 25414
Mail: P.O. Box 338, Charles Town, West Virginia 25414
Email: planningdepartment@jeffersoncountywv.org
Fax: 304-728-8126

Any party desiring a transcript of these proceeding will be responsible for providing a competent stenographer at their own expense. Minutes, video and/or audio recordings of past meetings, the Jefferson County Subdivision Regulations, Zoning Ordinance and Comprehensive Plan as well as any working proposed amendments are located on our website at www.jeffersoncountywv.org. Minutes and audio recordings of older meetings that are not on the County's website are available for review in the office.

Planning Commission Agenda

Tuesday, January 8, 2013

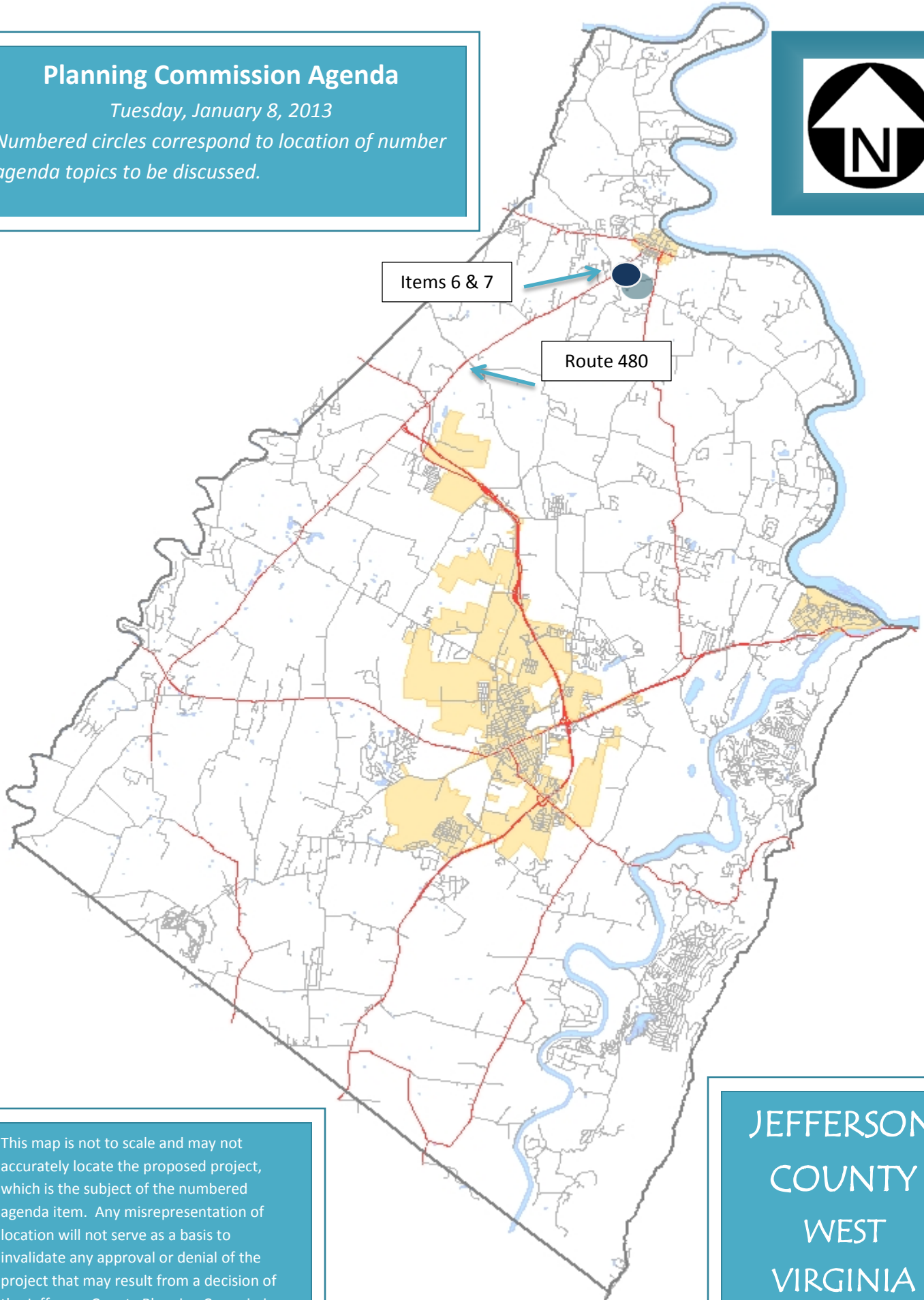
Numbered circles correspond to location of number agenda topics to be discussed.



Items 6 & 7



Route 480



This map is not to scale and may not accurately locate the proposed project, which is the subject of the numbered agenda item. Any misrepresentation of location will not serve as a basis to invalidate any approval or denial of the project that may result from a decision of the Jefferson County Planning Commission.

JEFFERSON
COUNTY
WEST
VIRGINIA

This information is
Tab #2 in your binder.



JEFFERSON COUNTY, WEST VIRGINIA

Department of Planning and Zoning

116 East Washington Street, 2nd Floor

P.O. Box 338

Charles Town, West Virginia 25414

Phone: 304-728-3228

Fax: 304-728-8126

Email: planning_department@jeffersoncountywv.org

APPROVED MEETING SCHEDULE JEFFERSON COUNTY PLANNING COMMISSION

Planning Commission meetings are held in the Old Charles Town Library Meeting Room located at 200 East Washington Street, at the side entrance on Samuel Street at 7:00 p.m.

Regular Meetings

January 8, 2013
February 12, 2013
March 12, 2013
April 9, 2013
May 14, 2013
June 11, 2013
July 9, 2013
August 13, 2013
September 10, 2013
October 8, 2013
November 12, 2013
December 10, 2013

Tentative Meetings*

January 22, 2013
February 26, 2013
March 26, 2013
April 23, 2013
May 28, 2013
June 25, 2013
July 23, 2013
August 27, 2013
September 24, 2013
October 22, 2013
November 26, 2013
December 24, 2013

*Tentative meetings are held if necessary to conduct Commission business or to meet required deadlines. Such meeting can be called by the President of the Commission or by a majority vote of the Planning Commission.

Changes in the time or location of the meeting shall be noticed on the County's website at www.jeffersoncountywv.org.

Note: If County offices have been closed due to inclement weather, or if weather conditions make travel unsafe for the public, the Planning Commission meeting may be cancelled. Please check the County's website for possible meeting updates during this time. Thank you.

This information is
Tab #3 in your binder.

MINUTES
JEFFERSON COUNTY PLANNING COMMISSION
December 11, 2012

The Jefferson County Planning Commission met on Tuesday, December 11, 2012, with the following Commission members present: Eric Smith, Vice-President; Gene Taylor, J.P. Phillips, Steve Stolipher, Daniel Hayes and Walt Pellish. Staff members present included Jennifer Brockman, Director of Planning and Zoning; Seth Rivard, Planner; Steve Barney, Zoning Administrator; Stephen Groh, Assistant Prosecuting Attorney and Jennilee Hartman, Zoning Clerk.

Paul Taylor, President; Morgan Etters and Kelly Baty were absent with notification.

Mr. Smith presided over the meeting in Mr. P. Taylor's absence. Mr. Smith called the meeting to order at 7:00 PM

1. Approval of the minutes for the November 13, 2012 meeting.

Mr. Hayes moved to approve the minutes of the November 13, 2012 Planning Commission meeting. Mr. G. Taylor seconded the motion which carried unanimously.

- 2. Citizens Communication.** Ms. Brockman clarified that this item would be for any members of the public who wished to speak on an item that is not on the agenda as a public hearing item. There was no public comment.
- 3. Request for postponement.** None.
- 4. Public Hearing for Zoning Map Amendment (Rezoning) for property designated as Tax District: Harpers Ferry, Map: 7, Parcel: 18. This property is currently zoned Residential Growth and Residential/Light Industrial/Commercial zoning is being requested. This property is located on the south side of US Route 340 on Campground Road approximately a half mile east of its intersection with Old Taylor Lane and is a total of 3.94 acres. The owner of record is the Aitcheson Family Trust (Z12-05).**

Ms. Annette van Hilst, the applicant's representative, presented the rezoning request to the Commission. Due to technical difficulties Ms. van Hilst provided the Commission a hardcopy of a detailed Power Point presentation that included maps and pictures of the site and adjacent areas (see PC File #Z12-05 for a copy). Ms. van Hilst listed current principle permitted uses for the site in addition to the land uses of the surrounding area, focusing on the commercial entities. Further, Ms. van Hilst discussed the location of the property within the growth area as depicted in the 2004 Comprehensive Plan, the major changes to the area since the adoption of the zoning map and its consistency with the 2004 Comprehensive Plan. Ms. van Hilst concluded that the close proximity of several tourist attractions, as well as the Harper's Ferry National Historic Park's Transportation Hub, and the accessibility of nearby water and sewer facilities make this property a suitable candidate for rezoning.

Mr. G. Taylor asked about the type of uses and parking for the site. Ms. van Hilst responded by stating that a craft store could be a possible use and that parking would be determined based on the land use. Ms. van Hilst stated there had been no land use planned for the site at this point. Mr. Hayes inquired about the existence of facilities. Ms. van Hilst explained that Harpers Ferry had water and sewer lines approximately 500' from the site.

MINUTES
JEFFERSON COUNTY PLANNING COMMISSION
DECEMBER 11, 2012
PAGE 2 of 6

Mr. Rivard opened by explaining the Planning Commission's role in the rezoning process. Mr. Rivard pointed out that they must find whether or not the applicant's request is consistent with the 2004 Comprehensive Plan and that their determination will be forwarded to the County Commission for final approval. Mr. Rivard delivered a Power Point presentation which included a series of maps, a report of Staff's findings, the various elements to consider when reviewing a rezoning request and a list of possible land uses in the proposed zoning district. Mr. Rivard provided the Commission information from his staff report confirming Ms. van Hilst's assessment of the property in that the current zoning supports high density and institutional uses. Mr. Rivard explained that any land use other than residential would be required to meet the site plan standards. Mr. Rivard identified current highway and traffic matters in addition to the expansion of the National Park Service property and the growth of historic tourism. Mr. Rivard clarified for the record that regardless of this zoning district fast food restaurants and convenient stores would necessitate a conditional use permit however consideration of the LESA point system would not be required.

Mr. Hayes motioned to open the public hearing. Mr. Pellish seconded the motion, which carried unanimously.

Marcie Steerman, neighbor, stated she was speaking on behalf of herself and the Longerbeams (neighbors) who were unable to make the meeting but were in opposition to the rezoning. Ms. Steerman objected to the rezoning based on increased traffic safety concerns for those walking the neighborhood, that the narrow lot width will not accommodate tractor trailer turnarounds and that certain potential commercial endeavors are not consistent with local tourism (i.e. reference to 7-11 gas stations). Ms. Steerman argued that the County had over 50 commercial properties listed for sale, including a strip mall and that there was no shortage of commercial lots currently on the market. Lastly, Ms. Steerman stated she believed the decision to act on the rezoning would be premature and petitioned the Planning Commission to postpone their decision until the 2014 Comprehensive Plan was adopted. Mark Thifault, neighbor, reiterated Ms. Steerman's apprehensions regarding the increased traffic on their road stating it was a small road and not equipped to handle trucks backing up. Mr. Thifault also expressed his concern for the safety of the neighborhood children who played on the road.

Mr. Hayes moved to close the public hearing. Mr. Stolipher seconded the motion, which carried unanimously.

Ms. van Hilst rebutted some of the neighbor's concerns by stating that the majority of the oncoming traffic would be traveling on Campground Road and not on Murphy Road, from which the speaking members of the public lived. It was also noted that the potential land use would not be a heavy industrial use and that larger trucks are not expected. Mr. Hayes clarified that any commercial use proposed for the site would have to meet current site plan standards, which include turnaround radii. Mr. Stolipher moved to approve the rezoning stating that it meets the criteria. Mr. Hayes seconded the motion and stated that he wished to clarify for the record that the only criteria necessary for granting a rezoning is whether a request is consistent with the 2004 Comprehensive Plan. Mr. Smith called for a vote which carried five (5) in support of the rezoning and one (1) in opposition (G. Taylor).

5. **Concept Plan Review and Public Workshop for Morgan's Grove Market (PC File #S12-06). This property is located at 3988 Kearneysville Pike (Rt. 480), adjacent to Morgan's Grove Park and is designated as Tax District: Shepherdstown; Tax Map: 13; Tax Parcel: 26.1, 26.2, 26.3 and 26.4. This project consists of an agricultural-based market. Intended uses are to consist of, but are not limited to, a Food Hub, General Merchandise (retail), Professional/Business Offices, Community Amenities, and other associated uses.**

Mr. Fred Blackmer with FB solutions was present to address the Commission. Peter Corum explained the purpose of Morgan's Grove Market (hereinafter known as MGM). Mr. Corum gave a brief synopsis of the MGM project explaining how it grew from a small farmer's market into a large collaborative effort within the community to have the multiple practices of health and wellbeing to be located on one site. Mr. Corum introduced his associates affiliated with the project, Matt Ridgeway, Real Estate Agent; Dirk Stansbury, Engineer; Linda Gutsell, Attorney; John Helmen, Architect.

Mr. Rivard commented on the staggered location of the buildings and how they are designed towards the front of the property as required by the conditional use permit (hereinafter known as CUP). Mr. Rivard noted that the project will require a traffic impact study to be completed, however due to the road improvements that the applicant is proposing along Route 480 that Staff would be willing to support a waiver of that requirement. The Commission discussed the necessity of giving direction and Staff informed the Commission that while the Subdivision Regulations allowed the Commission to take such action it was not required. The Commission asked if direction could be given outside the requirements of the Regulations. Staff stated that while direction could be given to that effect, the Developer would be under no obligation to fulfill that direction. Mr. Pellish expressed his frustration with the process considering that this particular application had undergone a separate public hearing. Further discussion ensued regarding giving direction. Staff suggested a benefit to giving direction, perhaps under a different circumstance, that the Commission could request the Developer include extra screening due to public comment. The Developer is not obligated to do so however they may choose to follow the direction. Mr. Pellish asked why this applicant was required to hold a public workshop when they had already had a public hearing. Staff explained that the Regulations did not make special exceptions for those who had undergone a CUP.

Mr. Stolipher motioned to open the public workshop. Mr. Hayes seconded the motion, which carried unanimously.

Mike Austin with the Shepherdstown Community Club stated the CUP included a list of conditions that the Developer was required to meet. Mr. Austin expressed his concern that the water and sewer plans were not clear at this phase. Ann Spurgas, neighbor, expressed her concern regarding the two entrances. Ms. Spurgas also requested that the sign for the project be located towards the Morgan's Grove Park sign and not directly across from her property. Mr. Joe Spurgas, neighbor, stated that he believed a traffic impact study would be necessary. Mr. Spurgas reiterated Ms. Spurgas distress over the location of the sign as there would be no buffering from the proposed development and their property. Mr. Spurgas asked that the Commission require the Developer to follow all procedures. Mr. Rivard directed the Commission's attention to an email that had been received by the office which was dispersed to the Commission prior to the meeting as part of public testimony (see PC File#S12-06 for a copy of the email from Mr. Bill Lewandowski).

Mr. Hayes motioned to close the public workshop. Mr. G. Taylor seconded the motion, which carried unanimously.

Mr. Hayes had questions regarding the T-turnaround represented on the concept plan. Mr. Stansbury addressed the Commission and answered Mr. Hayes additional questions regarding site design. It was further clarified that the Planning Commission was approving the entire Concept Plan for MGM with the site plan being submitted in subsequent phases. Mr. Hayes motioned to approve the Concept Plan with no direction using the motion as provided by staff (Motion attached by reference). Mr. Pellish seconded the motion, which carried unanimously.

6. Discussion and possible action regarding the “Interpretive Appeals and Procedure Workshop” presentation that will allow options to appeal a decision or interpretation of staff heard at the November 13, 2012 meeting.

The Commission took no action on this item.

7. Request by Fred Blackmer for an administrative decision by the Planning Commission regarding initiation of site grading for Morgan’s Grove Market prior to approval of the Site Plan (S12-06).

Mr. Fred Blackmer with FB solutions explained the nature of the request to the Commission. Mr. Blackmer explained the necessity in beginning site grading and how waiting until the approval of the full site plan would hinder the applicant’s development timeline. Mr. Blacker went on to elaborate on the lengthy site plan process and that by authorizing the separation of the site grading plan from the remaining site plan standards it could allow the applicant to begin construction while continuing the rest of the review without any risk to adjacent property owners. Mr. Blacker stated that this type of request has been asked of the Commission in the past. Mr. Blackmer stated that if any changes were made to the approved site plan from what had been approved on the grading plan that the applicant would assume all financial risk. Mr. Blackmer defined surface grading as, “a contouring the surface of the site to meet the stormwater management issues; to create the areas where the parking are going to be; to actually shape the site on the contour lines that are reviewed by the Engineering Department.” Mr. Hayes commented that this type of processing is done in other jurisdiction. Mr. Saunders confirmed that the Department of Environmental Protection will require a permit if more than 1 acre of the site will be cleared. Mr. Steve Groh reminded the Commission that this item is not a waiver hearing and that Section 24.300 requires a 14 day notice for waivers. It was stated that when STaSIS processed this similar request it was done as a waiver which was noticed, and required a site grading plan and bonding. The Planning Commission and Staff had a discussion regarding a realistic timeframe for processing a site grading plan. The Commission directed Staff to review the site grading plan concurrently with the review of the waiver request in anticipation of approval of said waiver at the January 8, 2013 Planning Commission meeting. The January 8, 2013 meeting will be open for public comment.

8. Reports from Legal Counsel and legal advice to PC.

Active Litigation:

- **Far Away Farms**
- **Cedar Meadows Airpark**

There was no action or discussion on this item.

9. Director's Report.

Ms. Brockman updated the Commission on the following topics:

- 1) Transition of Clerical Staff: Planning Clerk, Amy Puetz, and Office Manager, Dawn Childs, have resigned. The office is currently interviewing for their positions. Ms. Hartman will be the Planning support in the interim.
- 2) Activity Report (included in the packet)
- 3) Envision Jefferson 2035 (2014 Comprehensive Plan) Update
 - a) Website/Public Outreach Efforts
 - b) Chris Whittaker hired as 2 – year Comprehensive Plan Planner; start date December 10, 2012 (this date was extended to the following week)
 - c) Steering Committee
 - d) Facilitator
- 4) Recent County Commission Meetings relevant to Planning
 - a) Public Hearing Scheduled for 11/29/12 at 7:00 pm rescheduled upon request by the applicant until early 2013
 - b) Recommendation of the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for a 34.27 acre property owned by Jefferson Asphalt Products, Inc (D: 2/M: 13/ P: 7).
 - c) Recommendation of the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for a 8.07 acre property owned by John D. Lowe, III (D: 9/M: 8/ P: part of 5).
 - d) Request for County Commission Approval of the US 340 Corridor East Gateway Plan, Incorporating Staff Recommended Changes Based on Public Comment. (11/15/12; no action taken on the Plan – informally recommended to be forwarded to Steering Committee for their reference)
 - e) Request to advertise vacant budgeted Project/Office Manager position. (11/15/12; approved request to advertise as well as to advertise for vacant budgeted Planning Clerk position)
 - f) Approval of job offer for 2 year temporary Comp Plan Planner Position to Chris Whittaker. (11/15/12)
 - g) Approval of Contract with a Facilitator for the Envision Jefferson 2035 Public Meetings. (11/15/12; approved contingent on reference check and legal approval of contract)
- 5) Upcoming County Commission Actions
None
- 6) Upcoming Planning Commission Meetings
 - a) January 8, 2013

A copy of the Director's Report, December 11, 2012, was made available in the uploaded Planning Commission packet.

10. Monthly Development Activity Report.

Mr. Rivard presented the November Monthly Development Activity Report.

11. County Commission Liaison Report.

Mr. Pellish explained that the applicant of the BCT rezoning request approached the County Commission and stated that they requested a postponement of the public hearing due to pending negotiations of the property. Mr. Pellish also commented in the County Commission's disinterest in adopting the 340 Study at this time however they appreciated all of the work that was involved in the drafting of the document.

12. Planning Commission Exchange.

- **Report from the Health Department Meeting Liaison.**

Ms. Brockman continued her report from the previous month regarding the digitizing of records and announced that the Health Department was willing to match funding provided the County Commission would do likewise. An RFP is currently being drafted.

- **Report from the Public Service District Meeting Liaison.** None.

- **Report from the Parks and Recreation Meeting Liaison.** None.

- **Report from the Jefferson County Development Authority Meeting Liaison.**

Mr. Stolipher wanted to raise a point of concern to the Commission. Mr. Stolipher was informed that when a business/industry is looking to locate in an area they conduct research regarding the location. As part of that research a consultant researches local newspapers to check the local climate, how fast approvals are being done and so forth. Mr. Stolipher suggested the Commission take this under advisement.

- **Report from the Water Advisory Committee Meeting Liaison.** None.

13. President's Report. None.

14. Actionable Correspondence. None.

Mr. Stolipher questioned if there was any written policy on allotted time limits for members of the public. The Commission also expressed a desire to limit speakers to those who sign in at the onset of the meeting. The Commission discussed amending the Bylaws regarding public speaking.

15. Non-Actionable Correspondence. None.

Mr. G. Taylor moved to adjourn the meeting at 8:51 PM. Mr. Hayes seconded the motion, which carried unanimously. An audio recording and/or a video recording of the meeting may be found on our website. These minutes were prepared by Jennilee Hartman, Zoning Clerk.

This information is
Tab #6 in your binder.

Staff Report
Jefferson County Planning Commission Meeting
January 8, 2013

Background

Morgan's Grove Market proposes to have a full build out of multiple buildings with a total of up to 60,000 square feet. The first phase of the site plan is proposed to include two buildings, labeled Violet and Indigo, that are proposed to be approximately 10,000 and 8,000 square feet in area respectively. It is not anticipated that both buildings will be built at the same time. The existing restaurant pad and house along Kearneysville Pike will be removed at the time the Violet and/or Indigo buildings are constructed. The only existing structure to remain is the single-family home and greenhouses on the property in the rear of the site, known as Map 13 Parcel 26.4

The Request

This particular waiver request is different from most other waiver requests. The applicant is not requesting a waiver from any standards or procedures in this request. The applicant is planning to meet all standards and processes, as required in the Zoning Ordinance and Subdivision Regulations. The request is to split the grading approval and bonding, from the remainder of the site plan approval and bonding. In the current Ordinance and Regulations, the applicant is required to have an approved site plan before any site grading can occur.

The applicant would like to begin the rough site grading before receiving final site plan approval. The applicant is proposing to grade only the northeast corner of the property, the section of the property adjacent to Morgan's Grove Park. A number of Staff members have had prior professional experiences at places where communities allow for rough site grading, before issuance of a final site plan or issuance of a building permit. In these communities, often rough grading was a separate permit process. It is understood that the applicant shall assume the risk that during site plan review, a change could occur which would affect the grading that was previously completed. A bond would be required for any work related to the rough grading that would allow the property to be restored to original condition if the Site Plan is not approved or is not completed.

Since the applicant is not requesting a waiver from any requirements and will follow all requirements, as any other applicant would, outlining the four criteria for this particular waiver is moot. The criteria are listed below for your review.

The design of the project will provide public benefit in the form of reduction in County maintenance cost, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature.

The waiver, if granted, will not adversely affect the public health, safety or welfare or the rights of adjacent property owners or residents.

The waiver, if granted, will be in keeping with the intent and purpose of these Regulations.

The waiver, if granted, will result in a project of better quality and/or character.

Staff Report
Jefferson County Planning Commission Meeting
January 8, 2013

Planning and Zoning Recommendation

Staff recommends approval of the waiver request. As stated above, the waiver is just to split the approval and bonding process for site grading from the rest of the Site Plan approval and bonding process. The applicant is to follow all standards and processes.

The Zoning Ordinance notes that “A zoning certificate and/or conditional use permit shall become void eighteen (18) months after the date of issuance if the construction or use for which the permit was issued has not commenced.” Early site grading does not constitute construction since there is no approved site plan for the intended use of the property.

Future use of the existing Morgan’s Grove Market

The existing Morgan’s Grove Market is able to operate since the applicant has an existing paved parking area and concrete pad for the summer market. Without that infrastructure in place, a Zoning Certificate could not have been issued unless the applicant had installed sufficient site improvements to host this type of market. If the applicant removes this paved area before approval of the site plan, and/or if construction of the proposed buildings and parking area cannot be in place by the opening of the market season, the market will not be permitted to operate until these conditions are addressed. The market could be permitted if the parking area is reestablished by a site plan with the appropriate number of parking spaces, and parking surface and drive aisles meeting County standards.

Engineering Report

Morgan's Grove Market Waiver for Early Grading 01/08/2013

Request:

Twin Oaks Subdivision, LLC is requesting a waiver from the JEFFERSON COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS (2008), Major Site Plan Concept Plan - Submission and Completeness Review, Section 20.102.B, which states:

“Approval Required. Before development of the land is commenced, subdivision plats and site plans must be approved by the Planning Commission, recorded, and surety posted for required improvements in accordance with these Regulations and the Comprehensive Plan.”

The applicant is requesting a waiver to begin early site grading before a completed site plan is approved.

Findings:

Jefferson County does not have a grading permit process. A site plan needs to be completely approved before site work and building construction can begin.

The planning commission has granted one other early grading permit for the Stasis project # S10-08. The Grading Permit was issued under the following conditions:

1. The grading permit is issued to allow the owner to perform site grading for the building pads. This permit is subject to the requirements of the sediment and erosion control plan submitted and approved as part of the grading plan and building permit application; and
2. The building permit is issued only for the foundations of the proposed buildings (building construction will stop at the foundations until the site plan is approved); and
3. The owner/Developer assumes all risk for “jump-starting” the project and understands that the final site plan design approved by the planning commission might necessitate some changes and additional construction cost; and
4. Provide bonding of all proposed site improvements pertaining to the permit.

Conclusion:

If the applicant is agreeable to the requirements above, the county engineer supports approval of this waiver provided the developer agrees to the above conditions; obtains a NPDES permit; submits a satisfactory site grading plan for review and approval; provides bonding for the sediment and erosion control/SWM, etc.

**A Motion Recommending Approval of a
Waiver for Morgan's Grove Market (S12-06)
January 8, 2013**

Whereas, the following facts relate to the processing of Morgan's Grove Market Site Plan Grading Waiver Request (PCW12-08);

Whereas, Morgan's Grove Market has requested a waiver from the 2008 Jefferson County Subdivision and Land Development Regulations per Section 20.102(B) to split the approval and bonding process in order to commence preliminary grading;

Whereas, Morgan's Grove Market is not requesting a waiver to opt out of a standard or a process;

Whereas, the following findings of Division 24.000 of the amended 2008 Subdivision Regulations are not applicable since the applicant is not opting out of any standards or procedures:

1. The design of the project will provide public benefit in the form of reduction in County maintenance cost, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature.
2. The waiver, if granted, will not adversely affect the public health, safety or welfare or the rights of adjacent property owners or residents.
3. The waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.
4. The waiver, if granted, will result in a project of better quality and/or character.

Now therefore be it moved, that the Jefferson County Planning Commission _____ the requested waiver for Morgan's Grove Market.

The portion of the record of the Planning Commission meeting pertaining to this application and the official minutes thereof are incorporated herein by reference as if set forth in full herein.

Action taken on this ___ day of _____ 2013
By vote of the Jefferson County Planning Commission
By a vote of __ Yes __ No

Planning Commission President



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338

Charles Town, WV 25414

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

PCW12-08

Date Applic. Rec'd: 12.12.12

Fees Paid: \$ 100.00

Sketch Received: [check]

Staff Initials: [initials]

Email planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email zoning@jeffersoncountywv.org

Fax: (304) 728-8126

Waiver Request

Note: Waivers to the 2008 Amended Subdivision Regulations must comply with Division 24.300 of the Subdivision Regulations. Sketch on a separate sheet of paper the shape and location of lot. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property. Sign and date the sketch. Please provide a vicinity map of the area.

I/We request a waiver from the provisions of the Jefferson County 2008 Amended Subdivision Regulations

Property owner information

Name of Property Owner: TWIN OAKS Subdivision, LLC CORUM-SLONAKER

Mailing Address: PO Box 536

City: SHEPHERDSTOWN State: WV Zip Code: 25443

Phone Number: 304-283-2467 Email: PETERCORUM@gmail.com

Applicant contact information

Applicant Name: Peter Corum

Mailing Address: Same

City: State: Zip Code:

Phone Number: Email:

Applicant Representatives

Name of Registered Engineer(s) or Surveyor(s): FRED BLACKNER

Mailing Address of Engineer(s) or Surveyor(s): 9628 Moncove Lake Road

City: GAP MILLS State: WV Zip Code: 24941

Phone Number: 304 536 3743 Email: Fred@Fredblackner.com

Physical property details

Physical Property Address: 3988 KEARNEYVILLE PIKE (RT 480) A

City: Shepherdstown State: WV Zip Code: 25443

Tax District: shepherdstown Map #: 13 Parcel No: 26.1, 26.2, 26.3, 26.4

Parcel Size: 13.7 Deed Book: See Attach Deed Bk. Pg. #: See Attach

Zoning District: Rural (R-A) [checked] Residential Growth (R-G) [] Industrial Commerical (I-C) [] Residential-Light Industrial (R-L-C) [] Village (V) []

What section of the Ordinance are you requesting to waive?

SECTION 20.102 (B) of the amended 2008 Subdivision Regulations

Briefly describe the nature of your waiver request:

See attached letter NOV 29 2012

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

"Jump Starting" This project will provide additional tax revenue and job creation for Jefferson County.

Explain how the waiver, if granted, will not adversely affect the public health, safety or welfare or the rights of adjacent property owners or residents.

See attached letter NOV 29 2012

Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

See attached letter NOV 29 2012

Explain how the waiver, if granted, will result in a project of better quality and/or character.

will allow a real "on the ground" product (site grade) to verify final site plan design

Original signature is required. The information given is correct to the best of my knowledge.

Signature of Property Owner

Date

Received By

Date

For Official Use Only

Date of Public Meeting/Public Hearing

Official/Administrative Body

Date Property to be posted by

Date Adjoiner letters to be mailed by

Approved/Denied by a vote of for and against this day of

Approved checkbox

Approved

Denied checkbox

Denied

RECEIVED

PLANNING DEPARTMENT

RECEIVED

FB solutions residential construction management and design

9628 Moncove Lake Road Gap Mills, WV 24941 304.536.3743 fred@fredblackmer.com

November 29, 2012

Subject: December Agenda Item

Commissioners,

I am requesting to be placed on the December 11, 2012 Planning Commission agenda. The purpose of this item is to request an administrative decision by the Planning Commission regarding preliminary site grading for Morgan's Grove Market (applicant).

The body of this discussion is not a request for relief or "waiver" from current subdivision standards. It is simply to allow surface site grading in anticipation of subsequent procedural and document approvals.

All conditions and standards identified in our Concept Plan submission and final Site Plan approval will be met. An on site grading work will be done in accordance with Jefferson County Subdivision Ordinance Sec 22.503 and subject to Jefferson County Engineering Department Site Plan review.

The applicant assumes all responsibility for any and all work authorized prior to final site plan approval. Any required changes to comply with the final site plan approval will be at the owner's expense.

This administrative action is required to coordinate initial site work with weather and time considerations. Our site plan is ready for engineering department technical review with a Planning Commission anticipated action at or subsequent to February 2013.

This request is made in good faith as substantially compliant with the intent of Jefferson County Land Use Ordinances. There will be no negative impact on surrounding property owners or the community at large.

In anticipation of this positive administrative action, the applicant has bid site work in two parts. The first is general grading for storm water management and slope requirements. The second part is for the actual construction of roads, on site infrastructure and buildings. That second part will be subsequent to approval of the site plan and approved building permit review.

Requested Action: I move to authorize Morgan's Grove Market to begin preliminary site grading subsequent to Jefferson County Engineering technical review and approval of work to be performed. This work will be done at the applicant's risk of any future

changes required in final site plan approval. No roads, infrastructure or buildings will be started without further Planning Commission review and approval.

I appreciate the commission's interest in addressing issues involved with Morgan's Grove Market. I believe we all understand the extended period of time this application has taken in this attempt to get "a good project" up and running.

Sincerely,

Signed 

Fred Blackmer
Morgan's Grove Market, Government Affairs

304.536.3743

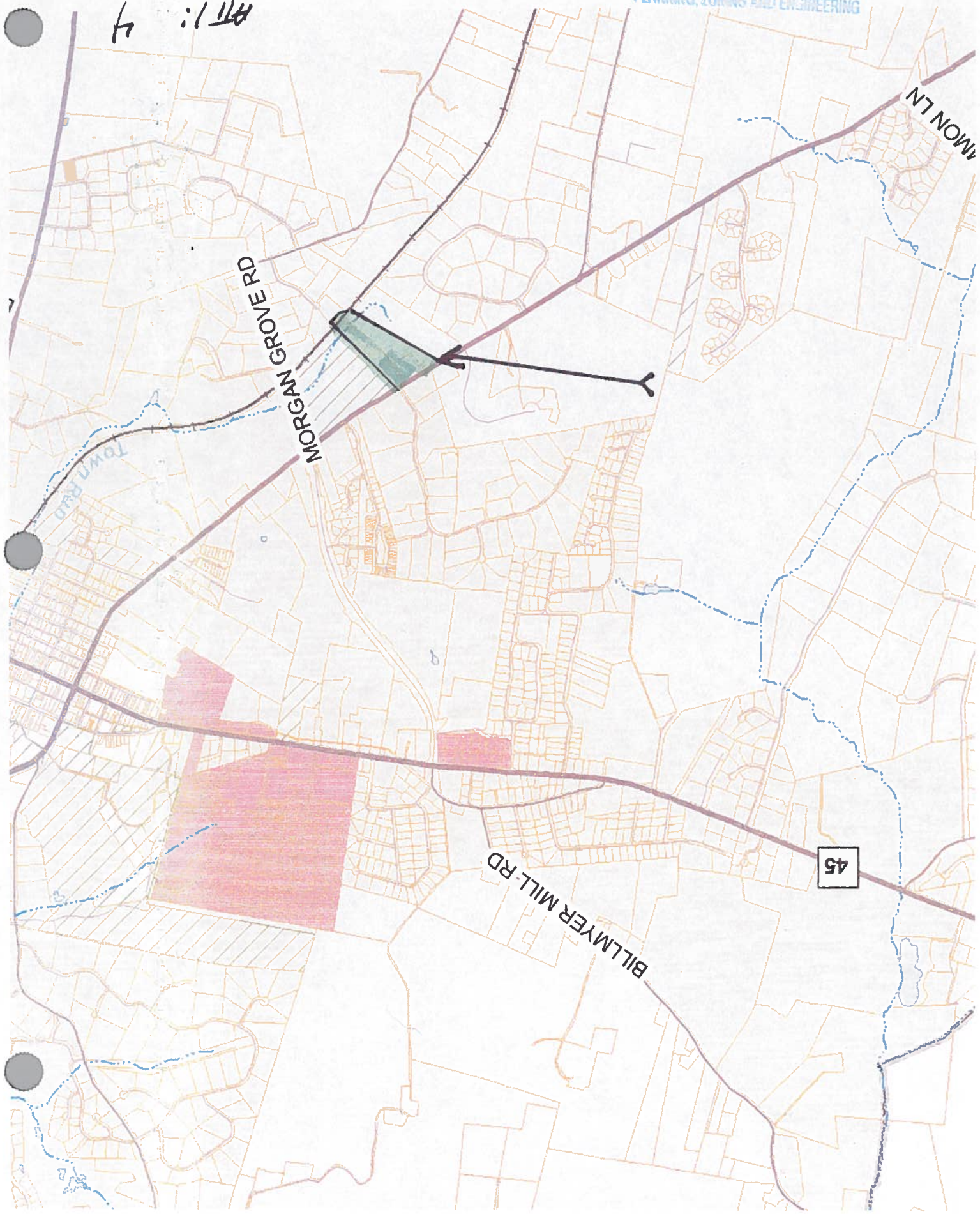
Parcel 26.1	6.69 acres	DB 995	Pg 321
Parcel 26.2	7.0 acres	DB 454	PG 445
Parcel 26.3	3.0 acres	DB 992	PG 60
Parcel 26.4	20 acres	DB 974	Pg 346

RECEIVED

DEC 12 2012

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

ATT: 4



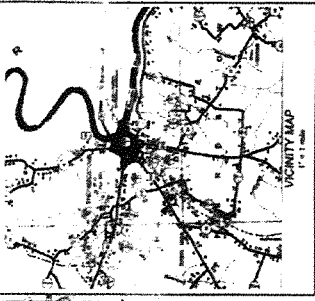
MT NOW

MORGAN GROVE RD

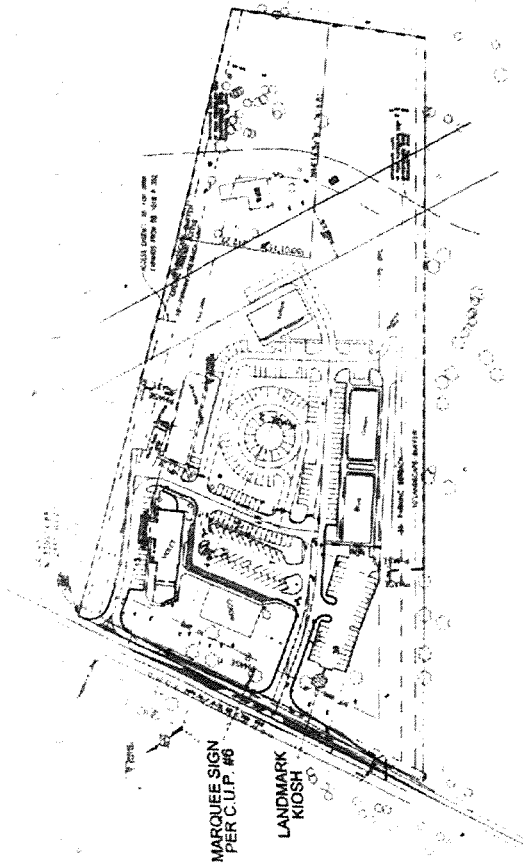
BILLMYER MILL RD

45

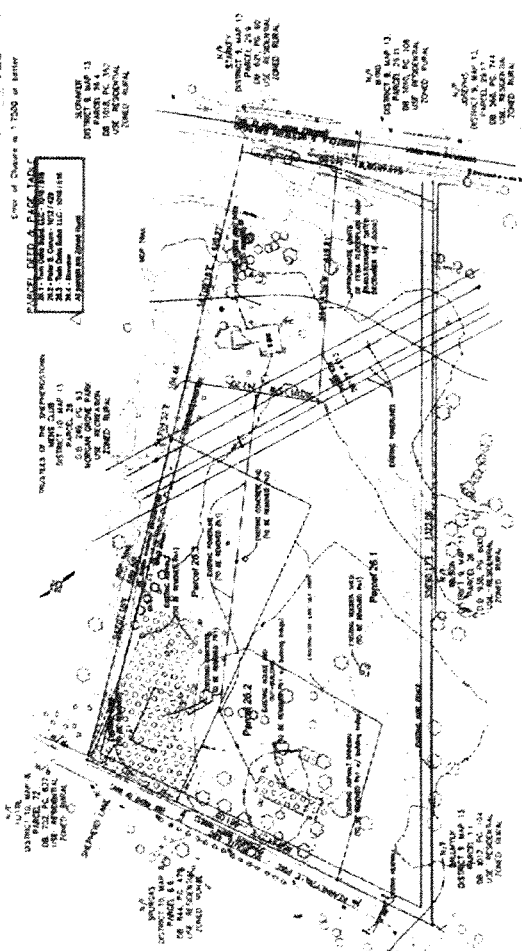
Jefferson County
West Virginia
Planning Commission
Map 3
Highway Problem
Areas



Developer
TWIN OAKS SUBDIVISION, LLC
PO Box 536
Shepherdstown, WV 25443
304-283-2448



BOUNDARY AND PARCEL MAP



- SITE TABULATIONS**
- 1. TOTAL PROJECT AREA = 14.64 ACRES
 - 2. AREA OF EXISTING IMPROVEMENTS = 4.56 ACRES
 - 3. AREA OF PROPOSED IMPROVEMENTS = 10.08 ACRES
 - 4. TOTAL PROJECT AREA = 14.64 ACRES
 - 5. TOTAL PROJECT AREA = 14.64 ACRES
 - 6. TOTAL PROJECT AREA = 14.64 ACRES
 - 7. TOTAL PROJECT AREA = 14.64 ACRES
 - 8. TOTAL PROJECT AREA = 14.64 ACRES
 - 9. TOTAL PROJECT AREA = 14.64 ACRES
 - 10. TOTAL PROJECT AREA = 14.64 ACRES

- TRIP GENERATION & PARKING PLAN**
- 1. TRIP GENERATION = 1,200 VEH/HR
 - 2. TRIP GENERATION = 1,200 VEH/HR
 - 3. TRIP GENERATION = 1,200 VEH/HR
 - 4. TRIP GENERATION = 1,200 VEH/HR
 - 5. TRIP GENERATION = 1,200 VEH/HR
 - 6. TRIP GENERATION = 1,200 VEH/HR
 - 7. TRIP GENERATION = 1,200 VEH/HR
 - 8. TRIP GENERATION = 1,200 VEH/HR
 - 9. TRIP GENERATION = 1,200 VEH/HR
 - 10. TRIP GENERATION = 1,200 VEH/HR

- PARKING**
- 1. PARKING SPACES = 100
 - 2. PARKING SPACES = 100
 - 3. PARKING SPACES = 100
 - 4. PARKING SPACES = 100
 - 5. PARKING SPACES = 100
 - 6. PARKING SPACES = 100
 - 7. PARKING SPACES = 100
 - 8. PARKING SPACES = 100
 - 9. PARKING SPACES = 100
 - 10. PARKING SPACES = 100

- WATER AND WASTE ESTIMATE**
- 1. WATER USE = 100 GPD
 - 2. WASTE GENERATION = 100 GPD
 - 3. WASTE GENERATION = 100 GPD
 - 4. WASTE GENERATION = 100 GPD
 - 5. WASTE GENERATION = 100 GPD
 - 6. WASTE GENERATION = 100 GPD
 - 7. WASTE GENERATION = 100 GPD
 - 8. WASTE GENERATION = 100 GPD
 - 9. WASTE GENERATION = 100 GPD
 - 10. WASTE GENERATION = 100 GPD

Morgan's Grove Market
CONCEPT PLAN
DARTMOUTH ENGINEERING
3 SUE COURT SUITE B
SHEPHERDSTOWN, WV 25445
304-871-4786

Dec 13 2012
Tudor Babcock

FB solutions residential construction management and design

9628 Moncove Lake Road Gap Mills, WV 24941 304.536.3743 fred@fredblackmer.com

Addendum to interior lot line variance request:

December 26, 2012

This submission is in response to the applicant's meeting with staff on December 21, 2012.

The meeting was held at the applicant's request to address several staff interpretations of the Jefferson County Zoning Ordinance and Subdivision Ordinance. Items of discussion included issues regarding specific actions being required on the Morgan's Grove Market site plan submission involving standards, review and the approval process. The result was agreement on some issues and a genuine difference of opinion between the applicant and staff on others.

Variance Request: Discussion with staff about their current interpretation of lot lines and internal setbacks resulted in the submission of a Variance Request and payment of fees. It was determined that even though this item might be more appropriately identified as an appeal, the applicant agreed with the staff recommendation to submit the item as a "variance".

On the application that was submitted, the four questions on backside of the application need a clear response. Staff agreed to allow the submission of this addendum in addressing those items. The Board of Zoning Appeals uses responses to those questions to make a decision and/or motion. It is to all parties benefit for the Board of Zoning Appeals to understand reasoning that generated asking for this variance.

Twin Oaks Subdivision, LLC response:

Supplemental information Page 2 of MGM internal lot line Zoning Variance request.

Reference the section of Ordinance pertaining to this request: Section 5.6D, 4.11
(Staff provided the section references on which they rely for their interpretation)

Please briefly describe the nature of the variance request:

Relief from the staff determination that internal lot lines of this approved development site must comply with the sited reference sections.

Please explain why granting the variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents:

All conditions and standards identified in our Concept Plan submission and final Site Plan approval will be met. This includes but is not limited to ALL public health, safety and welfare regulations identified in federal, state and local regulations. The rights of adjacent property owners or residents will not be affected as this is an internal lot line

determination that in no way affects the setback and protective buffer features required by the currently approved Board of Zoning Appeals Conditional Use Permit.

In what way does this request arise from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance:

The commercial development property in question was purchased, evaluated and designed as a single commercial development site. (**Site:** means any tract, lot or parcel of land or combination of tracts, lots or parcels of land, which are in one ownership or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision, or project) *as defined in Jefferson County Subdivision Ordinance, pg 168.* The current opinion of staff regarding internal lot line setbacks would extinguish a significant portion of the applicant development rights as reviewed and approved by the Board of Zoning Appeals.

How will granting this variance eliminate an unnecessary hardship and permit a reasonable use of the land:

Current configurations of the internal lots that create this approved development plan are in multiple ownerships with a contiguous boundary. This condition is purely a result of the normal corporate and financial arrangements involved in this project. Merging of lots or the modification of interior lot lines for the sole purpose of meeting an on-site buffer-setback standard or parking requirement has proven inconsistent with the overall approved project concept and serves no interest intended by ordinance provisions. The current opinion of staff regarding internal lot line setbacks would extinguish a significant portion of the applicant development rights as reviewed and approved by the Board of Zoning Appeals.

How will granting this variance allow the intent of the Zoning Ordinance to be observed and substantial justice to be done:

The Jefferson County Board of Zoning Appeals has determined that this project is in the public interest by virtue of the approval of a Conditional Use Permit. Multiple public hearings have been conducted concerning this project. It is the applicant's belief that granting of this variance will not have a negative impact on the adjoining property owners or the community. Granting of this variance will have no negative impact on public health, safety or welfare. Granting of this variance will allow the applicant to move forward with the quality project concept approved by the Board of Zoning Appeals. Granting of this variance will observe the intent of county ordinances and substantial justice will be accomplished for both the community and the applicant.

Fred Blackmer
MGM Clerk of the Works
304.536.3743

Staff Report
Jefferson County Planning Commission Meeting
January 8, 2013

Background

Morgan's Grove Market proposes to have a full build out of multiple buildings with a total of up to 60,000 square feet. The first phase of the site plan is proposed to include two buildings, labeled Violet and Indigo, that are proposed to be approximately 10,000 and 8,000 square feet in area respectively. It is not anticipated that both buildings will be built at the same time. The existing restaurant pad and house along Kearneysville Pike will be removed at the time the Violet and/or Indigo buildings are constructed. The only existing structure to remain is the single-family home and greenhouses on the property in the rear of the site, known as Map 13 Parcel 26.4.

The Request

The applicant has requested a waiver from the sidewalk requirement for non-residential developments, as found within the Jefferson County Subdivision and Land Development Regulations per sections:

- 21.202(B)
- 22.208(A)
- Appendix B 9.6(C) requiring sidewalks to be provided in non-residential developments

Waiver Criteria

The following criteria, as outlined in Section 24.300 of the amended 2008 Subdivision Regulations, have to be met in order to have a waiver granted:

The design of the project will provide public benefit in the form of reduction in County maintenance cost, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature.

Relief from the sidewalk requirement will not result in an increase in the public and County benefit. Granting the waiver will reduce the community benefit of having a walkable pedestrian network.

The waiver, if granted, will not adversely affect the public health, safety or welfare or the rights of adjacent property owners or residents.

The waiver will adversely impact the public health, safety or welfare of the public or affect adjacent owners and residents. A healthy community is a desire of the applicants proposed project and reducing the ability for residents to exercise could contribute to a less healthy community.

Sidewalks provide a safe means of travel for pedestrians and increase public health and, in this instance, the nature of the topography of the site permits the ability to install sidewalks.

The waiver, if granted, will be in keeping with the intent and purpose of these Regulations.

The intent and purpose of the Subdivision Regulations is to require sidewalks and not installing sidewalks will not be in keeping with that intent. The intent of the Regulations is to have sidewalks that provide value to the community.

The waiver, if granted, will result in a project of better quality and/or character.

Staff Report
Jefferson County Planning Commission Meeting
January 8, 2013

The effect of the waiver would result in have a negative impact on the area as it relates to quality and character. Sidewalks are nearly always a universal good attribute to a community and installation of sidewalks is important.

Staff Recommendation

The request for the waiver of sidewalks in this instance requires some additional consideration because of the type of development and where it is located. This location is ideal for sidewalks, as there is an adjacent walking path in Morgan's Grove Park. Within the vicinity, is a trail along Potomac Farms Road (Alternate Route 45) and the residential development to the north has sidewalks. There are residential developments in the area, in which residents of those subdivisions may be inclined to walk to the applicant's establishment. The installation of a sidewalk or trail in this location could be linked with existing walkways and would not be a walkway to "no where". The topography and area on the applicant's property is conducive to the installation of sidewalks.

Using the 4 criteria above, staff does not believe that the applicant is able to meet the standards required by the Subdivision Regulations. Since the waiver standards have not been met, the waiver cannot be granted.

Sidewalks could be constructed in phases, as the project builds out. Half of the sidewalk could be installed during construction of the Violet building and the remaining sidewalk could be installed when the Indigo building is under construction.

The applicant has noted that there is a growing epidemic of obesity and diabetes in West Virginia and that there needs to be a more proactive approach to life style change. A community with the ability for pedestrian activity is a way to reduce obesity and diabetes. In a world model that requires infinite growth and our planet has finite (energy) resources, walking is an alternative to the energy issue and is sustainable. Sidewalks provide a platform from which more sidewalks can connect into the network.

Additionally, the West Virginia State Department of Transportation has highlighted WV 480 (Kearneysville Pike) as location for future pedestrian pathway. Installation of sidewalks would assist in beginning that process of a greater pedestrian network.

If the Planning Commission decides to grant the waiver, staff recommends that a ten (10) foot pedestrian/bike easement shall be required for the length of the property along Route 45. An easement shall be shown on the across the property in this site plan and recorded with a Final Plat or by deed.

**A Motion Recommending Denial of a
Waiver for Morgan's Grove Market (S12-06)
January 8, 2013**

Whereas, the following facts relate to the processing of Morgan's Grove Market Site Plan Sidewalk Waiver Request (PCW12-09);

Whereas, The applicant has requested a waiver from the sidewalk requirement for non-residential developments, as found within the amended 2008 Jefferson County Subdivision and Land Development Regulations per sections:

- 21.202(B)
- 22.208(A)
- Appendix B 9.6(C) requiring sidewalks to be provided in non-residential developments;

Whereas, Sidewalks can be reasonably accommodated on this site;

Whereas, Walking paths are on the adjacent property and there are pedestrian paths in the vicinity;

Whereas, Sidewalks could be constructed in phases, as the project builds out. Half of the sidewalk could be installed, with the construction of the Violet building and the remaining sidewalk could be installed when the Indigo building is under construction;

Whereas, the following findings, which are required, **cannot** be made in regards to this request, in accordance with the provisions of 21.202(B), 22.208 (A) and Appendix B, Section 9.6 of the 2008 Subdivision Regulations, which requires sidewalks in nonresidential projects and Section 24.300 of the 2008 Subdivision Regulations:

1. The design of the project will provide public benefit in the form of reduction in County maintenance cost, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature.
2. The waiver, if granted, will not adversely affect the public health, safety or welfare or the rights of adjacent property owners or residents.
3. The waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.
4. The waiver, if granted, will result in a project of better quality and/or character.

Now therefore be it moved, that the Jefferson County Planning Commission (denies)_____ the requested waiver for Morgan's Grove Market.

The portion of the record of the Planning Commission meeting pertaining to this application and the official minutes thereof are incorporated herein by reference as if set forth in full herein.

Action taken on this ____ day of _____ 2013
By vote of the Jefferson County Planning Commission
By a vote of __ Yes __ No

Planning Commission President



JEFFERSON COUNTY, WEST VIRGINIA

Date Applic. Rec'd: 12/18/12

Departments of Planning and Zoning

Fees Paid: \$ 100.00

116 East Washington Street, 2nd Floor, P.O. Box 338

Sketch Received:

Charles Town, WV 25414

Staff Initials: gjt

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email zoning@jeffersoncountywv.org

PCW 12-09

Fax: (304) 728-8126

Waiver Request

Note: Waivers to the 2008 Amended Subdivision Regulations must comply with Division 24.300 of the Subdivision Regulations. Sketch on a separate sheet of paper the shape and location of lot. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property. Sign and date the sketch. Please provide a vicinity map of the area.

I/We request a waiver from the provisions of the Jefferson County 2008 Amended Subdivision Regulations

Property owner information

Name of Property Owner: Twin Oaks Subdivision, LLC
Mailing Address: PO Box 536
City: Shepherdstown State: WV Zip Code: 25443
Phone Number: 304 283 2467 Email: petercorum@gmail.com

Applicant contact information

Applicant Name: Peter Corum
Mailing Address: PO Box 536
City: Shepherdstown State: WV Zip Code: 25443
Phone Number: 304 283 2467 Email: petercorum@gmail.com

Applicant Representatives

Name of Registered Engineer(s) or Surveyor(s): Dirk Stansbury
Mailing Address of Engineer(s) or Surveyor(s): 3 Sue Court
City: Martinsburg State: WV Zip Code: 25405
Phone Number: 304 596 2543 Email: _____

Physical property details

Physical Property Address: 3988 Kearneysville Pike
City: Shepherdstown State: WV Zip Code: 24443
Tax District: Shepherdstown Map #: 13 Parcel No: 26.1,2,3,4
Parcel Size: 13.69 acres Deed Book: attached Deed Bk. Pg. #: attached

Zoning District: **RECEIVED**
DEC 18 2012
Rural (R-A) Residential Growth (R-G) Industrial Commerical (I-C) Residential-Light Industrial-Commercial (R-L-C) Village (V)

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

What section of the Ordinance are you requesting to waive?

22.208 Sidewalks

Briefly describe the nature of your waiver request:

The applicant is requesting relief from the road frontage sidewalk being required by staff.

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

Greater open space will be created by the reduction in impervious surfaces on the site. There will be no cost to the county in maintaining the sidewalk. This project includes internal pedestrian connections to existing walking trails and park land. This was a condition of the Conditional Use Permit approved by the BZA.

Explain how the waiver, if granted, will not adversely affect the public health, safety or welfare or the rights of adjacent property owners or residents.

There are no current or proposed sidewalks on adjacent properties. There will be no negative impact to surrounding property owners or residents.

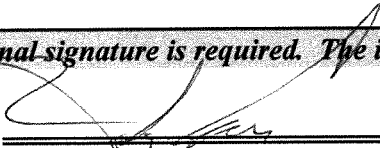
Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

This is the latest in a series of waiver requests from the sidewalk provision of the ordinance. Prior approvals have proven that this is in keeping with the ordinance intent.

Explain how the waiver, if granted, will result in a project of better quality and/or character.

This project is being professionally designed as a business campus. The staff requirement for a standard pedestrian sidewalk on the property frontage does not fit the character design. Rural character preservation is not compatible with urban cookie cutter features that serve no purpose.

Original signature is required. The information given is correct to the best of my knowledge.

 12/18/12
Signature of Property Owner Date

Received By Date

For Official Use Only

- ____ Date of Public Meeting/Public Hearing
- ____ Official/Administrative Body
- ____ Date Property to be posted by
- ____ Date Adjoiner letters to be mailed by

Approved/Denied by a vote of _____ for and _____ against this _____ day of _____,

Approved Denied

Name and address of owner(s):

Parcel 26.1 and 26.3
Twin Oaks Subdivision, LLC
PO Box 536
Shepherdstown WV 25443
Tel: (304) 283-2467

Parcel 26.2
Peter S. Corum*
PO Box 536
Shepherdstown WV 25443
Tel: (304) 283-2467

Parcel 26.4
J. Edward Slonaker*
PO Box 536
Shepherdstown WV 25443
Tel: (304) 283-2467

*(Member of Twin Oaks Subdivision, LLC)

Developer of all Parcels
Twin Oaks Subdivision, LLC
PO Box 536
Shepherdstown, WV 25443
Tel: (304) 283-2467

Name and address of contact person:

Peter Corum
PO Box 536
Shepherdstown, WV 25443

Tel: 304 283-2467

Tract size, shape, location and zoning:

The proposed area for zoning amendment is located in Shepherdstown District; Tax Map 13 parcel 26.1, parcel 26.2, parcel 26.3 & parcel 26.4.

The original tract acres:

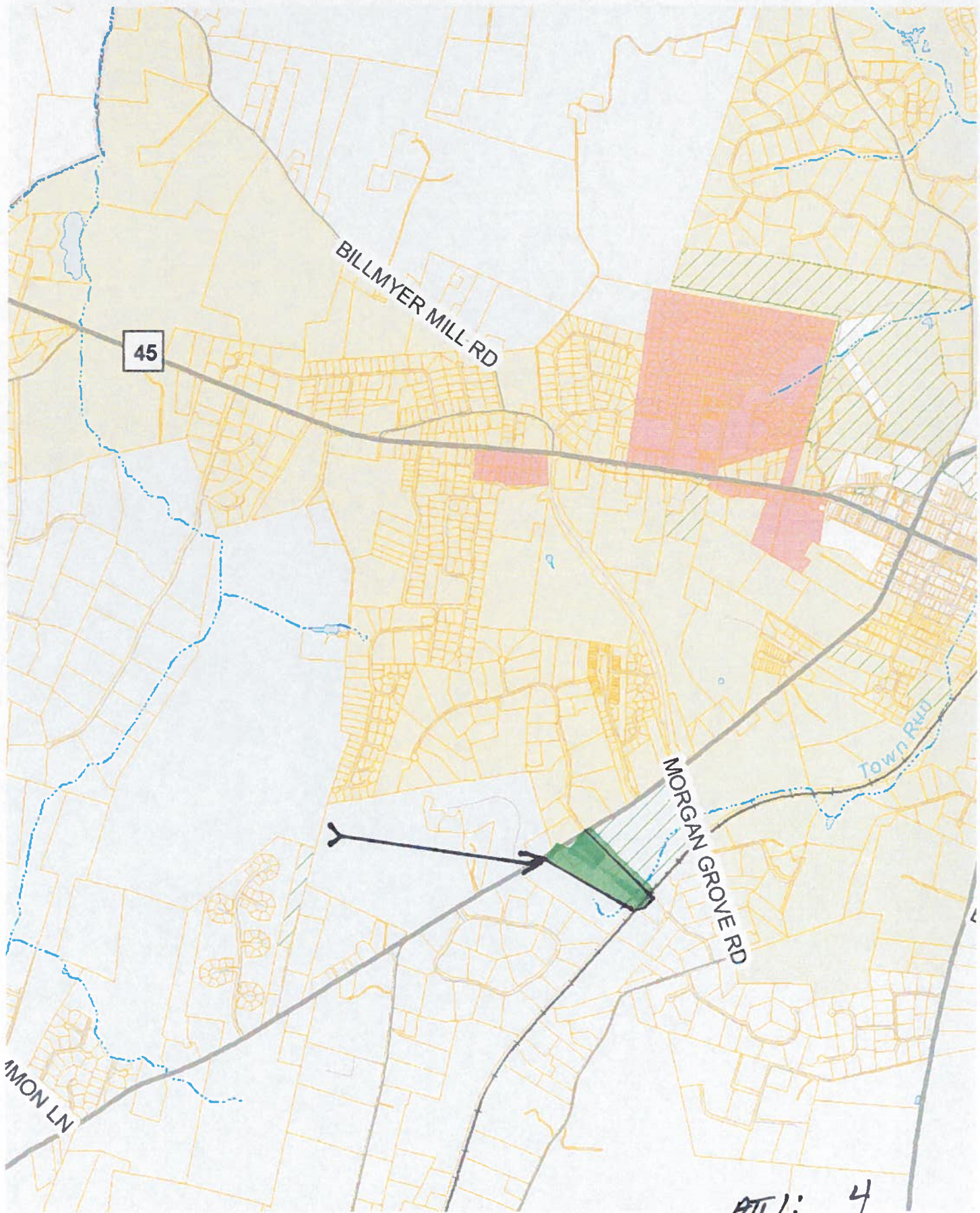
Parcel 26.1	6.69 acres	DB 995	PG 321
Parcel 26.2	2.0 acres	DB 454	PG 445
Parcel 26.3	3.0 acres	DB 992	PG 60
Parcel 26.4	2.0 acres	DB 974	PG 346

The parcels have a total acreage of 13.69 acres.

Current zoning:

"Rural District"

Plat, locator maps and tax map attached as pages 2, 3, 4 and 5.



ATT 1: 4

Engineering Report

Morgan's Grove Market Waiver for Traffic Impact Study 01/08/2013

Request:

Twin Oaks Subdivision, LLC is requesting a waiver from the JEFFERSON COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS (2008), Major Site Plan Concept Plan - Submission and Completeness Review, Section 24.116.B.6, which states:

“In the event trip generation in the peak hour exceeds 100 or the limitation designated in the most current DOH Traffic Engineering Directive, a traffic study will be required which includes generators, etc. This type of study should be performed by a traffic engineering consultant. The effect of phasing the subdivision shall be cumulative.”

The developer is requesting a waiver from the requirement for a traffic impact study.

Findings:

Based on the type of traffic impact mitigation that was recommended under traffic impact studies on past projects, the expectation is that the improvements required by the traffic impact study for this project – considering a worst case scenario – will at most, result in the center left-turn lane, right-in/right-out only entrance & a deceleration lane that is already proposed on the site plan. The developer is proffering to go ahead and provide the improvements in lieu of performing the traffic impact study. The West Virginia Division of Highways (WVDOH) is in agreement with this request.

The applicant is meeting the four criteria for a waiver as follows:

1. There is no anticipated reduction in public benefit from granting of the waiver.
2. Public health and safety is benefited by improving site access safety.
3. The intent of the ordinance is kept because the developer is providing the improvements that most likely will be required anyway.
4. The quality and character of the site access will be improved by the site access management improvements proposed.

Conclusion:

Therefore, the county engineer supports approval of this waiver on the condition that the developer provides the proposed improvements and on the condition that a letter from the WVDOH is received stating that “no traffic study is required.”

**A Motion Recommending Approval of a
Waiver for Morgan's Grove Market (S12-06)
January 8, 2013**

Whereas, the following facts relate to the processing of Morgan's Grove Market Site Plan traffic improvement study waiver request (PCW12-10);

Whereas, The applicant has requested a waiver from the traffic improvement study requirement as found within the amended 2008 Jefferson County Subdivision and Land Development Regulations per Section 24.116(B)6;

Whereas, The site plan for Morgan's Grove Market shows proposed traffic improvements for WV 480 (Kearneysville Pike);

Whereas, The applicant has proffered the anticipated improvements that the traffic improvement study would likely require;

Whereas, Approval of the request is conditioned on the applicant making the improvements as shown on the Morgan's Grove Market site plan and a letter from the West Virginia Department of Highways is received stating that no traffic study is required;

Whereas, the following findings, which are required, **can** be made in regards to this request, in accordance with the provision of Section 24.116(B)6 2008 Subdivision Regulations, which requires the traffic improvement study for projects anticipated to generate over 100 trips in a peak hour:

1. The design of the project will provide public benefit in the form of reduction in County maintenance cost, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature.
2. The waiver, if granted, will not adversely affect the public health, safety or welfare or the rights of adjacent property owners or residents.
3. The waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.
4. The waiver, if granted, will result in a project of better quality and/or character.

Now therefore be it moved, that the Jefferson County Planning Commission (approves)_____ the requested waiver for Morgan's Grove Market with the condition that applicant make the improvements as shown on the Morgan's Grove Market site plan and a letter for the West Virginia Department of Highways is received stating that no traffic study is required.

The portion of the record of the Planning Commission meeting pertaining to this application and the official minutes thereof are incorporated herein by reference as if set forth in full herein.

Action taken on this ____ day of _____ 2013
By vote of the Jefferson County Planning Commission
By a vote of __ Yes __ No

Planning Commission President



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338

Charles Town, WV 25414

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Date Applic. Rec'd: 12/18/12

Fees Paid: \$ 100.00

Sketch Received:

Staff Initials: GH

Email planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email zoning@jeffersoncountywv.org

PCW12-10

Fax: (304) 728-8126

Waiver Request

Note: Waivers to the 2008 Amended Subdivision Regulations must comply with Division 24.300 of the Subdivision Regulations. Sketch on a separate sheet of paper the shape and location of lot. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property. Sign and date the sketch. Please provide a vicinity map of the area.

I/We request a waiver from the provisions of the Jefferson County 2008 Amended Subdivision Regulations

Property owner information

Name of Property Owner: Twin Oaks Subdivision, LLC
Mailing Address: PO Box 536
City: Shepherdstown State: WV Zip Code: 25443
Phone Number: 304 283 2467 Email: petercorum@gmail.com

Applicant contact information

Applicant Name: Peter Corum
Mailing Address: PO Box 536
City: Shepherdstown State: WV Zip Code: 25443
Phone Number: 304 283 2467 Email: petercorum@gmail.com

Applicant Representatives

Name of Registered Engineer(s) or Surveyor(s): Dirk Stansbury
Mailing Address of Engineer(s) or Surveyor(s): 3 Sue Court
City: Martinsburg State: WV Zip Code: 25405
Phone Number: 304 596 2543 Email: _____

Physical property details

Physical Property Address: 3988 Kearneysville Pike
City: Shepherdstown State: WV Zip Code: 24443
Tax District: Shepherdstown Map #: 13 Parcel No: 26.1,2,3,4
Parcel Size: 13.69 acres Deed Book: attached Deed Bk. Pg. #: attached

RECEIVED

Zoning District: 10 2012

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

	Residential	Industrial	Residential-	
	Growth	Commercial	Light Industrial-	
Rural			Commercial	Village
(R-A)	(R-G)	(I-C)	(R-L-C)	(V)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

What section of the Ordinance are you requesting to waive?

74.116 (5)6

Briefly describe the nature of your waiver request:

REQUEST TO WAIVE FROM SUBDIVISION ORDINANCE REQUIRING TRAFFIC STUDY

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

THE WAIVER WILL ELIMINATE UNNECESSARY AND/OR REDUNDANT TRIPS AND SAVE TIME & MONEY FOR BOTH THE APPLICANT & GOVERNMENT. WVDOT IS ALREADY DOING A GREATER CAPACITY (GT 9) STUDY.

Explain how the waiver, if granted, will not adversely affect the public health, safety or welfare or the rights of adjacent property owners or residents.

APPLICANT IS COMPLYING WITH WVDOT DESIGN

Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

MAINTAINING COMPLIANCE WITH CUP REQUIRING APPLICANT TO FOLLOW WVDOT REQUIREMENTS / STANDARDS.

Explain how the waiver, if granted, will result in a project of better quality and/or character.

BY ADHERING TO WVDOT STANDARDS APPLICANT MAINTAINS THE HIGHEST SAFETY STANDARDS.

Original signature is required. The information given is correct to the best of my knowledge.

Signature of Property Owner

Date

Received By

Date

For Official Use Only

Date of Public Meeting/Public Hearing

Official/Administrative Body

Date Property to be posted by

Date Adjoiner letters to be mailed by

Approved/Denied by a vote of _____ for and _____ against this _____ day of _____,

Approved

Denied

Name and address of owner(s):

Parcel 26.1 and 26.3
Twin Oaks Subdivision, LLC
PO Box 536
Shepherdstown WV 25443
Tel: (304) 283-2467

Parcel 26.2
Peter S. Corum*
PO Box 536
Shepherdstown WV 25443
Tel: (304) 283-2467

Parcel 26.4
J. Edward Slonaker*
PO Box 536
Shepherdstown WV 25443
Tel: (304) 283-2467

*(Member of Twin Oaks Subdivision, LLC)

Developer of all Parcels
Twin Oaks Subdivision, LLC
PO Box 536
Shepherdstown, WV 25443
Tel: (304) 283-2467

Name and address of contact person:

Peter Corum
PO Box 536
Shepherdstown, WV 25443

Tel: 304 283-2467

Tract size, shape, location and zoning:

The proposed area for zoning amendment is located in Shepherdstown District; Tax Map 13 parcel 26.1, parcel 26.2, parcel 26.3 & parcel 26.4.

The original tract acres:

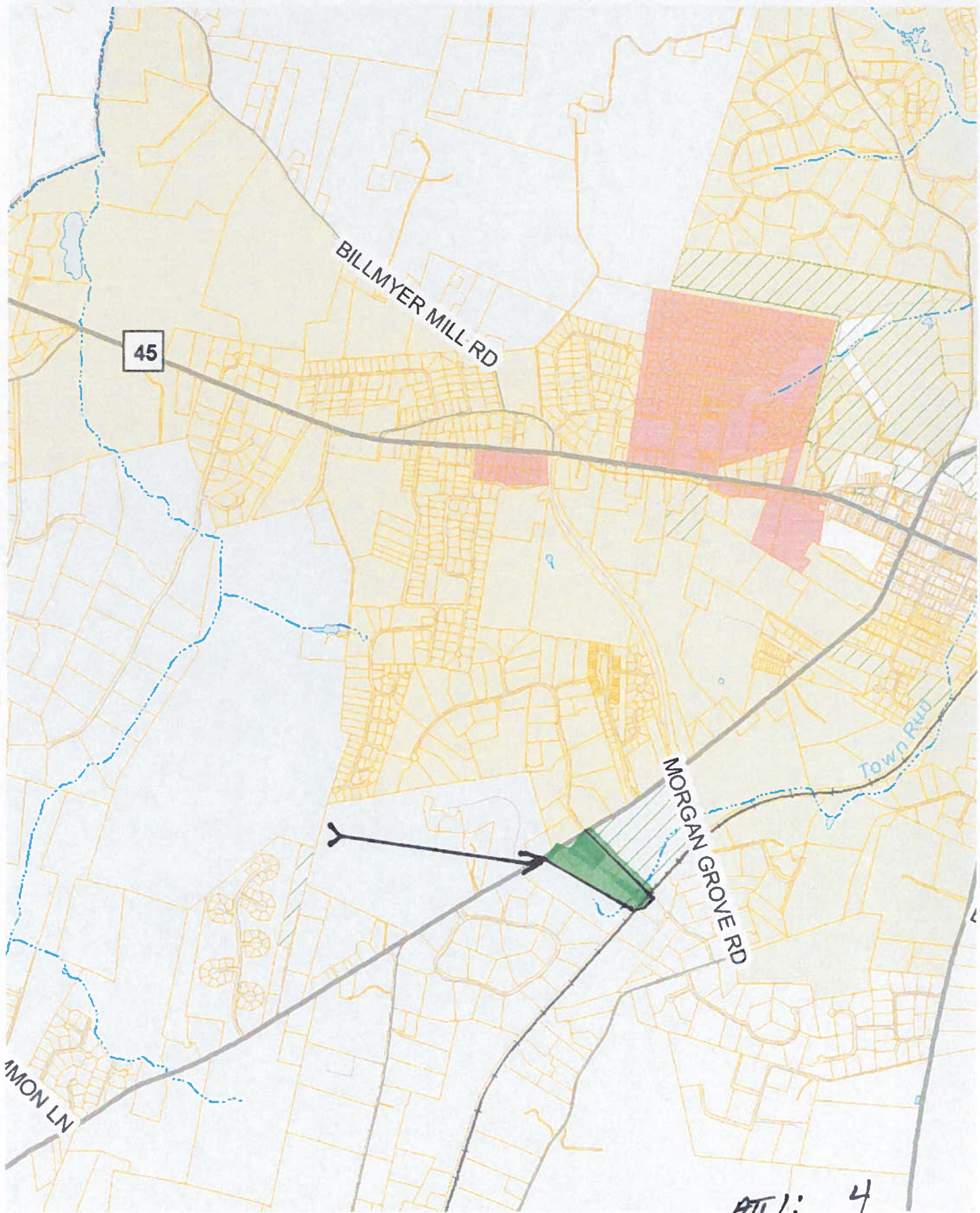
Parcel 26.1	6.69 acres	DB 995	PG 321
Parcel 26.2	2.0 acres	DB 454	PG 445
Parcel 26.3	3.0 acres	DB 992	PG 60
Parcel 26.4	2.0 acres	DB 974	PG 346

The parcels have a total acreage of 13.69 acres.

Current zoning:

"Rural District"

Plat, locator maps and tax map attached as pages 2, 3, 4 and 5.



ATT 1: 4

This information is
Tab #7 in your binder.



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning & Zoning

116 East Washington Street

P.O. Box 338

Charles Town, West Virginia 25414

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

MEMORANDUM

TO: Planning Commission
FROM: Seth Rivard, County Planner
DATE: January 8, 2013
RE: Overview of Morgan's Grove Market Site Plan

The applicant processing Morgan's Grove Market has asked that a discussion of the associated site plan be placed on the January 8, 2013 Planning Commission agenda. The purpose of this discussion is to request that the Planning Commission schedule the Public Hearing for the site plan in spite of the fact that staff cannot find the site plan to be "complete". Per the Jefferson County Land Development and Subdivision Regulations, staff must find a site plan "complete" prior to placing it on the Planning Commission agenda for the purpose of scheduling a Public Hearing. Once it is on the Planning Commission agenda, the Planning Commission must find the site plan application "complete" before a public hearing of the site plan can be scheduled. A Public Hearing must be scheduled within 45 days of the Planning Commission finding it "complete". The applicant would like to request that the Planning Commission schedule a public hearing for the site plan on the February 12, 2013 Planning Commission agenda with some conditions related to completeness at that time. The requirements related to completeness are detailed in the Amended 2008 Subdivision Regulations and are cited below.

Sec. 24.119 Major Site Plan Application - Submission and Completeness Review

D. Approval. If the site plan is incomplete, or the development cannot conform to the Zoning Ordinance, be serviced by public services or on-site utilities, the Planning Commission shall deny the same; otherwise, the Planning Commission shall find it complete and accept it.

E. Effect. Once the site plan is found complete, staff shall place the site plan on the next regularly scheduled Planning Commission agenda for a vote to accept or deny the application as complete.

At the meeting where the application is found complete, the Planning Commission shall schedule a public hearing within 45 days and in accordance with Section 24.120. Upon determining the application is incomplete, the applicant shall be notified in writing stating the reasons for denial.

In this case, staff believes that the word “deny” is not intended to constitute denial of the site plan and/or require that the applicant start the site plan process from the beginning. Denial simply means that the application cannot be deemed “complete” by the Planning Commission and allows the applicant to address the items that are outstanding that do not make the site plan “complete.”

The Subdivision Regulations details the actions that can be taken by the Planning Commission. The criteria are not subjective. Either a site plan is or is not “complete” based on the criteria in the Subdivision. Per the Subdivision Regulations, this site plan cannot be found complete. If the Planning Commission is inclined to allow the setting of the Public Hearing date based on conditions related to completeness, staff does not believe that all outstanding issues can be addressed by the February 12, 2013 Planning Commission meeting.

Site plan elements that are not “complete”:

- A current central water and sewer permit number from the health department and submission of approved plans for our files
- A current DOH entrance permit
- Site layout requires zoning variances from the Board of Zoning Appeals (to be heard on the January 17, 2013 meeting)
- The site plan is in the second review and there are a number of outstanding comments remaining (for informational purposes, this is typical of nearly all site plans, often a project will go through 3-4 reviews)

If the site plan were to be placed on the February agenda in the hopes that it might be “complete” by that meeting, there would need to be an action declaring it complete prior to the Public Hearing on that agenda. If the site plan is not “complete” at the February Planning Commission meeting, the Planning Commission would have to deny the site plan for the purpose of holding the Public Hearing on that date. At that point the applicant would be required to address all of the items that are not complete and return to Planning Commission for the purpose of scheduling another Public Hearing. It seems logical to conclude that the reason the state law and local regulations require a determination of completeness prior to the scheduling of a Public Hearing is to avoid this type of confusion related to public notice and public input on the Site Plan.

FB solutions residential construction management and design

9628 Moncove Lake Road

Gap Mills, WV 24941

304 536 3743

fred@fredblackmer.com

Department of Planning and Zoning

116 East Washington Street

PO Box 338

Charles Town, WV 25414

December 31, 2012

Subject: MGM Site Plan Public Hearing

Planning Commissioners,

Morgan's Grove Market representatives have been advised by planning commission staff that we request a public hearing on the submitted site plan be scheduled prior to a determination of completeness of the application.

At issue is a sewer line construction permit issued by the State Department of Health. The applicant and representatives are scheduling appointments with the issuing authority. This is an effort to have this county planning staff requirement met prior to the February planning commission public hearing and consideration of the Morgan's Grove Market site plan action.

Reasoning for this request is due to the literal interpretation of meeting notice, posting and advertising conditions unique to the February and March meeting time period.

Staff has advised that should the planning commission not schedule the public hearing for the February agenda, the next opportunity for ANY action will be April. If the applicant can't comply with providing staff required documents prior to the February meeting date, the item can then be held over to March.

This action is in the spirit and intent of the subdivision and land use ordinance. Approval will not negatively impact surrounding property owners and substantial justice will be done.

Respectfully,

Signed

Fred Blackmer

Morgan's Grove Market, Clerk of the Works

This information is
Tab #8 in your binder.

PROPOSED DRAFT AMENDMENT TO THE JEFFERSON COUNTY
PLANNING COMMISSION BYLAWS REGARDING THE CONDUCT OF
PUBLIC HEARINGS AND PUBLIC HEARING PROCEDURES FOR APPLICATIONS

CONDUCT OF PUBLIC HEARINGS

The Planning Commission established its own rules for the conduct of public hearing to ensure a smooth and orderly process. The public hearing procedures and policies adopted by the Planning Commission are listed below:

All persons planning to testify shall sign up on the designated Speaker's list prior to the meeting. When called upon to speak, you must be recognized by the Chairman, and you must state your name and address for the public record.

All presentations are timed and limited to a three (3) minute period. If you do not finish your presentation, be sure to provide a copy of your statement to the Planning Commission office as soon as possible. The entire presentation will then be entered as part of the public record.

In order to minimize repetitive testimony, organizations are encouraged to have only one person speak for their group, with other members of the organization standing to show their support.

The allotted time will only be given to the individuals that are signed up and cannot be dedicated to other individuals, groups or organizations. Each person may testify only once per application, unless called back to the podium at the request of a Commission member.

PROPOSED DRAFT AMENDMENT TO THE JEFFERSON COUNTY
PLANNING COMMISSION BYLAWS REGARDING THE CONDUCT OF
PUBLIC HEARINGS AND PUBLIC HEARING PROCEDURES FOR APPLICATIONS

PUBLIC HEARING PROCEDURES FOR APPLICATIONS

The following is an outline of the public hearing procedures followed by the Commission when a land use application is presented. The items are listed in the order in which they usually occur.

The Chairman will call for the public hearing by naming the specific case and the application by its proper name. At this time, the Chairman will ask the applicant, or the authorized agent for the application, to reaffirm that the affidavit is correct and accurate as of the hearing date. The Chairman will then recognize any members of the Commission who need to make disclosures based on the information contained in the affidavit.

After the affidavit is confirmed and all required disclosures have been made, the Chairman will ask the County Planning Staff to present the case. The staff coordinator will describe the property, comment on the application, and present the staff's recommendation.

The Chairman will then allow the applicant, or authorized agent, to make his/her presentation. The time limit for the applicant's presentation is normally ten (10) minutes; however, the Chairman may allow up to fifteen minutes (15) for complex cases.

After reviewing the public hearing procedures, the Chairman will call for citizen testimony. Persons will be recognized in the order in which their names appear on the Speakers List. Remember, you can submit a written statement to the Planning Commission Staff if you do not want to speak directly to the Commission. All written correspondence is entered into the public record for each application.

Following the completion of the citizen testimony, the applicant will have the opportunity to respond to questions and/or issues raised by the Commission and/or citizens. The time limit for the applicant's rebuttal testimony is normally five minutes.

After the applicant's rebuttal, the Chairman will recognize the staff coordinator for closing comments and/or responses to questions. In addition to the closing remarks from staff, Commission members will be recognized for their questions, concerns, or comments on this application.

Following all comments, the Commissioner handling the application will offer a motion for Commission action.

This information is
Tab #9 in your binder.



JEFFERSON COUNTY, West Virginia

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor
Charles Town, WV 25414

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Email: zoning@jeffersoncountywv.org

Fax: (304) 728-8126

Director's Report January 8, 2013 Planning Commission Meeting

- 1) **Activity Report** (attached)
- 2) **Envision Jefferson 2035 (2014 Comprehensive Plan) Update**
 - a) Steering Committee:
 - Monthly meeting held 12/18/12
 - Next Meeting 1/22/13
 - County Commission advertising for 2 additional positions to be potentially appointed by Jane Tabb
 - b) Brown Bag Lunch and Learns Scheduled:
Wednesdays, 12:00 – 1:00 pm, Old Charles Town Library Community Meeting Room:
 - 01/9/13 AHA Cultural Plan and HLC
 - 01/16/13 Jefferson County School District; Shepherd University; APUS
 - 01/23/13 Parks and Recreation/Greenspace/Trails (JC Parks and Recreation; Ranson Parks and Recreation; Eastern Panhandle Trailblazers; Appalachian Trail Conservancy)
 - 01/30/13 Economic Development (JCDA; Chamber of Commerce; Jefferson County CVB)
 - c) First series of public meetings for Envision Jefferson 2035
 - Saturday, February 2, 2013, 9:30 am to Noon, Blue Ridge Elementary School
 - Monday, February 4, 2013, 7:00 to 9:00 pm, South Jefferson Elementary School
 - Wednesday, February 6, 2013, 7:00 to 9:00 pm, Shepherdstown Middle School
- 3) **Recent CC Meetings relevant to Planning:**
 - a) Recommendation of the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for a 34.27 acre property owned by **Jefferson Asphalt Products, Inc.**, designated as Tax District: Charles Town, Map: 13, Parcel: 7, located on the south side of Route 51 near the Tuscowilla Hills entrance approximately 2 miles west of Charles Town, for the purpose of setting a public hearing to be held by the County Commission (11/15/12; **Public Hearing Scheduled for 01/10/13; 7:00 pm**)

- b) Recommendation of the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for a 8.07 acre property owned by **John D. Lowe, III**, designated as Tax District: Shepherdstown, Map: 8, Parcel: part of 5, located on the south side of Route 45 and the east side of Potomac Farms Road, for the purpose of setting a public hearing to be held by the County Commission (11/8/12; **Public Hearing Scheduled for 01/10/13**)
- c) Recommendation of the Planning Commission to the County Commission on the landowner-initiated petition to amend the County Zoning Map for a 3.94 acre property owned by the **Aitcheson Family Trust**, designated as Tax District: Harpers Ferry, Map: 7, Parcel: 18, located on the south side of US Route 340 on Campground Road approximately a half mile east of its intersection with Old Taylor Lane, for the purpose of setting a public hearing to be held by the County Commission (tentatively scheduled for 1/24/13 – to be confirmed)

4) **Upcoming CC Actions**

- a) Rezoning Public Hearings noted above

5) **Upcoming PC meetings**

- a) February 12, 2013



Jefferson County, West Virginia

Departments of Planning and Zoning

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Charles Town, WV 25414

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Fax: (304) 728-8126

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Come have your voice heard at upcoming Envision Jefferson 2035 Comprehensive Plan Workshops

The Jefferson County Commission, Jefferson County Planning Commission, and the Envision Jefferson 2035 Steering Committee invite you to make your voice heard by participating in the first series of Public Input Workshops for the creation of the 2014 Comprehensive Plan, "Envision Jefferson 2035". A Comprehensive Plan allows communities to assess existing conditions, establish goals and objectives related to the direction that the county will pursue in the coming years, and identify a series of recommendations to implement the vision of the Envision Jefferson 2035 plan.

The Public Input Workshops will be held at the following dates and locations:

Saturday, February 2, 2013, 9:30 AM to 12:00 PM
Blue Ridge Elementary School, Route 115 in Mannings

Monday, February 4, 2013, 7:00 PM to 9:00 PM
South Jefferson Elementary School on Summit Point Road

Wednesday, February 6, 2013, 7:00 PM to 9:00 PM
Shepherdstown Middle School in Shepherdstown

At the workshops, attendees will be introduced to the Envision Jefferson 2035 project and the current state of the county, including a variety of data and maps. Attendees will then participate in a series of exercises to identify issues and opportunities in Jefferson County, as well as to help begin the process of creating a vision for the Envision Jefferson 2035 plan. The same materials will be discussed at each of these three workshops, so you and your family can choose the time and location that is most convenient. Additional public input workshops will be held in July, 2013; January, 2014; and April 2014 that follow up on the public input received at each previous workshop and which lead to a final draft Comprehensive Plan by Summer 2014.

For more information about Envision Jefferson 2035, please go to the project's website (www.envisionjefferson2035.com) or feel free to contact the project staff either by e-mail at envisionjefferson2035@jeffersoncountywv.org or by calling the Jefferson County Planning and Zoning Department office at (304) 728-3228. We look forward to your assistance in helping to envision Jefferson County.