

AGENDA
JEFFERSON COUNTY PLANNING COMMISSION
March 13, 2012

This Planning Commission meeting will be located in the Betty J. Roper Auditorium at Wright Denny Intermediate School located at 209 West Congress Street, at 7:00 PM

1. Approval of the minutes for the February 14, 2012 meeting.
2. Citizen Communications.
3. Request for postponement.
4. Tabled from the 02-14-2012 meeting: Request by THZ Enterprises, LLC for a waiver from the Subdivision Regulations Section 8.2.a to allow for a 20' road width for Canal Way instead of the required 24'. This property is located off of Route 45 east of Potomac Farms Drive and is designated as Tax District: Shepherdstown, Map: 8, Parcel: 15.
5. Presentation of a petition by Gene Capriotti for a zoning map amendment to the Planning Commission for the purpose of scheduling a public hearing within 60 days. This property is currently zoned Residential Growth and the applicant is requesting Residential/Light Industrial/Commercial zoning. This property is located on the south side of Route 340 (William L. Wilson Freeway) and on the east side of Route 27/2 (Allstadt's Hill Road). District: Harpers Ferry, Map: 9, Parcel: 58.
6. Request by Judy Hockman and Brian Bircher (Black Dog Coffee) for a waiver from the Subdivision Regulations Appendix B, Section 2.5 requiring off-street parking to be paved. This property is located at the corner of Route 9 and Wiltshire Road and is designated as Tax District: Charles Town, Map: 1, Parcel: 14.
7. Public Workshop Regarding Recreational Uses/Potential Zoning Amendments.
8. Reports from Legal Counsel and legal advice to PC.
Active Litigation:
 - Far Away Farms
 - Cedar Meadows Airpark
9. Director's Report.
10. County Commission Liaison Report.
11. Planning Commission Exchange.
 - Report from the Health Department Meeting Liaison.
 - Report from the Public Service District Meeting Liaison.
 - Report from the Parks and Recreation Meeting Liaison.

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- Report from the Jefferson County Development Authority Meeting Liaison.
- Report from the Water Advisory Committee Meeting Liaison.

12. President's Report.

13. Actionable Correspondence.

14. Non-Actionable Correspondence.

The Planning Commission welcomes written comments at any time. Our office is open Monday through Friday, 9:00 a.m. to 5:00 p.m., and is located at 116 East Washington Street, P.O. Box 338, Charles Town, WV 25414. Our phone number is (304) 728-3228; our fax number is (304) 728-8126; our email address is planningdepartment@jeffersoncountywv.org and our website is www.jeffersoncountywv.org.

Any party desiring a transcript of these proceedings will be responsible for providing a competent stenographer at their own expense. Minutes and video recordings of past meetings, Subdivision Regulations, Zoning Ordinance, and the Comprehensive Plan can be found on the website. The office has a file on each project as well as aerial photos of the county. Minutes and audio recordings of older meetings not on the website are available for review in the office.

MINUTES
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FEBRUARY 14, 2012

The Jefferson County Planning Commission met on Tuesday, February 14, 2012 with the following Commission members present: Paul Taylor, President; Kelly Baty, Ed Burns, Gene Taylor, Arnie Dailey and Walt Pellish. Staff members present included Jennifer Brockman, Director of Planning and Zoning; Seth Rivard, Planner; Steve Barney, Zoning Administrator; Jonathon Saunders, County Engineer; Stephan Groh, Assistant Prosecuting Attorney; and Amy Puetz, Planning Clerk.

Mr. Daniel Hayes, Mr. Eric Smith and Ms. Morgan Etters were absent with notification.

Mr. P. Taylor called the meeting to order at 7:00 PM.

1. Approval of the minutes for the January 10, 2012 meeting.

Mr. Burns moved to approve the minutes of the January 10, 2012 Planning Commission Meeting. Mr. Pellish seconded the motion which carried 4 for and 2 abstentions (Mr. Dailey and Mr. G. Taylor).

2. Citizens Communication.

Mr. Clay Lashley, of Shepherdstown, questioned why the issue of recreational uses was not being discussed at this meeting. Mr. P. Taylor explained that the discussion of new zoning categories for the current meeting would not include recreational uses as that topic would be addressed separately and was scheduled to be discussed at the March 13, 2012 Planning Commission meeting. Mr. Ashley asked if the new zoning categories would affect recreational uses in the county. Ms. Brockman affirmed that the zoning categories were not created with the intention of positively or negatively affecting recreational uses.

3. Request for postponement. None.

4. Request by THZ Enterprises, LLC for a waiver from the Subdivision Regulations Section 8.2.a to allow for a 20' road width for Canal Way instead of the required 24'. This property is located off of Route 45 east of Potomac Farms Drive and is designated as Tax District: Shepherdstown, Map: 8, Parcel: 15.

Mr. Rivard presented the location and gave a staff report on behalf of the Engineering Department. He reported that the County Engineer recommends denial since the Maddex Farm Home Owner's Association has not acknowledged agreement to this waiver. He stated however, that the Engineering Department would be inclined to recommend approval of the waiver if the Maddex Farm Home Owner's Association (HOA) were to sign an agreement supporting the applicant.

Mr. John Thomas, with THZ Enterprises, LLC, stated that only a 200' section of road was mistakenly built at a 20' road width instead of the required 24' width. He stated that he had

spoken with the HOA and that they verbally agreed although they did not express that in writing. He reported that the HOA did send out a letter to the affected home owners.

Mr. P. Taylor opened the public hearing. There was no public comment. Mr. P. Taylor closed the public hearing.

Mr. Pellish expressed understanding of the situation although he would only be comfortable approving the variance with a written agreement signed by the HOA.

Mr. Burns moved to table this item to the March 13, 2012 Planning Commission meeting with a certified letter to go to the Management Company and to the President of the Home Owners Association informing them that, if no objection is posed by them by or at the next Planning Commission meeting, the variance will be approved. Mr. Pellish seconded the motion and offered a friendly amendment to obtain a letter from the HOA in support of granting the variance and that without that letter the variance would be denied. Mr. Dailey seconded the friendly amendment which carried unanimously. Ms. Brockman clarified the motion with the approved friendly amendment to table this item to the March 13, 2012 Planning Commission meeting with a certified letter going to the Management Company and to the President of the HOA stating that the Planning Commission requires a written document of support of the variance. The main motion modified by the friendly amendment also carried unanimously.

5. Public Input Workshop regarding Proposed Commercial Zoning Categories, an amendment to the Jefferson County Zoning Ordinance.

Ms. Brockman explained that the existing zoning categories were too broad and that amending the Zoning Ordinance to allow several, more focused categories would enable the Planning Commission to allow economic development in designated areas while maintaining stricter level of growth in other areas.

Mr. Barney gave a presentation on each of the proposed categories. He reviewed the proposed site development standards and the principle permitted uses chart. He stated that the next step would be to refine the proposed amendment and to develop language and definitions for the Zoning Ordinance.

Mr. P. Taylor opened the floor for public comment.

Mr. J. Michael Cassell, representing the Shorekeepers of Jefferson County, WV, discussed the Pack Horse Ford Study area which is in the rural district. He stated that the people he represented all had a direct interest in the purpose of the rural district as they all live in low density areas and that they would be impacted by the changes of zoning as they were being proposed. He commented that the most concerning to his clients was the proposed Rural Commercial district. He stated that commercial uses did not belong in rural communities and that the already existing village districts had been created to accommodate commercial uses close to rural districts. Mr. Cassell also raised concern about the proposed locations for any of the zonings. He stated that he felt that creating a Floating Zone allowed the Conditional

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Use Permit process to be bypassed. He expressed concern that public notification of proposed projects would diminish and that the LESA scoring system would no longer have any impact on determining whether or not a project was in a suitable location. He requested that the Planning Commission make careful determination on the Floating Zone as it does not provide an adequate balance between the applicant and the surrounding property owners. Mr. Cassell submitted over 100 signed letters of opposition to the proposed zoning categories.

Mr. Clay Lashley, of Shepherdstown, stated that Clarke County, Virginia was one of the most aesthetically pleasing places on the east coast with only six zoning districts. He then commented that he felt that Loudon County, Virginia was more cluttered with more districts. He suggested that Jefferson County follow the example of Clarke County. He stated that the historic beauty of the county should not be destroyed due to the influence of monetary potential.

Mr. Robert Smith, a shoreline property owner, raised concern of the lack of criteria for qualifying for the proposed rural commercial zone. He suggested that standards such as proximity of the proposed use to existing residential neighborhoods, access in and out of those neighborhoods, and potential for emergency vehicles to be blocked from access be included in the zoning categories proposal. He requested that a map depicting primary and secondary roads be made available to the public and a description of the requirements that would be necessary to change a road's designation.

Ms. Lisa Lafferty, River Road resident and part of the Shorekeepers, stated that she has made complaints about a current business located next to her home and feels that she is not being heard. She stated that her previous complaints had not been filed in the department although she had copies of them. Ms. Brockman requested that she send copies to the staff.

Brian Goodman, Potomac Acres resident, questioned the enforcement of improvement to a property. He raised concern that a business may make capital improvements to a property without proper authority then requests a grandfathered use and reported that an example would be the zip line and campgrounds that were in use in Bakerton. He questioned how infrastructure would play a role in determining if a use was appropriate for a location. He asked how the proposed zoning categories would be funded as he felt there should not be an onerous burden on property owners.

Ms. Christy Comshire, resident of Washington County, MD, discussed the weekend cabin that her family owns in Jefferson County along the river. She commented that she was upset that there are citizens taking advantage of the rural community for business purposes.

Ms. Marilee Cunningham, resident of Potomac Terrace, agreed with all the previous comments and discussed the importance of the river to the environment and to the county. She feels that increasing the amount of noise and people by the river will be a detriment.

Mr. Bill Elliott, resident of Bakerton Road, raised concern of the effect the proposed zoning categories would have on the Chesapeake Bay.

Mr. Ed Eims, resident of Bakerton Road, stated that current infrastructure would not be able to accommodate the types of proposed zoning.

Mr. Doug Stroup, of Berkeley County, cautioned against rural commercial zoning and feels that allowing that would trash the county.

Ms. Alexis Vecadis, Jefferson County resident, stated that she wanted her children to be able to enjoy the river without it being commercialized. She asked that the Planning Commission consider that the river is watershed to the Chesapeake Bay.

Ms. Kathy Knight, President of Carriage Park I Homeowner's Association, commented that the US 340 East Corridor Gateway Study has exposed the need for additional zoning categories. She stated that her neighborhood would benefit from additional, more specific categories.

Mr. Tim Offutt, resident of Engle Switch Road, complained of the amount of trash on Bakerton Road since there has been increased activity in that area. He also commented that a driveway that had been recently developed on Best Road could not be for a residential driveway because it is 30 feet wide.

Mr. Baty explained that the Planning Commission requested staff to look at additional zoning categories due to having several rezoning requests in the past year where proper zoning for the use was not available.

Mr. P. Taylor closed the public workshop. Mr. P. Taylor called for a 5 minute break at 8:32 PM. The meeting resumed at 8:42 PM.

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

Mr. Groh discussed the order dated January 12, 2012 regarding Far Away Farms that was provided to the Planning Commissioners in the agenda packet.

Mr. Groh explained that he would have a hearing on February 22, 2012 regarding Cedar Meadows Airpark.

Mr. Groh stated he would be changing the agenda to list any outstanding discussion item to allow for disclosure so that he would be permitted to give legal advice on the given topics.

7. Director's Report.

Ms. Brockman reported that there would be a joint meeting between the Planning Commission and the County Commission on March 8, 2012 at 7 PM regarding the US 340 East Gateway Plan. She reviewed the recent actions of the County Commission including approval of the Gibson rezoning request, the retraction of the Hott rezoning request, and approval of the amendments to Articles 20 and 26 of the Subdivision Regulations.

Ms. Brockman presented the Fiscal Year 2013 Work Plan. She reviewed the goals for 2013 including beginning work on the 2014 Comprehensive Plan. Discussion ensued regarding establishing a citizen's committee for public outreach regarding the 2014 Comprehensive Plan. Ms. Brockman discussed the plans that staff has to approach drafting goals for the Comprehensive Plan.

Ms. Brockman stated that the staff had been working on getting an association of West Virginia planners together to collaborate ideas.

Mr. Pellish moved to forward the Fiscal Year 2013 Work Plan to the County Commission as written. Mr. G. Taylor seconded the motion which carried unanimously.

8. County Commission Liaison Report.

Mr. Pellish commented that the Planning Department should go to the County Commission for approval and direction on the 2013 Work Plan.

Mr. Pellish stated there was a lot of great input heard tonight during the zoning categories workshop however, he felt that some of the comments would have been more appropriate for the recreational use workshop that would be held in March.

He reported that a new Executive Director was hired for the Development Authority.

9. Planning Commission Exchange.

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

Mr. Burns reported that there no discussions at the Health Department meeting that pertained to the Planning Commission.

- **Report from the Public Service District Meeting Liaison.**

Ms. Brockman stated that she was asked to speak at the March meeting for the Public Service District to provide an update on the US 340 East Gateway Plan.

- **Report from the Parks and Recreation Meeting Liaison.**

Mr. G. Taylor reported that Ms. Brockman would be joining the facilities committee for Parks and Recreation. Ms. Brockman stated that Parks and Receptions have asked staff to research common area parcels in the county that they may be able to lease or use for activities.

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

Mr. Pellish commented that there have been a couple of potential business items that have been discussed.

- **Report from the Water Advisory Committee Meeting Liaison.**

Mr. Baty stated that the Water Advisory Committee had received new grants for some erosion and sediment control work to be done on the mountain at the corner of Mission Road and Route 9 which had been noted as an area where hydroplaning is common. He also reported that two of the committee members had been reappointed

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and that one more position was open for the committee. He commented that having the County Engineering Department maintain watershed protection regulations was discussed.

10. **President's Report.** None.

11. **Actionable Correspondence.** None.

12. **Non-Actionable Correspondence.**

Ms. Brockman presented a Planning Commission Meetings Deadline brochure that will assist the public in knowing the last day to submit for a particular agenda.

There was a short discussion regarding finding a larger space to meet in March due to the expected turnout for the Recreational Uses Workshop.

Mr. G. Taylor moved to adjourn the meeting at 9:34 PM. Mr. Pellish 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 Amy Puetz, Planning Clerk.

Engineering Report

Maddex Farm

24 feet Entrance Width Variance

File #06-07

02/14/2012

Request:

THZ Enterprises LLC has requested a variance from the JEFFERSON COUNTY SUBDIVISION ORDINANCE (1979), Section 8.2 A for the Maddex Farm subdivision near Shepherdstown.

According to section 8.2 A, an entrance width of 24 feet is required for 100 linear feet into the subdivision when one entrance is utilized for 11 to 20 lots.

Situation:

The variance is being requested because this section on Canal Way was placed at 20 foot width during construction and not the required 24 foot width as shown on the approved plans. This section of Canal Way has 14 lots and ends at a cul-de-sac therefore having only one entrance.

Findings:

The applicant request this variance should be granted because:

1. The home owners along Canal Way will have their yards and driveway disturbed due to the reconstruction of the street from a 20 foot to 24 foot width.

Conclusion:

The county engineer recommends denial of this variance at this time because of the following:

1. The Home Owner Association has not expressed any agreement to this change at this time that I am aware of.
2. The current Jefferson County Subdivision Regulation now requires that the entire road length be paved at 24 feet width for one entrance, for lots totaling from 13 to 30 as per appendix B section 2.3.A.3 of the subdivision ordinance.
3. Whatever agreement that the contractor and the HOA make is between those two entities. At this time, no formal agreement has been made that I am aware of agreeing to the requested variance.

However, the county engineer would recommend approval if documentation is shown that the HOA and adjacent homeowner are in agreement with this proposed change which has been the norm before with other projects.

JEFFERSON COUNTY, WEST VIRGINIA

Department of Planning & 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: planningdepartment@jeffersoncountywv.org

March 1, 2012

CERTIFIED MAIL – 7009 1680 0002 2870 2752

Renee A. Hall, CMCA®, AMS
Community Manager
Property Management People, Inc.
92 Thomas Johnson Dr., Suite 170
Frederick, Maryland 21702

To Ms. Hall:

On February 14, 2012, the Jefferson County Planning Commission held a public hearing regarding a variance for the Maddex Farm subdivision. The applicant, THZ Enterprises, LLC, requested that a 200' section of Canal Way be allowed to be 20' in width instead of the required 24' width, according to the 1979 Jefferson County Subdivision Ordinance Section 8.2.a.

The Planning Commission moved to table this request until the March 13, 2012 meeting with the requirement that certified letters be sent to the Management Company and the Homeowner's Association president requesting a written agreement to the application. The applicant informed the Planning Commission that he had received a verbal approval of the request. However, the Planning Commission has determined that a written agreement would be necessary for approval of the variance.

This signed agreement will need to be in our office by March 13, 2012 or you may have a representative present an agreement at the next Planning Commission to be held March 13, 2012, 7 PM, at the Betty J. Roper Auditorium in the Wright Denny Intermediate School located at 209 West Congress Street, Charles Town, WV.

If you have any questions, please feel free to contact our office.

Sincerely,

Jennifer M. Brockman, AICP
Director of Planning and Zoning

JMB:arp

JEFFERSON COUNTY, WEST VIRGINIA

Department of Planning & Zoning

116 East Washington Street, 2nd Floor

P.O. Box 338

Charles Town, West Virginia 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Fax: (304) 728-8126

March 1, 2012

CERTIFIED MAIL – 7009 1680 0002 2870 2714

Joshua Artz, President
160 Butcher Court
Shepherdstown, WV 25443

To Mr. Artz:

On February 14, 2012, the Jefferson County Planning Commission held a public hearing regarding a variance for the Maddex Farm subdivision. The applicant, THZ Enterprises, LLC, requested that a 200' section of Canal Way be allowed to be 20' in width instead of the required 24' width, according to the 1979 Jefferson County Subdivision Ordinance Section 8.2.a.

The Planning Commission moved to table this request until the March 13, 2012 meeting with the requirement that certified letters be sent to the Management Company and the Homeowner's Association president requesting a written agreement to the application. The applicant informed the Planning Commission that he had received a verbal approval of the request. However, the Planning Commission has determined that a written agreement would be necessary for approval of the variance.

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If you have any questions, please feel free to contact our office.

Sincerely,

Jennifer M. Brockman, AICP
Director of Planning and Zoning

JMB:arp

PCV12-01

RECEIVED

JEFFERSON COUNTY PLANNING COMMISSION

JAN 24 2012

VARIANCE REQUEST

JEFFERSON COUNTY PLANNING ZONING AND ENGINEERING

I/We request a variance from the provisions of the Subdivision and/or Salvage Yard Ordinance.

Property Owner(s): THZ Enterprises LLC

Address: PO Box 131

Charles Town, WV 25414

Phone Number: (304) 725-2539 (304) 283-2601

Location of Property: Shepherdstown, off of Rt. 45

behind the Food Lion

Lot Size: Maddex Farm - Ph. IV File no. 06-07

Deed Book Reference: Deed Book Number 975, Page Number 69

Tax Map Reference: District SD, Map 8, Parcel 15

Zoning District: Residential Growth - Lt. Industrial-Commercial

Section of Ordinance: Subdivision Ordinance Section 8.2.a

Briefly describe (in your own words) by specific reference to a sketch (in accordance with the following paragraph) of the lot the nature of your variance request.

Canal way was built 20' wide for its entirety. The road from its intersection with Maddex Farm Drive toward the cul-de-sac was supposed to be 24' wide for the first 200 feet. Maddex Farm Drive and Canal Way on all sides of this section are 20' wide. We are asking for a variance for this 200 foot section. This is allowable road width according to Table 2.2-1 of the newest specifications.

Sketch on a separate 8-1/2" x 11" sheet of paper the shape and location of the 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.

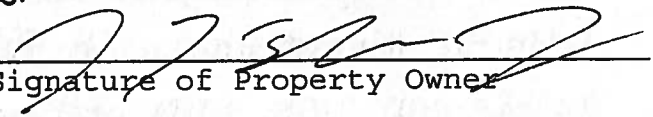
Please note variances to the Subdivision Ordinance must comply with Article 17 of the Ordinance; and, variances from the Salvage Yard Ordinance must comply with Article 6 of the Ordinance. To justify your variance request, please address the following items:

1. The request is not contrary to the public interest. The road is in use now with no ill effects. Widening the road now will cause hardship on the homeowners of surrounding lots.

2. A literal enforcement of this Ordinance will result in unnecessary hardship. Homeowners yards and plantings, plus a small wall built in the right of way will be disturbed, as well as their driveways.

3. The request is not the result of a self-imposed hardship. It was a mistake during the construction phase, but rectifying it would be more of a hardship on the community than on the developer.

4. The spirit of this Ordinance will be observed and substantial justice done. THZ has already helped the community install street lights, costing in excess of \$20,000 plus and would use the money saved by granting this variance to go toward finishing the subdivision lighting, costing \$10,000 plus.


Signature of Property Owner

Signature of Property Owner

For official use only: Amount of fees paid _____

Date of meeting/public hearing _____

Official/Administrative body _____

Posting requirements _____

Advertising dates _____

Official Signature and Seal _____

Effective 6/72 Subdivision Ordinance - 8/94 Salvage Yard Ordinance

Final Plat showing Phase IV,
Lots 15-24, 28-52, & 120-135

Maddex Farm

Shepherdstown District
Jefferson County, West Virginia
SD M8 P15, D.B.975 P.69

Developed By:
THZ Enterprises
March 16, 2006

Prepared By:
Dewberry

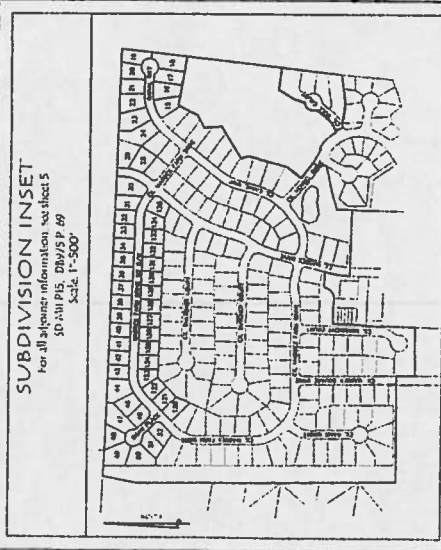
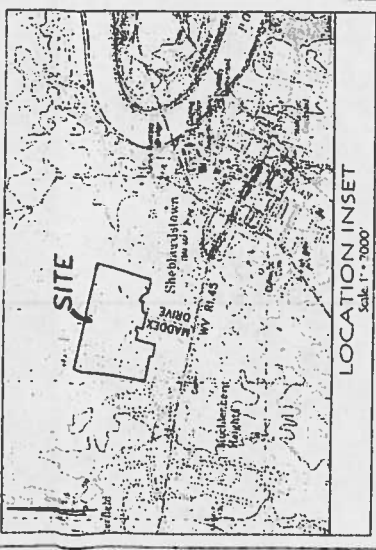
Dewberry & Davis, LLC
411 S. FAIRFAX BOULEVARD
FRANSON, WV 25438-1611
PHONE: 304.725.4572
FAX: 304.725.6896

06-07

DEVELOPER / OWNER'S STATEMENT OF ACCEPTANCE
The Developer/Owner, in signing this plat, agrees to abide by all conditions, terms, and specifications provided herein.

John Thomas Jr.
THZ Enterprises
P.O. Box 511
Charles City, West Virginia 25114
(304) 725-2239

Maddex Farm - Ph. IV 06-07



LEGEND
Property covered by this plat as shown on the attached plat
 concrete monument
 1' opposition statement
 --- existing easements
 - - - - - subdivision boundary
 - - - - - subdivision lot lines
 - - - - - setback lines

VARIANCES
On May 23, 2006 a variance was granted to allow an exception from the requirements of the Subdivision Ordinance, specifically Sections 8.2a, 8.2b, 8.2c, 8.2d, 8.2e, 8.2f, 8.2g, 8.2h, 8.2i, 8.2j, 8.2k, 8.2l, 8.2m, 8.2n, 8.2o, 8.2p, 8.2q, 8.2r, 8.2s, 8.2t, 8.2u, 8.2v, 8.2w, 8.2x, 8.2y, 8.2z, 8.2aa, 8.2ab, 8.2ac, 8.2ad, 8.2ae, 8.2af, 8.2ag, 8.2ah, 8.2ai, 8.2aj, 8.2ak, 8.2al, 8.2am, 8.2an, 8.2ao, 8.2ap, 8.2aq, 8.2ar, 8.2as, 8.2at, 8.2au, 8.2av, 8.2aw, 8.2ax, 8.2ay, 8.2az, 8.2ba, 8.2bb, 8.2bc, 8.2bd, 8.2be, 8.2bf, 8.2bg, 8.2bh, 8.2bi, 8.2bj, 8.2bk, 8.2bl, 8.2bm, 8.2bn, 8.2bo, 8.2bp, 8.2bq, 8.2br, 8.2bs, 8.2bt, 8.2bu, 8.2bv, 8.2bw, 8.2bx, 8.2by, 8.2bz, 8.2ca, 8.2cb, 8.2cc, 8.2cd, 8.2ce, 8.2cf, 8.2cg, 8.2ch, 8.2ci, 8.2cj, 8.2ck, 8.2cl, 8.2cm, 8.2cn, 8.2co, 8.2cp, 8.2cq, 8.2cr, 8.2cs, 8.2ct, 8.2cu, 8.2cv, 8.2cw, 8.2cx, 8.2cy, 8.2cz, 8.2da, 8.2db, 8.2dc, 8.2dd, 8.2de, 8.2df, 8.2dg, 8.2dh, 8.2di, 8.2dj, 8.2dk, 8.2dl, 8.2dm, 8.2dn, 8.2do, 8.2dp, 8.2dq, 8.2dr, 8.2ds, 8.2dt, 8.2du, 8.2dv, 8.2dw, 8.2dx, 8.2dy, 8.2dz, 8.2ea, 8.2eb, 8.2ec, 8.2ed, 8.2ee, 8.2ef, 8.2eg, 8.2eh, 8.2ei, 8.2ej, 8.2ek, 8.2el, 8.2em, 8.2en, 8.2eo, 8.2ep, 8.2eq, 8.2er, 8.2es, 8.2et, 8.2eu, 8.2ev, 8.2ew, 8.2ex, 8.2ey, 8.2ez, 8.2fa, 8.2fb, 8.2fc, 8.2fd, 8.2fe, 8.2ff, 8.2fg, 8.2fh, 8.2fi, 8.2fj, 8.2fk, 8.2fl, 8.2fm, 8.2fn, 8.2fo, 8.2fp, 8.2fq, 8.2fr, 8.2fs, 8.2ft, 8.2fu, 8.2fv, 8.2fw, 8.2fx, 8.2fy, 8.2fz, 8.2ga, 8.2gb, 8.2gc, 8.2gd, 8.2ge, 8.2gf, 8.2gg, 8.2gh, 8.2gi, 8.2gj, 8.2gk, 8.2gl, 8.2gm, 8.2gn, 8.2go, 8.2gp, 8.2gq, 8.2gr, 8.2gs, 8.2gt, 8.2gu, 8.2gv, 8.2gw, 8.2gx, 8.2gy, 8.2gz, 8.2ha, 8.2hb, 8.2hc, 8.2hd, 8.2he, 8.2hf, 8.2hg, 8.2hi, 8.2hj, 8.2hk, 8.2hl, 8.2hm, 8.2hn, 8.2ho, 8.2hp, 8.2hq, 8.2hr, 8.2hs, 8.2ht, 8.2hu, 8.2hv, 8.2hw, 8.2hx, 8.2hy, 8.2hz, 8.2ia, 8.2ib, 8.2ic, 8.2id, 8.2ie, 8.2if, 8.2ig, 8.2ih, 8.2ii, 8.2ij, 8.2ik, 8.2il, 8.2im, 8.2in, 8.2io, 8.2ip, 8.2iq, 8.2ir, 8.2is, 8.2it, 8.2iu, 8.2iv, 8.2iw, 8.2ix, 8.2iy, 8.2iz, 8.2ja, 8.2jb, 8.2jc, 8.2jd, 8.2je, 8.2jf, 8.2jg, 8.2jh, 8.2ji, 8.2jj, 8.2jk, 8.2jl, 8.2jm, 8.2jn, 8.2jo, 8.2jp, 8.2jq, 8.2jr, 8.2js, 8.2jt, 8.2ju, 8.2jv, 8.2jw, 8.2jx, 8.2jy, 8.2jz, 8.2ka, 8.2kb, 8.2kc, 8.2kd, 8.2ke, 8.2kf, 8.2kg, 8.2kh, 8.2ki, 8.2kj, 8.2kl, 8.2km, 8.2kn, 8.2ko, 8.2kp, 8.2kq, 8.2kr, 8.2ks, 8.2kt, 8.2ku, 8.2kv, 8.2kw, 8.2kx, 8.2ky, 8.2kz, 8.2la, 8.2lb, 8.2lc, 8.2ld, 8.2le, 8.2lf, 8.2lg, 8.2lh, 8.2li, 8.2lj, 8.2lk, 8.2ll, 8.2lm, 8.2ln, 8.2lo, 8.2lp, 8.2lq, 8.2lr, 8.2ls, 8.2lt, 8.2lu, 8.2lv, 8.2lw, 8.2lx, 8.2ly, 8.2lz, 8.2ma, 8.2mb, 8.2mc, 8.2md, 8.2me, 8.2mf, 8.2mg, 8.2mh, 8.2mi, 8.2mj, 8.2mk, 8.2ml, 8.2mm, 8.2mn, 8.2mo, 8.2mp, 8.2mq, 8.2mr, 8.2ms, 8.2mt, 8.2mu, 8.2mv, 8.2mw, 8.2mx, 8.2my, 8.2mz, 8.2na, 8.2nb, 8.2nc, 8.2nd, 8.2ne, 8.2nf, 8.2ng, 8.2nh, 8.2ni, 8.2nj, 8.2nk, 8.2nl, 8.2nm, 8.2nn, 8.2no, 8.2np, 8.2nq, 8.2nr, 8.2ns, 8.2nt, 8.2nu, 8.2nv, 8.2nw, 8.2nx, 8.2ny, 8.2nz, 8.2oa, 8.2ob, 8.2oc, 8.2od, 8.2oe, 8.2of, 8.2og, 8.2oh, 8.2oi, 8.2oj, 8.2ok, 8.2ol, 8.2om, 8.2on, 8.2oo, 8.2op, 8.2oq, 8.2or, 8.2os, 8.2ot, 8.2ou, 8.2ov, 8.2ow, 8.2ox, 8.2oy, 8.2oz, 8.2pa, 8.2pb, 8.2pc, 8.2pd, 8.2pe, 8.2pf, 8.2pg, 8.2ph, 8.2pi, 8.2pj, 8.2pk, 8.2pl, 8.2pm, 8.2pn, 8.2po, 8.2pp, 8.2pq, 8.2pr, 8.2ps, 8.2pt, 8.2pu, 8.2pv, 8.2pw, 8.2px, 8.2py, 8.2pz, 8.2qa, 8.2qb, 8.2qc, 8.2qd, 8.2qe, 8.2qf, 8.2qg, 8.2qh, 8.2qi, 8.2qj, 8.2qk, 8.2ql, 8.2qm, 8.2qn, 8.2qo, 8.2qp, 8.2qq, 8.2qr, 8.2qs, 8.2qt, 8.2qu, 8.2qv, 8.2qw, 8.2qx, 8.2qy, 8.2qz, 8.2ra, 8.2rb, 8.2rc, 8.2rd, 8.2re, 8.2rf, 8.2rg, 8.2rh, 8.2ri, 8.2rj, 8.2rk, 8.2rl, 8.2rm, 8.2rn, 8.2ro, 8.2rp, 8.2rq, 8.2rr, 8.2rs, 8.2rt, 8.2ru, 8.2rv, 8.2rw, 8.2rx, 8.2ry, 8.2rz, 8.2sa, 8.2sb, 8.2sc, 8.2sd, 8.2se, 8.2sf, 8.2sg, 8.2sh, 8.2si, 8.2sj, 8.2sk, 8.2sl, 8.2sm, 8.2sn, 8.2so, 8.2sp, 8.2sq, 8.2sr, 8.2ss, 8.2st, 8.2su, 8.2sv, 8.2sw, 8.2sx, 8.2sy, 8.2sz, 8.2ta, 8.2tb, 8.2tc, 8.2td, 8.2te, 8.2tf, 8.2tg, 8.2th, 8.2ti, 8.2tj, 8.2tk, 8.2tl, 8.2tm, 8.2tn, 8.2to, 8.2tp, 8.2tq, 8.2tr, 8.2ts, 8.2tt, 8.2tu, 8.2tv, 8.2tw, 8.2tx, 8.2ty, 8.2tz, 8.2ua, 8.2ub, 8.2uc, 8.2ud, 8.2ue, 8.2uf, 8.2ug, 8.2uh, 8.2ui, 8.2uj, 8.2uk, 8.2ul, 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8.2zz

INDEX

Convenient	_____
Overall View	_____
Plan View	_____

REVISIONS

NO.	REVISION	DATE	DRAWN BY
1	REVISIONS PER JPCZ COMMENTS	11/1/06	JUR

FINAL PLAT APPROVED
 File Number: 2006-07 Date: 4/11/06
 Ordinance Number: 02-04
 Code: 10-2-3
 4/11/06
 Jefferson County Department of Planning, Zoning, and Engineering. *APP. PLANNER*

SURVEYOR'S CERTIFICATION
 The points, lines, bearings and shown herein have been established by a method of surveying that is a reliable error of not more than 1/5000 of the distance surveyed.
 Karon K. Hill, P.S. No. 715-1572
 Dewberry & Davis, LLC

DEVELOPER / OWNER'S STATEMENT OF ACCEPTANCE
 The Developer/Owner, in signing this plat, agrees to abide by all conditions, terms, and specifications provided herein.

CL-07



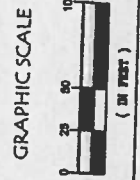
APPROVED SUBDIVISION
Sherry Kelly, Inc. ARCHITECT
 &
ADVANCE 3D 2004
 Final Plat showing Lots 15-24,
 28-52, & 120-135

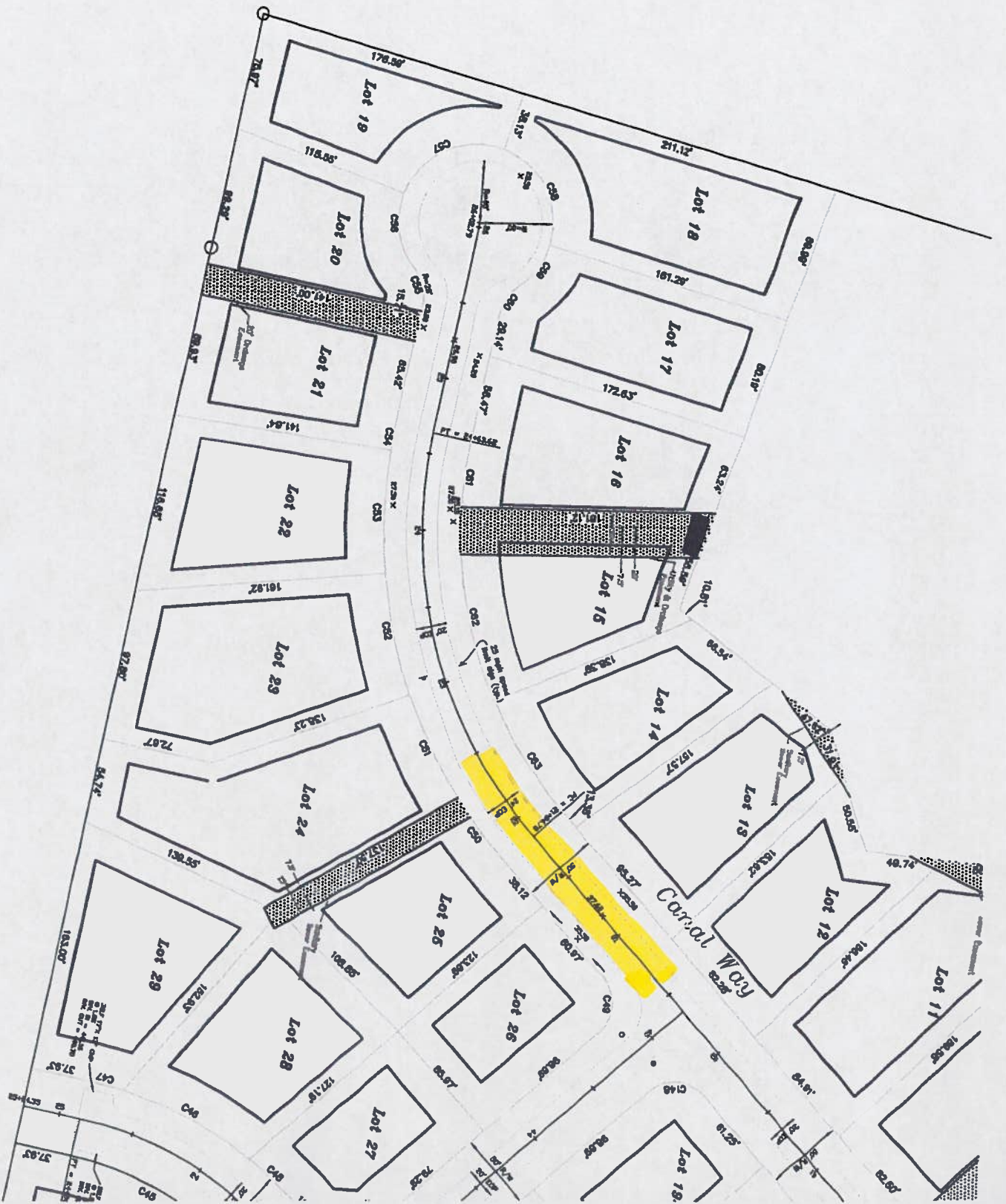
Maddex Farm

Shepherdstown District
 Jefferson County, West Virginia
 SD M8 P15, D.B.975 P.69

March 16, 2006

Dewberry
 Dewberry & Davis, LLC
 411 S. FAIRFAX BOULEVARD
 FAIRSON, WV 26438-1611
 PHONE: 304.725.4572
 FAX: 304.725.6886







**Table 2.2-1
Roadway Design Standards**

	Residential Local Street Maximum 12 Lot Subdivision	Residential Local Street (Max. 25 lots or units)	Residential Collector Street (Greater than 25 lots or units)	Non-Residential/Industrial & Commercial Street
ADT	N/A	< or = to 200	>200	N/A
Minimum Turn Lane Width		-	12'	12'
Minimum Horizontal Curve Radius	100'	100'	150'	300'
Minimum Turning Flare Radius at pavement edge	30'	30'	30'	35'
Stopping sight distance	100'	100'	175'	235'
Minimum Road Grade	1.5%	1.5%	1.5%	0.5% w/C&G
	Minimum Road Grade may be 0.50% if 1-1/2' deep x 2' wide flat bottom trapezoidal road drainage ditch provided.			
Maximum Road Grade	10%	9.0%	9.0%	9.0%
Maximum Internal Subdivision Intersection Approach Grade	8%	8%	6%	6%
Pavement Width	20'	20'	22'	26'
Pavement Surface Type	6" Depth Crusher Run Stone	Bituminous Asphalt (per std. detail)	Bituminous Asphalt (per std. detail)	Bituminous Asphalt (per std. detail)
Pavement cross slope	3/8" per ft.	3/8" per ft.	3/8" per ft.	3/8" per ft.
Shoulder Width	3'	3'	3'	Curb & Gutter
Shoulder Type	Crusher Run Stone	Crusher Run Stone	Crusher Run Stone	-
Shoulder cross slope	¼" per ft.	¼" per ft.	¼" per ft.	-
Ditch depth	1.5'	1.5'	1.5'	-
Ditch slope in:	4:1	4:1	4:1	-
Ditch slope out:	2:1	2:1	2:1	-
Ditch Line Treatment	Per Stormwater Management Regulations			
Minimum Road R.O.W. Width	50'	50'	50'	60'
Minimum Cul-de-sac R.O.W. Radius	-	60'	60'	60'
Cul-de-sac pavement radius	-	50'	50'	50'
Cul-de-sac R.O.W. Fillet Radius		25'	25'	30'
Hammer Head or "Y" Turnaround Allowed	Yes (see std. detail)	No	No	No
Subdivision Roadway Entrance Apron (from edge of existing road).	20'x25'x2-1/2" Bituminous Asphalt Surface	-	-	25'x6" WWF Reinforced 3,000 psi Portland Cement Conc.
Sidewalk	-	-	-	Minimum 4' width; no closer than 1' from P/L or 4' from curb.

D. Cut & Fill Slopes.

1. Fill slopes shall not exceed (3:1) 3' horizontal to 1' vertical slope. Fill sections need not have ditches unless the fill slope exceeds six feet in height.

712-01

PETITION FOR MAP AMENDMENT
Gene P. Capriotti
January 10, 2012

Owner/Applicant:

Gene P. Capriotti
P.O. Box 335
Harpers Ferry, WV 25425

Ordinance Citation:

Article 12 of the Jefferson County Zoning and Development Review Ordinance as amended on November 10, 2011. Also, the newly adopted amendment to the definitions in Article 2, Section 2.2 defines a map amendment as:

“An amendment to the Zoning Map which is adopted by reference in the Zoning Ordinance that consists of a change that only applies to a specific property, changing from one existing zoning designation to another existing zoning designation. A map amendment does not permit changes, conditions or alterations to uses permitted within an existing zoning designation as all zoning designations must be uniformly applied to all property which are subject to said designation.”

Substantiation for the Request:

1. The property is currently zoned Residential Growth and the Applicant is seeking a map amendment for the Residential/Light Industrial/Commercial District. The Applicant believes that this change is consistent and compatible with the 2004 Jefferson County Comprehensive Plan, as illustrated in this application; and,
2. There has been a significant change in the neighborhood, since the Jefferson County Zoning Ordinance was adopted in 1988 (most notably in the past 4 years), as explained in this application.

Tax District, Map and Parcel Number:

Harpers Ferry Tax District, Map 9, Parcel 58

Deed Book Reference:

Deed Book 584 at Page 587

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JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

Sketch Plat:

Attached

Tract Size:

8.98 Acres

Discussion on:

Comprehensive Plan compatibility of the proposed change: Included.

Any Change of transportation characteristics and neighborhood from when the original ordinance was adopted: Included.

A. Comprehensive Plan Compatibility

The 2004 Comprehensive Plan includes many recommendations. However, only a few address items that can be helpful when dealing with a rezoning.

These recommendations include the following:

Recommendation 3.18 on Page 64:

“The County should continue to pursue new industrial and commercial development in order to diversify its economy, increase the tax base and thereby mitigate the problems of increasing residential growth, and provide quality employment opportunities in the workforce.”

Commentary:

Currently this property is zoned Residential Growth. As such the applicant could design a project that included many apartments, townhouses and condominiums without a commercial component to offset what is raised in this recommendation. If the property were rezoned to the ‘mixed-use’ zone, then it could develop a commercial component that would lessen the residential impact and provide services to the residential traffic created by only a housing development.

Also, due to the recent expansion of River Riders, this property would be a natural expansion to River Riders, or an opportunity to provide commercial services to the patrons of the successful business. This property contains the access to a good portion of the property owned by River Riders.

Recommendation 3.25 on Page 73:

“The County should study the US 340 corridor, including the land use, viewscape, economic development and traffic design and management in order to create an effective strategy for the long term management of this important mixed-use corridor”.

Commentary:

This study is underway with its original attempt to address economic development and traffic characteristics as the Comprehensive Plan suggests. In the implementation section of the Plan (page 106, attached), to implement Recommendation 3.25, it mandates a ‘cooperative planning effort with the WV DOT to improve the US 340 corridor.’ As the study progressed several interesting findings were presented by the Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) and the consultant working on the Route 340 East Corridor Study. First, this study did not address where the traffic on Route 340 originated or where the traffic was going. So, the question remains how much of the traffic on Route 340 is ‘pass through’ traffic versus local traffic. It should be estimated that quite a bit of the Route 340 traffic is pass through traffic, since Route 340 is a major east/west connection to Interstate 81 from the Baltimore/Washington metropolitan area. If so, there may be other alternatives to address the traffic on Route 340 in Jefferson County. These alternatives could include bypasses and improved routes outside the 340 corridor. The second remarkable item was that the Bakerton/Route 340 intersection didn’t appear to be included in HEPMPPO’s prioritization of needed improvements in the Eastern Panhandle.

The applicant believes that the 340 study should identify a large portion of the 340 Corridor as key to economic development by proposing to rezone the area to as much commercial, industrial and mixed-use land as possible. This would maximize the land use in an already defined mixed-use area. This area is already indicated as the major ‘growth area’ of Jefferson County in the 2004 Comprehensive Plan. The Federal Government certainly recognized the value of the location with the ongoing construction of the massive U.S. Customs and Border Patrol operation.

Finally, this property is already surrounded by River Riders, the Old Standard Quarry and the Flea Market. All three of these properties are either zoned Residential/Light Industrial/Commercial or already approved by the State for a large commercial and office development. The Route 340 East Corridor Study should recognize this location, as the County Commission has in its recent rezoning actions.

Based on the above, the Applicant believes that this rezoning is consistent with Recommendation 3.25 in the Comprehensive Plan as it relates to the study contemplated by the County Commission in its desire to enhance economic development along this corridor.

Recommendation 4.01 on Page 78:

“It is the vision of this Comprehensive Plan that development will be concentrated within the designated growth areas”.

Commentary:

The map that shows the designated growth area is found on page 75 of the Comprehensive Plan. This map is included with this petition. The subject parcel is shown within the designated growth area on that map. On page 70 of the Comprehensive Plan, it states that the strong majority of this area is designated as the Residential Growth District and the Residential/Light Industrial/Commercial District. Page 71 goes on to say that there is a need to maximize the ‘potential for commercial development to offset the demands of residential development’ because every property developed entirely for residential use is a lost opportunity for much needed commercial development.

Since the subject property is already zoned Residential Growth and it is located within the designated growth area, the rezoning of this property to mixed use is a perfect opportunity to realize this need for commercial development. As such, this rezoning application is in perfect conformity with the 2004 Comprehensive Plan.

The applicant believes that this rezoning is very much consistent and compatible with the 2004 Jefferson County Comprehensive Plan based on the above recommendations.

B. Change of Neighborhood

The zoning designations and changes in use and intensity of uses have significantly changed the neighborhood in the very recent past. Furthermore, the availability of water and wastewater infrastructure has also changed since the original zoning ordinance was adopted in 1988.

The zoning changes and the changes in uses that have recently occurred in the area include:

1. The County Commission rezoned several properties in the immediate area of the subject property. Last year, the County rezoned the property on the north side of Route 340 in this area (Shenandoah Development) from Residential Growth to Residential/Light Industrial/Commercial for most of the same reasons found in this petition. Also, in January 2012, the County Commission rezoned the Gibson Property, which is directly across the road from this property to the 'mixed-use' zone, as well. The Gibson property almost entirely fronts the property in this petition.
2. River Riders has expanded considerably in the recent years and most recently purchased the property that shares most of the eastern property line and some of the northern property line with the Applicant's property. These properties are also already zoned Residential/Light Industrial/Commercial.
3. The Old Standard Quarry shares the entire southern boundary with the subject property. This land has recently been subdivided and effectively rezoned by the State for approximately 40 commercial/office/institutional/industrial lots.

These recent changes almost completely surround this property, which would certainly make it an appropriate candidate to share the zoning designation requested.

Another significant change of use in the neighborhood includes the ongoing development of the U.S. Customs and Border Patrol property along Route 340. The development is not only good for the County, but it is huge and there appears to be no limit to what all will be developed on that site.

There have been other changes in the neighborhood, since the adoption of the zoning ordinance, which would support the requested change from Residential Growth to the Residential/Light Industrial/Commercial District. These include the following:

1. Availability of Public Utilities:

Public Water and Wastewater facilities are now available in this neighborhood. In fact, both central utilities are already available to this subject parcel. One of the major goals of the Comprehensive Plan states that the Plan should:

'Encourage growth and development in areas where sewer, water, schools, and other public facilities are available or can be provided without unreasonable costs to the community'.

Also, since the property is already zoned Residential Growth, any added commercial portion to the development would lessen any school impact. Plus, since the property already has public water and sewer services, the public would have no costs regarding these utilities.

2. Growth in the Corridor:

There have been many commercial additions to this neighborhood, and the Route 340 Corridor in general, since the adoption of the zoning ordinance. These include: the addition of the Casino and table games; the Customs and Border Patrol Development; the funeral home; several landscaping business; the expansion of River Riders; the redevelopment of the Quality Inn; the Shenandoah Professional Building; Windmill Crossing including the Sheetz, Aldi and Tractor Supply Company; and the Sears Professional Building to name a few. This is proof that the Route 340 Corridor is destined to continue to provide economic growth for the County. These commercial projects, along with the also approved residential developments along this corridor is evidence that the corridor's mixed use is consistent with the Comprehensive Plan, since they have been developed under the current Plan. The subject property is a perfect fit to 'square-off' the already zoned adjacent properties for commercial or mixed-use development.

C. Change of Transportation Characteristics:

There have been significant changes in the transportation and traffic characteristics since the original zoning ordinance was adopted. The Route 340 Bridge was replaced and widened. New signals were added and lane adjustments were made at the Route 230 and Route 24 intersections with Route 340. The school bus improvements were also made at the Shipley School intersection. Also, an entire new intersection with a signal is planned for the U.S. Customs and Border Patrol access to Route 340. All of these intersection improvements have made a significant positive change to the transportation patterns for the betterment of the area:

The Harpers Ferry National Park also contributed to the improvements to traffic in the area by constructing their Parking and Bus Transportation Center near Bolivar. This facility has eliminated a lot of conflicting vehicle movements by providing a centralized mass transit operation.

The Planning Staff also announced during the Route 340 Corridor Study that a new cooperative effort between Maryland, Virginia and West Virginia has begun to address the bottleneck 'between the bridges'. Furthermore, some of the commuter traffic was already addressed when the commuter rail station and parking lot at Duffields were built sometime after the original zoning ordinance was adopted.

These improvements to the transportation network have had a positive effect on the traffic flow in the Route 340 Corridor. More needs to be done, but a traffic signal at the Bakerton/340 intersection would help the situation. It is important that the Comprehensive Plan and the HEPMPO prioritize the upgrade of this intersection.

Please note that this property is already zoned Residential Growth. As such, there should be little significant difference in traffic from this property if it is rezoned to mixed-use. A mixed-use development would have a more favorable outcome regarding traffic since some of the local residents could utilize the commercial services available if the property is rezoned.

D. Policy and Goal Statement in the Comprehensive Plan

The Comprehensive Plan contains narrative that supports the rezoning request, but it is most evident in the following policies and goals found in the Plan:

'This Plan encourages new development patterns that foster mixed-use neighborhoods so that a sense of community begins at the subdivision level';

'This Plan encourages economic development so that residents can live and work in the County';

(The Plan should) 'Encourage growth and development in areas where sewer, water, schools, and other public facilities are available or can be provided without unreasonable costs to the community'; and,

(The Plan should) 'Encourage and support commercial, industrial, and agricultural activities to provide a diversified and sound local economy'.

Regarding land use policy, the Growth Area Map appears to be the only land use policy map in the Comprehensive Plan. Therefore, this map should be the biggest key in making the decision to rezone the subject property.

E. Conclusion:

The Applicant is requesting that the County Commission approve a map amendment to the Jefferson County Zoning Map. The 2004 Comprehensive Plan; the recent actions of the County Commission regarding rezoning in this area and adjacent to the site; and, the changes in the neighborhood from when the original zoning ordinance was adopted, all support the requested map amendment. This map amendment will change the zoning classification on the applicant's property from the Residential Growth District to the Residential/Light Industrial/Commercial District.



Gene P. Capriotti

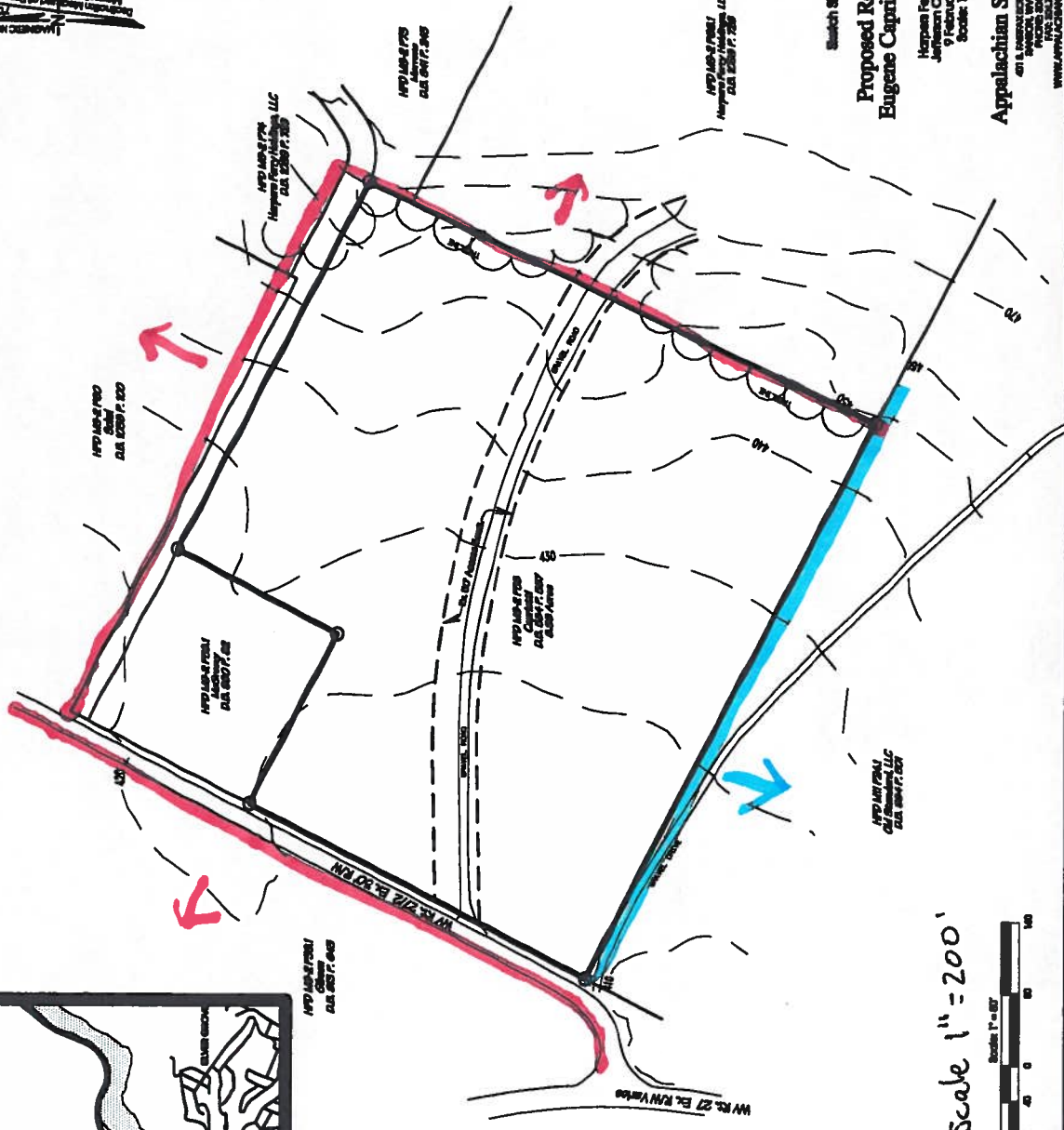
17 Feb 2012

Date

Z12-01



Map drawn by APP
 Date: 2/12/2012
 Scale: 1" = 200'



Proposed Rezoning of
 Eugene Capriotti Property

Appalachian Surveys, PLLC
 401 S. MARKET STREET, SUITE 3
 HARRISBURG, PA 17101
 PHONE: 717.534.2121
 WWW.APPSURVEYS.COM

Scale: 1" = 200'

(Reduced) Scale 1" = 200'



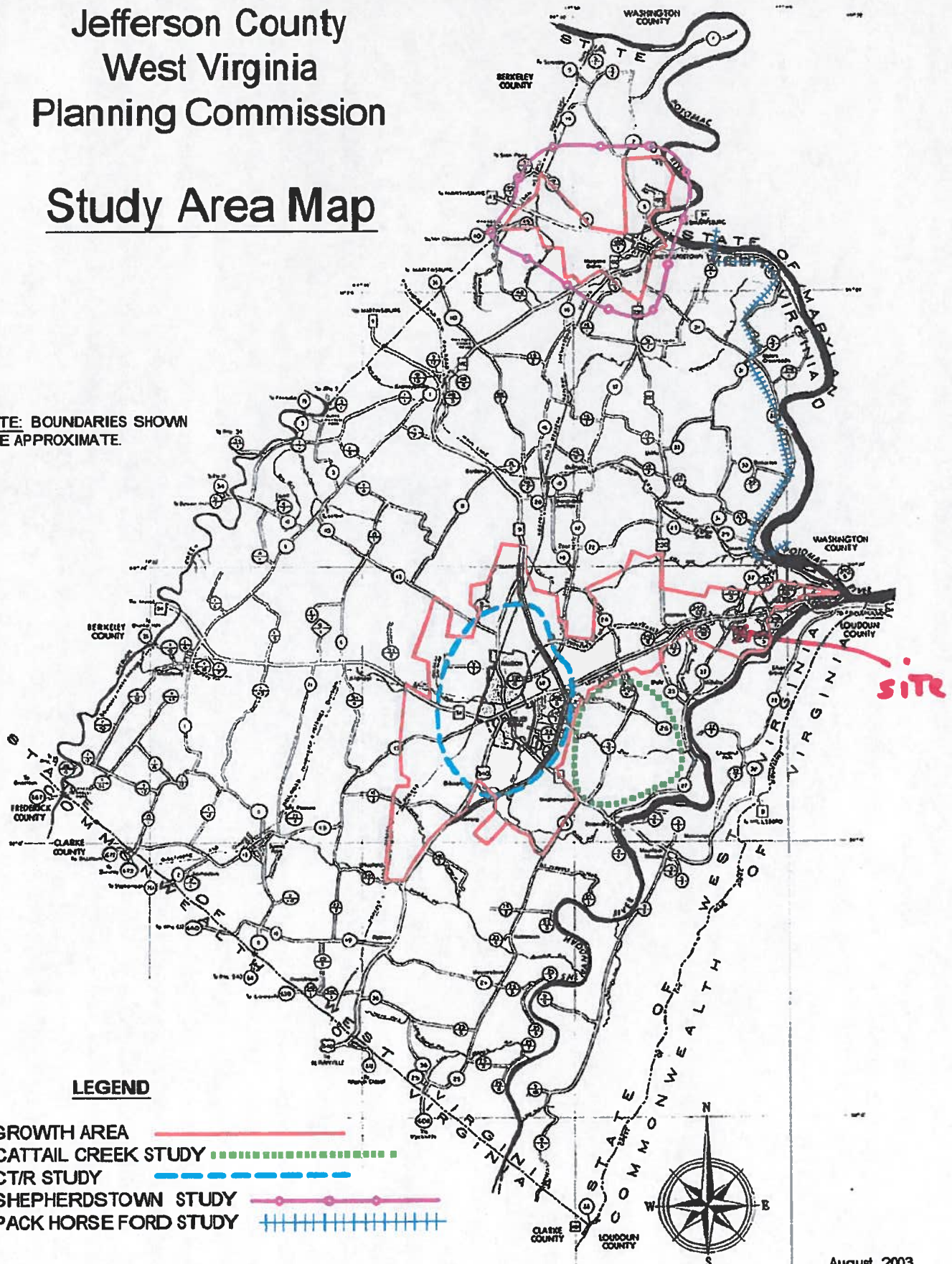
Residential / Light Industrial / Commercial District
 OLD STANDARD QUARRY (Approved (State) Commercial (Industrial 1))



Jefferson County West Virginia Planning Commission

Study Area Map

NOTE: BOUNDARIES SHOWN
ARE APPROXIMATE.



LEGEND

- 1. GROWTH AREA ———
- 2. CATTAIL CREEK STUDY - - - - -
- 3. CTR STUDY · · · · ·
- 4. SHEPHERDSTOWN STUDY —○—○—○—
- 5. PACK HORSE FORD STUDY | | | | |

August, 2003
NOT TO SCALE


712-01

STAFF REPORT

Jefferson County Planning Commission Meeting

March 13, 2012

Item #4 Request by Twin Ridge Orchard Co. Inc./Black Dog Coffee for a waiver from Subdivision Regulations Appendix B, Section 2.5 requiring off-street parking to be paved.

APPLICANT:	Brian Bircher (Black Dog Coffee)
OWNER :	Judy Hockman (Twin Ridge Orchard Co. Inc.)
DEVELOPER:	Same
SURVEYOR/ENGINEER:	N/A
PROPERTY LOCATION:	Located at the corner of Route 9 and Wiltshire Road
LEGAL DESCRIPTION:	District: Charles Town; Map: 1; Parcel: 14
	
ZONING DISTRICT:	Zoning Map Designation: Industrial/Commercial
SURROUNDING PROPERTIES:	Zoning Map Designation: <i>North: R</i> <i>South: I-C</i> <i>East: R</i> <i>West: City of Ranson</i>
LOT AREA:	0.67 Acres
HISTORY:	1988 – Bardane Market was built. 1988-2009 – Parcel was used for a Farmer’s Market and Country Store
PROPOSED ACTIVITY:	Operation of a Coffee House for coffee roasting, internet sales, retail sales, sale of local products and produce, and a meeting area.

Nature of the Waiver Request:

Applicant is requesting a waiver from the condition that off street parking be paved as specified in the Jefferson County Subdivision and Land Development Regulations for a non-residential business operation.

Nature of Business Operation:

Applicant is proposing roasting coffee; internet sales of coffee; retail sales of coffee; sales of ancillary items; produce and WV and local products; small coffee house and a meeting area for coffee “cuppings.”

Points to consider when reestablishing a business in an existing site:

STAFF REPORT

Jefferson County Planning Commission Meeting

March 13, 2012

There are few major points to consider when a business occupies a vacant structure. Those items are listed below.

1. Is the use (zoning) conforming or non-conforming?
2. Are the site plan standards conforming or non-conforming with current site plan standards?
3. Has the use of the site been abandoned for more than 12 months?

Staff has determined that the use has been interrupted for more than 12 months. While the proposed use of the site is permitted by virtue of the zoning district, the site standards are non-conforming and would need to be improved. Although the applicant's application does discuss more recent uses of the property in the last few years, none of those businesses have been operating with a Zoning Certificate. As such, those businesses may or may not have been in compliance with the guidelines established by the County.

Paving Standards:

In most instances, an applicant shall comply with the details of the paving standard found in the Subdivision Regulations. Broadly, the paving standard requires 9 inches of gravel and several inches of a paving surface.

- *The exception:*

In instances where there is existing gravel, the Chief County Engineer has determined, based on past policies, that the existing gravel can be paved without having to submit a site plan or comply with the paving standards detailed in the Subdivision Regulations.

Therefore, as it relates to this site specifically, the single requirement that the applicant shall meet is to pave the site.

In previous discussions with the applicant, staff did state that the site could be gravel if the use was strictly for the manufacturing (roasting the coffee) and the site was only accessed by employees. However, when the business is opened to the public at large and there are direct sales to the public, the establishment at that point does have to meet site plan standards. In this case, the need for paved off-street parking is required.

Rural Site Plan Standard Do Not Apply:

Since the site is located within the Industrial-Commercial District, the Rural District standards of a gravel parking area and associated drive aisle is not permitted to be used.

Criteria to be met for a Waiver:

The review below is staffs assessment of this waiver request. The applicant, in their applicant has provided a response to these questions.

Section 24.300 of the Subdivision Ordinance states that in order for a waiver of the minimum standards to be approved, such waivers may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

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.

STAFF REPORT

Jefferson County Planning Commission Meeting

March 13, 2012

Leaving the site as it is will not result in any maintenance cost for the County, since the site access is not maintained by the County or the state.

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 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 intent of the Regulations is to provide a quality surface area for business that have significant business trips associated with the site. The purpose of land development regulations is to bring the non-conforming use(s) into compliance. The list of uses provided by the applicant presents some amount of intense uses of the site and the zoning, Industrial/Commercial, permits heavy use of the site. Paving the site will not only bring the site into compliance of County standards, but further allow use of the property at an intensity that is permitted by the Zoning Ordinance.

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

Since the business is located within a Commercial/Industrial area and near existing commercial developments, the requirement to pave the site would not impact the character of the site or the area in which it is located. Paving of the site would result in a better quality project. Since this site and use will be operational nearly every day, the wear on the existing material is extensive. Further, where gravel abuts State paved roads, the abrasive properties of gravel prematurely deteriorate pavement in that location.

Staff Recommendation:

Staff does not support the request. The application submitted by the applicant list numerous endeavors and accessory uses to the coffee operations for this site. The intensity of operation at this site may well be significant. As such, the requirement for paving the site is not unreasonable. Unlike other requests, the proposed use is not an intermittent agri-tourism or agri-business that could suffice with a gravel parking area. Additionally, since there is an exception with conforming to the minimum County standards of the gravel and pavement depth in this specific situation, the standard to meet for the paving is far less than otherwise required.

Please note that the Americans with Disabilities Act will require at least one paved parking space to be accessible, including access to the building, for those with a disability.

Engineering Report

Bardane Farm Market Waiver Asphalt or concrete paving Requirement 03/13/2012

Request:

Twin Ridge Orchard Co. Inc. is requesting a waiver from the JEFFERSON COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (2008), Appendix B, Section 9.5 for the Bardane Farm Market; which states:

“Site Development parking lot, entrances and internal driveways for use by the public shall be bituminous asphalt or concrete paved.”

Situation:

The waiver is being requested to allow the existing gravel parking lot to remain without adding the asphalt or concrete pavement.

Findings:

The applicant is requesting this variance be granted because:

1. The market has previously operated with only a gravel parking lot for over 20 years.

Due to the project site being zoned Industrial Commercial; it is required to be asphalt paved. The only time a commercial development is allowed to use gravel as parking is in the rural district, utilizing the Rural Site Plan Standard which is 9” of stone.

My understanding is the applicant wants to waive the asphalt pavement standard in order to eliminate the requirements for a site plan under the Case 1 No Site Plan of the Improvement Location Permit Ordinance.

At this point and time, a limited site plan is required as stated in the Pre Proposal Conference memo dated November 9, 2011.

Conclusion:

The property is zoned industrial/commercial. If the property was zoned Rural, this variance would not be required. Because the site has existed for over 20 years and is of a rural nature, I recommend approval of this waiver as long as the applicant can demonstrate that 9 inch of stone exists. If not, stone will need to be added to achieve a 9 inch thickness.



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338
Charles Town, WV 25414

Date Applic. Rec'd: _____

Fees Paid: \$ _____

Sketch Received: _____

Staff Initials: _____

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

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 Ridge Orchard Co. Inc
Mailing Address: 1583 Ridge Road
City: Shenandoah Junction State: WV Zip Code: 25442
Phone Number: 304/725-0779 Email: _____

Applicant contact information

Applicant Name: Judy Hockman/Land Owner Brian Bircher/Black Dog Coffee/Applicant
Mailing Address: P.O. Box 373
City: Summit Point State: WV Zip Code: 25446
Phone Number: 304/535-5023 Email: _____

Applicant Representatives

Name of Registered Engineer(s) or Surveyor(s): N/A
Mailing Address of Engineer(s) or Surveyor(s): _____
City: _____ State: _____ Zip Code: _____
Phone Number: _____ Email: _____

Physical property details

Physical Property Address: 8001 Charles Town Road (Corner of Route 9 and Wiltshire Road)
City: Charles Town State: WV Zip Code: 25414
Tax District: Charles Town Map #: 1 Parcel No: 14
Parcel Size: .67 acre Deed Book: 269 Deed Bk. Pg. #: 377

Zoning District: **RECEIVED**
FEB 21 2012
Residential-
Rural (R-A) Residential Growth (R-G) Industrial Commerical (I-C) Light Industrial-
Commercial (R-L-C) Village (V)

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

Briefly describe the nature of your waiver request:

See Attached

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.

See Attached

See Attached

See Attached

See Attached

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

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

See Attached

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

See Attached

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

Quinn Hochman 2/20/12

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

Planning Commission Waiver Request
Twin Ridge Orchard Co. Inc.
Bardane Market
February 21, 2012

RECEIVED

FEB 21 2012

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

Brief Description of the Waiver Request:

Twin Ridge Orchard Company obtained a permit and built a structure known as the Bardane Market in 1988, prior to Site Plan requirements and zoning in Jefferson County. As most know, this retail market operated from 1988 to 2009 as a Farmers Market and a Country Store. It sold fruits and vegetables, packaged prepared foods including jams, apple butter, baked goods, etc., and 'country' decoration items during that time period. It is important to note that when zoning did go into effect in 1988, this property was zoned (and still is zoned) Commercial/Industrial. As such, zoning is not a factor in this matter.

In 2009, Twin Ridge Orchard and the Jefferson County Development Authority entered an agreement to lease the facility for a year round market that would have included: agricultural products; local products; WV produced products; Black Dog Coffee Roastery and Coffee Shop; and, a commercial kitchen to name a few of the ideas. For the next year and a half, the Development Authority, along with Kellie Boles, Jefferson County's Agricultural Development Officer, worked on bringing the project to fruition. Twin Ridge was paid three months lease for June, July and August 2010. In November 2010, the Development Authority told Twin Ridge, that they were regrouping, but hoped to continue the plans in spring 2011. In the meantime, Twin Ridge leased the facility for Christmas tree sales in December 2010 while waiting for the Development Authority to work through some issues. After several meetings with the Development Authority representatives, including a letter from Twin Ridge to the Development Authority in March 2011, Twin Ridge is still waiting for notice of a final disposition of the matter.

In October 2011, Black Dog Coffee approached Twin Ridge Orchard Company about leasing the Bardane Market with plans to utilize the entire Bardane Market building for the roasting of the coffee; internet sales; retail sales of coffee, ancillary items, produce and WV and local products; a small coffee house and a meeting area for coffee 'cuppings'. In order to do that, the Owner of Black Dog Coffee met the County Planning, Zoning and Engineering Staff in a Pre-Proposal Conference. As a result of that meeting and several subsequent meetings with Staff, the Staff determined that since the retail sales portion of the Bardane Market had ceased operations for longer than a 12 month period, the owner would have to pave the parking lot prior to re-establishing a retail operation at the site. The Planning and Engineering Staff have agreed that since there is an existing gravel parking lot, a site plan is not necessary to pave the property pursuant to Roger Goodwin's Memorandum on another project dated February 2, 2012 (attached).

This request is for a waiver of that paving requirement. This request is based on the following facts:

- The property is zoned commercial/industrial;
- The market was permitted before site plan requirements;
- The market was used for retail sales from 1988 through 2009 (plus retail Christmas tree sales in December 2010);

- Most of the gap in the retail use after 2009 was a result of the Jefferson County Development Authority working on plans for the larger market pursuant to the agreement with Twin Ridge Orchard Company;
- The parking has always been gravel to serve the retail customers during that time period;
- Only half of the building will be used for the retail portion of the operation because the roasting operation will be in the building, as well; and,
- There is no site plan required.

Accordingly, Twin Ridge respectfully asks that the Planning Commission grant the waiver as requested.

Planning Commission Waiver Request
Twin Ridge Orchard Co., Inc.
Bardane Market
February 21, 2012

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

Granting this waiver will provide public benefit by allowing a commercial building that has existed in Jefferson County to be reused, as opposed to remaining empty. Although the building has only been vacant for approximately 2 years, adaptive reuse of the building in the Commercial/Industrial Zone is a benefit to the public. One of the County's goals is to utilize existing empty commercial structures when possible for new commercial ventures. The Bardane Market is also directly across old Route 9 from the Bike/Walking Path that travels the length of the new Route 9. The reopening of the Bardane Market will serve the Public utilizing the Bike/Walking Path.

Granting this waiver will have no effect on County maintenance costs, since the Bardane Market is on private property and has existed in this location for 24 years.

2. 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.

Again, the retail operation of the Bardane Market has existed from 1988 through 2009. As such, it should have no effect on public health, safety or welfare. As a matter of fact, there is considerably less traffic on this stretch of old Route 9 from when the Bardane was originally built, since the construction of the four lane took a great deal of the traffic from this road.

In terms of the adjacent property owners, there is an electric substation to the south, the railroad tracks are to the east, old Route 9 and new Route 9 are to the west and a State Road intersection in to the north. Therefore, there should be no effect on the rights of neighboring property owners. In terms of the broader neighborhood, it would probably welcome the re-opening of a retail market in the neighborhood.

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

The intent of the ordinance is to protect neighborhoods when new development is proposed. In this case, it may be a little different than what was there before, but it is certainly not a new development. It's been there for over 20 years. The reopening and renovation of the Bardane Market will enhance the area and provide for services that used to be on the premises with the addition of a great local product. This particular user, Black Dog Coffee, has already been serving customers in Jefferson County for five years.

Also, since no site plan is required, it is better to leave the site as it is. There are no drainage problems on this site at this point. If the applicant is required to pave the parking lot, it may actually create an unanticipated problem on the site. To quote an old saying, 'If it's not broken, don't fix it'.

Finally, the Staff has determined that since the Bardane Market remained empty for longer than a 12 month period, it needs to have its parking lot paved prior to reopening the market. Since the property is zoned Commercial/Industrial, Twin Ridge had no idea that there was a requirement that retail sales couldn't stop for a period longer than 12 months. If it did, Twin Ridge would have most certainly opened its doors to prevent that from happening. In spite of that, if you subtract the time that the property was tied up with the Jefferson County Development Authority, there would have been no 12 month lapse in retail sales. The property continues to be taxed as Class 3, Commercial property by the Assessor's office.

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

The Bardane Market existed for over 20 years serving the community. It provided an outlet for local products to be sold to both local residents and travelers on Route 9. It did so with a rural theme. To pave the parking lot at this point would take away that nostalgia. The intent of this request is to reopen a facility that can continue that tradition.

By granting the waiver from a paved parking lot for the Bardane Market will not change the character or quality of what has been there since 1988, it will merely allow folks to continue using a local landmark.

MEMORANDUM

Jefferson County, West Virginia Engineering Department

TO: Bill Polk, Director
Maintenance Department

FROM: Roger Goodwin, P.E.
Chief County Engineer

DATE: February 2, 2012

SUBJECT: Maintenance Building – Parking Lot Paving

This memorandum is in response to your inquiry as to what permits and approvals you might need in order to asphalt pave the existing gravel parking lot at the Maintenance Department facility located at 128 Industrial Boulevard in the Bardane Industrial Park; Charles Town Tax District, Map 2, Parcel 1.19. It is my understanding that this site was developed in 1977, prior to the adoption of the Subdivision Ordinance and site plan requirements. The project does not involve the expansion of the existing parking lot.

After visiting the site on January 24, 2012, I determined the following:

1. Building Code Enforcement Ordinance – the proposed work does not require a permit under this ordinance.
2. Floodplain Ordinance – the proposed work is not located within a mapped FEMA floodplain.
3. Improvement Location Permit Ordinance – since the proposed work does not involve an addition to the existing structure and/or the expansion of the existing parking lot, which is greater than 250 sq.-ft., no ILP permit is required; and therefore, no site plan and no sediment and erosion control plan are required.
4. NPDES Construction Storm Water Permit – required by the West Virginia Department of Environmental Protection (WVDEP) for all construction activities with earth disturbance of one acre or more. Since the work does not involve the disturbance of any area, no NPDES permit is required.

5. Stormwater Runoff – the runoff coefficient for asphalt pavement and a compacted gravel surface are nearly the same and the increase in runoff will be relatively insignificant. In addition, central stormwater management is already provided in the industrial park for this lot.

This determination is further supported by the meeting minutes from the October 13, 1992 Jefferson County Planning Commission meeting in which the planning commission provided the following response to the same situation:

“By consensus the Planning Commission’s interpretation of the ordinance was that if the parking area was already graveled then an ILP would not be needed to pave the existing graveled area, however, if it was not graveled then an ILP would be needed to pave any portion or expansion of the area used as a parking lot.”

In summary, it appears to me that if the nature of the project is to only pave the existing parking lot with asphalt pavement, and there will be no expansion of the parking lot, then no permits, sediment and erosion control plan, or additional stormwater management is required.

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CHARLES TOWN

EXEMPT

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ROAD

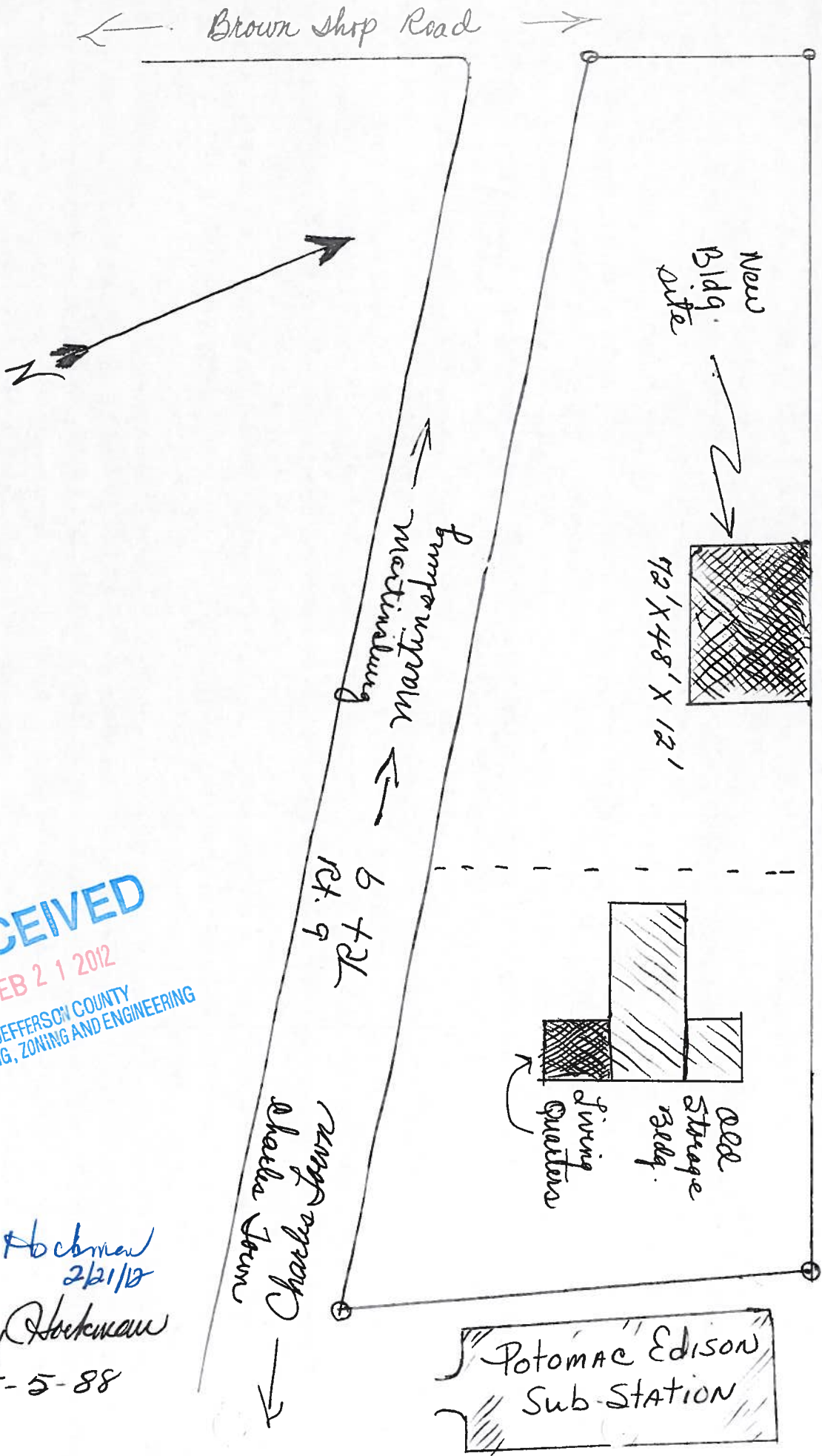
BIKE RTE

CHARLES TOWN

EXEMPT

CHARLES TOWN

EXEMPT



RECEIVED

FEB 21 2012

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

Quaith Hochman
2/21/12

Jersey Hochman
5-5-88

Empson Farm
Charles Town

Amy Puetz

From: Planning Department <planningdepartment@jeffersoncountywv.org>
Sent: Monday, March 05, 2012 11:38 AM
To: jbrockman@jeffersoncountywv.org; sbarney@jeffersoncountywv.org;
srivard@jeffersoncountywv.org
Cc: apuetz@jeffersoncountywv.org
Subject: Fw: Black Dog Coffee Variance Hearing 3/13/2012
Attachments: bardane-market-9-2009.jpg; Bardane Site-3-3-2012.jpg

Planning Department
P.O. Box 338
116 East Washington Street
Charles Town, WV 25414
(304) 728-3228

-----Original Message-----

From: "Willis Nowell" <willis_nowell@shannondale.org>
Sent 3/4/2012 9:54:05 PM
To: planningdepartment@jeffersoncountywv.org
Subject: Black Dog Coffee Variance Hearing 3/13/2012

Sirs,

I'd like to voice my support for a favorable ruling, w/o unreasonable requirements, for a variance allowing the Black Dog Coffee Company to open a coffee roasting business and an associated retail operation in Bardane. The location is obviously no issue as it is adjacent to an existing strip mall. I'm told that the health department has reviewed the proposal and barring a few reasonable requirements, see no obstacle to meeting applicable rules.

I've also been made aware of a requirement that the parking area may be judged to be of substandard construction and that the area may require a macadam surface. Over the years I've visited the market when it was in operation and never found the gravel surface to present any drainage or other associated problems (See Attached photos). If at all possible, I'd like your organization to waive or include provisions to soften the financial burden that this requirement will place on Mr. Bircher.

Black Dog Coffee is locally owned and operated AND had its genesis here in our County. The Coffee Company is the type of small business/industry that our locality desperately needs and it prepares a World Class product of which we can be proud.

As a former employee of a regulatory body, I know that often there is room for leeway while still meeting the intent of rules and regulations.

Thank you,

--

Willis Nowell, One of the Humble Webservants of
Shannondale and Beyond (<http://www.Shannondale.org>),
a West Virginia 501c3 nonprofit corporation

Amy Puetz

From: Planning Department <planningdepartment@jeffersoncountywv.org>
Sent: Monday, March 05, 2012 10:59 AM
To: jbrockman@jeffersoncountywv.org; sbarney@jeffersoncountywv.org;
srivard@jeffersoncountywv.org
Cc: apuetz@jeffersoncountywv.org; jhartman@jeffersoncountywv.org
Subject: Fw: Regarding the Bardane property

Planning Department
P.O. Box 338
116 East Washington Street
Charles Town, WV 25414
(304) 728-3228

-----Original Message-----

From: "joanna smith" <chocolatebyjo@gmail.com>
Sent 3/4/2012 7:25:23 AM
To: planningdepartment@jeffersoncountywv.org
Subject: Regarding the Bardane property

Hello!

I would like you to consider waiving the Bardane parking lot having to be paved in order for a new business to move in. I have been a Jefferson County resident for 7 years now. I was saddened when Bardane market closed, but am excited at the possibility of Black Dog Coffee going in there. I believe a paved parking lot would take away from the down-home country feel of a gravel driveway. There's something about the sound of the crunch of the rocks that builds the excitement of getting something fresh and tasty (like Wilt's produce stand)! I would hate for something so simple to hinder a great small local business to open. Not only would a Black Dog Coffee market be great for the community as a whole, but it would be an excellent learning opportunity for children.

Thank you for your consideration,
JoAnna Smith
304-876-2550
3431 Bakerton Road
Harpers Ferry, WV 25425



From: Tony Cooper
To: planningdepartment@jeffersoncountywv.org
Date: Thursday, March 08, 2012 1:34:06 PM
Subject: Comment on Waiver for Black Dog Coffee

To whom it may concern:

It is my understanding that Brian Bircher of Black Dog Coffee has applied for a Waiver in order to utilize a facility which would benefit his business, Black Dog Coffee, as a retail establishment. I'm writing in support of Brian and his efforts for same. It has been my pleasure to know Brian for more than ten years, and to have worked with him and his company in a variety of efforts over the past several years. Brian has consistently been a huge supporter of the retail and community effort of this area, and I believe his retail outlet would be a major benefit to our local economy and the neighborhood spirit.

Please consider approving Brian's application for waiver.

Thank you.

Submitted respectfully,

--

Tony Cooper

JEFFERSON COUNTY, WEST VIRGINIA
Department of Planning & Zoning
116 East Washington Street, 2nd Floor
P.O. Box 338
Charles Town, West Virginia 25414

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

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

MEMO

TO: Jefferson County Planning Commission
FROM: Steve Barney, Zoning Administrator
DATE: March 13, 2012
RE: Draft Recommendations Regarding Recreational Uses

Overview

As part of the ongoing process of amending the Zoning Ordinance, Planning and Zoning Department staff initiated a stakeholder process to consider potential zoning ordinance text amendments related to recreational uses. Staff identified the need for these amendments following a series of recent inquiries regarding the establishment of various types of recreational land uses.

The purpose of the recreational use amendments is to:

1. Identify types of privately-operated recreational uses that could be appropriate for the County's non-urbanized areas;
2. Determine the applicable approval process for these types of uses; and
3. Determine any additional standards that should apply to recreational uses.

It should be noted that the proposed amendments are not related to the proposed new commercial zoning categories that are proceeding as a separate amendment. However, in order to avoid any confusion between the two proposed amendments, staff is recommending the postponement of any consideration of the proposed Rural Commercial District until a broader stakeholder process can occur, involving residents, property owners, members of the agricultural community and representatives of the County's Villages. It is anticipated that this process may occur during the development of the 2014 Comprehensive Plan.

Please also note that staff is not recommending the creation of a new zoning district or the rezoning of any property in association with the proposed Recreational Use amendments.

Background

On January 10th, 2012, staff briefed the Planning Commission on the results of an informal roundtable discussion regarding Recreational Uses the Department conducted on October 21, 2011. The purpose of this meeting was for County staff to hear comments from those in the community who currently operate (or seek to operate) a recreational use such as a camping, rafting, fishing, or boating facility or other recreational use, in addition to comments from other community stakeholders.

During the meeting, attendees noted that recreational industries benefit the County by generating tourism, jobs, and tax revenues. However, it was noted by many that such businesses can result in unwanted impacts to adjacent residential areas, such as traffic and noise. For this reason, many attendees at the meeting expressed concern with the idea of allowing commercial recreational land uses on property located in or adjacent to established single-family neighborhoods.

The Planning and Zoning Department has also received numerous letters from residents and business representatives regarding the general issue of recreational uses. These letters are included in the agenda packet for this meeting.

Current Zoning Status

Based on current Zoning Ordinance requirements, many recreational uses would not be permitted in the Rural zoning district without successful completion of the Conditional Use Permit (CUP) process, including Board of Zoning Appeals (BZA) approval.

One of the criteria of the CUP process is the Land Evaluation and Site Assessment (LESA) scoring process. A CUP application receives a LESA score based on a numerical rating of its soils, as well as an assessment of various “amenities.” The LESA scoring process is outlined in Article 6 of the Zoning and Land Development Ordinance.

Recommendations

Based on public input received to date and a review of current practices in other communities, staff is recommending changes to the Zoning Ordinance as described below.

A. Rural Recreational Uses

Staff recommends the creation of a new land use category, Rural Recreational Uses. This proposed land use category encompasses recreational uses that are of a commercial type, yet have a relatively minor site impact. Rural Recreational Uses are distinct from those recreational uses that require more building area, parking area, and site disturbance (for example, a bowling alley).

Staff has identified 4 land uses that fall within this use category. These uses are currently not identified or defined in the Zoning Ordinance:

1. *Campground.* Use of a site to accommodate temporary occupancy in tents, travel trailers, recreational vehicles, cabins or similar forms of shelter.
2. *Commercial River Access.* Use of a site as a river access area for commercial boating, rafting, fishing, tubing, swimming and other commercial river uses.
3. *Mobile Food Vending.* Use of a site for a portable vehicle, trailer, kiosk, or similar device from which food is sold.
4. *On-Site Outdoor Recreation.* Use of a site for a ropes course, a natural or manmade climbing wall, outdoor corporate team building events, and similar uses.

Because the operation of a Rural Recreational Use has the potential to impact nearby single-family neighborhoods, it is appropriate to continue to require a public hearing process for the establishment of a these types of land uses. Therefore, a Conditional Use Permit, including the Compatibility Assessment Meeting and Board of Zoning Appeals public meeting, should continue to be required for Rural Recreational Uses.

LESA scoring should not apply to applications for these land uses for two reasons. First, Rural Recreational Uses require minimal soil disturbance. Second, the intent of the LESA scoring system is to encourage those applications that are located close to existing, developed areas and designated growth areas, whereas these land uses should be located in more remote areas.¹

Currently, the Zoning Ordinance contains no specific criteria to be applied by the BZA in its review of any of these land uses. As such, staff recommends establishment of review criteria, including:

- Minimum lot area
- Roadway access
- Subdivision status
- Parking
- Proximity to residential uses
- Proposed accessory uses
- (for uses adjacent to Potomac River) Any required State of Maryland approvals
- (for campgrounds) Number of proposed tent/RV sites

B. Seasonal Uses

The Zoning Ordinance defines a Seasonal Use as: “A use that is carried on for not more than a single three day consecutive period in each of the four solar seasons.”

Currently, all types of Seasonal Uses require Board of Zoning Appeals approval as a Special Exception.

Staff proposes that Seasonal Uses be classified and reviewed according to impact, as follows:

- For uses with significant traffic generation, continue to require BZA approval as a Special Exception. Such uses may include major fairs, festivals, and similar events.
- For uses with little traffic generation (or other impacts), such as sales of Christmas trees, fireworks, and other seasonal goods, allow administrative approval.

¹ It should be noted that the proposed approach has precedent. The Zoning Ordinance currently includes some land uses that may proceed through the Conditional Use Permit process without the requirement of a LESA score. These types of uses include certain commercial uses in the Village District, and fast food restaurants and convenience stores in the Residential - Light Industrial - Commercial district. The Compatibility Assessment Meeting process and Board of Zoning Appeals approval are required for these uses.

C. Agricultural Tourism

The Zoning Ordinance currently includes a land use called “Farm Vacation Enterprise,” which the ordinance defines as:

A farm adapted for use as a rural vacation area, which may include picnicking and sporting areas, fishing waters, camping, scenery, nature recreation areas, and similar uses. The site may contain up to 5 lodging units.

This category has been little used in Jefferson County. One potential hindrance to the utilization of the “Farm Vacation Enterprise” land use is the limit of 5 lodging units. Staff recommends increasing the number of permitted lodging units to 12 units, with restrictions on occupancy, unit size, and other standards. A minimum lot area and/or density requirement should also be applied to this land use.

Other land uses related to Agricultural Tourism (such as Country Inns, use of barns for event rental, and similar uses) will be addressed in the future as part of an inclusive stakeholder process, involving residents, property owners, members of the agricultural community and representatives of the County’s Villages. This process may occur during the development of the 2014 Comprehensive Plan, in the context of a broader discussion of the opportunities and concerns related to Jefferson County’s rural areas.

D. Hunting, Shooting and Fishing Clubs; Shooting Ranges

Currently, the Zoning Ordinance establishes requirements for Hunting, Shooting and Fishing Clubs, which are permitted in the Rural District. These requirements include the following standards that appear to be intended to promote the safety of persons on adjacent properties:

- Minimum of 150 acres under common ownership
- 150 yard setback for all shooting facilities

Shooting Ranges are a permitted use in the Industrial - Commercial District. However, the ordinance does not specify whether these standards are applicable to an outdoor shooting range located in another district. Staff recommends that relevant standards for Hunting, Shooting and Fishing Clubs be applied to any other commercial use involving the outdoor discharge of firearms in any zoning district. It is also recommended that the Zoning Ordinance identify a source for a required design standard for shooting ranges.

Staff also recommends reducing the required acreage for a fishing club to 50 acres.

E. Site Standards for Campgrounds

The Subdivision Regulations provide some technical standards for Campgrounds; however, these standards should be updated to address the following criteria:

- Minimum site area
- Open space
- Density
- Buffers
- Internal setbacks between campsites
- Percentage of undisturbed area
- Building square footage
- Access
- Minimum campsite size
- Limited commercial uses to serve campers
- Water and sanitary service
- Occupancy duration limits
- Low-impact stormwater management
- Parking
- Roadway widths and construction requirements
- Compliance with Health Department standards

Specifically regarding the roadway standards for Campgrounds, the Subdivision Regulation currently require main entrance and primary looping asphalt roads of 22 feet in width with shoulders and ditch lines. Other roads are required to be 20 feet in width, with a gravel surface, shoulders and ditch lines. Based on feedback received to date, staff finds these standards to be somewhat excessive for a campground. Staff will work with the Engineering Department to determine the appropriate standards.

Requirements of Other Agencies

It should be noted that all land uses listed above are also subject to approvals by other relevant departments or agencies, including:

- The Jefferson County Engineering Department
 - Floodplain
 - Building Code
 - Site Plan
- The Jefferson County Health Department
 - Campground standards
 - Well and septic
- The West Virginia Division of Highways
- Other state and federal requirements

Next Steps

Based on the feedback provided by both the Planning Commission and members of the public, staff will draft ordinance language for the proposed amendments. I am proposing that the Commission conduct a public hearing on the proposed amendments at its May meeting.

Please let me know if you need additional information.

RECEIVED

OCT 26 2011

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

Pres, Patsy Noland
Jefferson County Commissioners
P.O. Box 250
Charles Town, WV 25443

Dear President Noland;

I am opposed to the proposed Zoning and Land Use Development amendment that would allow commercial recreational uses in residential areas and on residentially zoned land.

The reasons for this opposition are:

1. Past actions and behavior: There are presently 3 parcels of land owned by Matt Knott, River Riders, Harpers Ferry land (Matt Knott) along the Potomac. One has been considered to have a "campground" use where several zip lines have been installed. There is much concern about these zip lines which required no inspections by the county for the "grandfathered" campground. No one who has lived in this area for all or most of their lives know the old CSX ground as a campground. The use of that land to the best of anyone's knowledge was illegal by trespassers, but afforded the public an area to launch boats, fish, etc at their own risk. The County appears to be less than appropriate and unbiased in the action allowing a "grandfathered" use provision. There were no public meetings or notices until after the fact. I heard that one person received a notice of a meeting dated on Friday for a meeting the following Monday to talk about what had already been decided.

Matt Knott has been using his River Road residential property illegally for his River Rider business, letting people off on the Road and stopping traffic or using a shared driveway. He has also created a gravel walkway down to the river on his land for the purpose of his clients getting to the river which I understand is not allowed by the Maryland DNR.

2. Infrastructure: Bakerton Rd, River Rd, and Knott Roads that would provide access to the river properties are at best old paved over wagon trails that wind around property lines with hard curves with little or no visibility, no shoulders, some areas have no lines. I have to wonder if it is just a coincidence that the recent repairs to River Rd and Knott Rd have occurred when this issue is before us. Still, it is unsafe to have old school buses pulling trailers on these roads that have 90 degree turns and blind hills with little visibility. In fact, the increased traffic on these roads in recent years has created difficult traveling for older residents and our kids. Knott Road is one lane going down to the communities of Happy

Hollow and McShanes Landing. Public school buses are not allowed down this section of Knott Rd.

3. Emergency vehicle access: For the reason previously stated, getting emergency vehicles safely to residents of these aforementioned roads would be impaired and unsafe on these roads for emergency vehicles. In addition there are 2 private dead end roads used for egress and ingress for Happy Hollow and McShanes Landing Lane that must pass through or around the parcel owned by Matt Knott. If there are buses loading and unloading people on a one lane road, residents will be greatly inconvenienced and their health and safety at risk.

4. Current tourism impact: The last traffic count published for Rt 340 in 2009 shows that 26000 cars per day travel from Virginia to Harpers Ferry on Rt 340, obviously before gaming tables went into operation. Compared to the 44000 vehicles per day in the same study that travel on the Dulles Access Road with up to 6 lanes, 26000 cars on 2 lanes often causes severe congestion with bumper to bumper traffic that extends to Bakerton Rd to the west and almost to the Brunswick exit to the east. There are currently several tourist destinations in the Harpers Ferry area including the race track and slot operation, the Flea Market, Harpers Ferry itself, Civil War locations, and combined with current river recreation, the access to Jefferson County for tourists is becoming less and less desirable. The county's stated desire to create more recreational tourism seems to conflict with the impact created by the Race Track and Slot "tourists".

Its hard to imagine more people on this area of RT 340 with even more plans to develop the 340 corridor. \$5,000,000 goes into the county from the track, compared to less than \$1,000,000 estimated tax from recreation, not all of which goes to the county.

5. Safety and Cell Phone Reception There have been many instances where people who have been dropped off to enjoy the river get lost and need assistance, some cannot get down the river due to the wind or exhaustion, need bathroom facilities or water and exacerbating this is the poor cell phone reception in this area. The most pressing issue is if there is a need for emergency services when cell phone reception is spotty at best.

6. Precedent: I don't think that anyone in the county is attempting to create another Millville Rd situation. At least, I hope not. The locations presently owned by River Riders in the Shepherdstown district are residential areas. In the 30 years the county has identified a need for

more public access to the river, it seems incredulous that there has not been an opportunity to purchase a large tract of land for a park. There should be no preferential treatment of one outfitter but instead the county could allow outfitters to bid for the rafting concession of a park. Allowing one outfitter to use residential land for commercial recreational use establishes a precedent, how will the county chose one outfitter over another and on how many parcels will the county allow commerical uses? No one wants to create another Millville Rd.

Conclusion: There are many property owners along the river and residents on Bakerton Rd, River Rd and Knott Rd who are opposed to the increased traffic of large buses with trailers and we are hoping to be able to state our case in a hearing. If Jefferson County were attempting to create a park on suitable land and then offering a concession, this would be more favorable. At this point, we are already suffering from congestion. Most of us moved here to be free of intrusion, seeking privacy and open spaces. We all love the river and want to preserve it. We want others to enjoy it as well. The numbers of people currently using Millville Rd would ruin Potomac River usage as we know it. Mr. Knott is already advertising the Harpers Ferry land for jet ski usage. This would only be a problem in large numbers. There is nothing Mr. Knott has done so far that demonstrates that he would restrict the number of people he drops on the river, after all he is trying to make a profit. The desire to make a profit conflicts with a concern for safety and numbers of people on the river.

With all of the access to the river on the Maryland side, we all question the need for more commercial operations on the rivers in Jefferson County where there is no infrastructure to support it. Citizens of Washington County are complaining also about the lack of infrastructure supporting the use of the C & O Canal and the river there.

The rivers are a great resource in Jefferson County. There is a unique opportunity to create a wonderful park like the one Maryland made at Rocky Gap. We are all living with poor land use decisions from the past. Continuing that spotty practice without a coherent long term plan and giving one person a unique benefit does not promote protection of private property and the general safety and welfare of all Jefferson County citizens.

Cathy Vance



Cc: all county commissioners, Planning and Zoning Director and Planning Staff

Cathy Winters Vance
308 McShanes Landing Lane
Shepherdstown, WV 25443
(304) 876-1668

Amy Puetz

From: Jennifer Brockman <jbrockman@jeffersoncountywv.org>
Sent: Monday, October 31, 2011 3:18 PM
To: Amy Puetz
Subject: FW: Commercial use of property along the Potomac River in Jefferson County

Do you have this one for the PC in December?

Jennie Brockman
Director, Planning and Zoning

From: Planning Department [mailto:planningdepartment@jeffersoncountywv.org]
Sent: Tuesday, October 25, 2011 12:29 PM
To: jbrockman@jeffersoncountywv.org; sbarney@jeffersoncountywv.org; srivard@jeffersoncountywv.org; dchilds@jeffersoncountywv.org
Subject: Fw: Commercial use of property along the Potomac River in Jefferson County

Planning Department
P.O. Box 338
116 East Washington Street
Charles Town, WV 25414
(304) 728-3228

-----Original Message-----

From: "Elaine Keagle" <Elaine@allemande.us>
Sent: 10/24/2011 1:32:06 PM
To: pnoland@jeffersoncountywv.org, walterpellish@mac.com, lynwidmyer@gmail.com, dmanuel@frontiernet.net, fberrymorgan@aol.com, planningdepartment@jeffersoncountywv.org, zoning@jeffersoncountywv.org
Cc: johndoyle@wvhouse.gov
Subject: Commercial use of property along the Potomac River in Jefferson County

Having attended the Recreational Uses Roundtable Meeting sponsored by the Planning and Zoning Department on Oct. 21, 2011, I am concerned about the possible conversion of private land in McShane's Landing for commercial use by River Riders. Mr. Knott, on behalf of River Riders, publicly stated his intention to apply for a variance to allow his private property in McShane's Landing to be used by River Riders for their commercial enterprise.

1. Mr. Knott has already demonstrated a disregard for the community by using his property at McShane's Landing illegally for commercial purposes. He has shown with the construction of the zipline that, given the opportunity, he will push the limits of what he can do with his property. There will be no guarantee that an additional access point will be moderately and modestly used.

2. What is the estimate of the financial benefit to Jefferson County. Tourism is cited but do these visitors actually make enough of a financial difference to offset the costs

of infrastructure. Or do we just get more traffic and less river access for the residents.

3. Do we neglect public facilities (bike trails, parks, hiking paths) in the interests of attracting a few extra dollars and the extra river traffic which keeps our own citizens from enjoying the river. Shouldn't we build county parks with river access available, charge for out-of-county, free to county residents, limits on occupancy.

4. Why does public access to the river need to be commercialized for the benefit of one person.

5. There is a new economic development effort, the Canal Towns Partnership, for the communities along the river. Another one, the Trail Towns Program also promotes tourism. Shouldn't a broader community interest such as that be supported, instead of a piecemeal approach which takes control away from the citizens and gives profit to a single individual.

6. We cannot know what his actual use of the property will be. Given the discussion around the tubers downstream at the roundtable on Oct. 21, 2011, and the stories told by locals who want to use the river but can't because of the tubers, why would we even consider turning over a valuable local resource to a single commercial property owner. What percentage of access to the Potomac River within Jefferson County then becomes controlled by a single for-profit entity.

7. If this property is allowed to be used for commercial purposes, why not others. Why couldn't the HOAs along the river open up their common lands for profit, allowing campers and boaters.

8. Imagine 40,000 people passing through River Riders last year, the figure cited by Mr. Knott. Where will the next 40,000 go. Where will the people using the new landing congregate. Is it likely that another piece of property, closer to the McShane's Landing site, would be purchased to serve as a ticket office/parking area. How will that affect our roads.

9. A resource is valuable because it is cared for. Piecemeal commercialization is not care for the resource or for the citizens who pay the taxes in our county. It is definitely not Planning.

Elaine Keagle
85 Dance Lane
Riverside Acres

Dr. and Mrs. James G. Gibson
201 Needwood Farm Road
Harpers Ferry, WV 25425

February 13, 2012

Ms. Jennifer Brockman, AICP, Director
Jefferson County Planning and Zoning
P.O. Box 338
Charles Town, WV 25414



Dear Ms. Brockman,

Thank you for taking the time to explore ordinance amendments that would enhance opportunities related to agri-tourism, ecotourism, and history related tourism. Please accept these suggestions for your research on Recreational Uses. Although I attended the first public roundtable discussion on the matter with the intention to discuss my ideas, the meeting seemed to get side tracked with a discussion on a particular business. As such, I chose to wait for additional opportunities on the subject to present these ideas. I also understand that an additional 'stakeholders' meeting was held to gather information from those that are in the recreation industry. Accordingly, I would like the opportunity to meet with Staff to discuss these ideas before they are vetted in a public session.

I believe that Campgrounds and Tourist Cabins/Cottages should be permitted in the Rural District as defined in the current ordinance. In various ways, it appears that the County has already attempted to address this issue in the ordinance, so there is already a foundation in place to expand and elaborate. In the Rural District, several terms are defined to be permitted. Under the definition for Agricultural Use, items 1, 13, 14 and 15 seem to address the issue, but they need further defined.

Although Item 1 includes Commercial Agricultural Enterprise, the definition of 'Commercial Agricultural Enterprise' raises more questions than it answers. Part of the definition states: "Farm operations that will: A. Contribute in a substantial way to the area's existing agricultural economy". This definition should be expanded to include some of the listed ideas in this letter. At this point, it means whatever the current Staff wants it to mean. This definition, read along with items 13 (Pick your own farm products) and 14 (Agricultural Tourism) leaves a large void that needs to be filled. The allowance of these items dictates that additional consideration needs to be given to accommodating them. In order to make these agri-tourist and eco-tourist friendly ideas work, there has to be the ability for the property owner to profit from them. There has to be a way to make the farm a destination. This is common in other parts of the Country that allow additional sleeping and dining arrangements for 'dude ranches' and 'farm vacations'.

Item 15 (Farm Vacation Enterprise) makes an attempt at dealing with this problem, but comes up short. It only allows 5 units and makes no reference to dining opportunities. Other portions of the ordinance, such as the provision for hunting and fishing clubs, seem to be much more flexible for 'passive recreation'. It allows for generous lodging, large banquets and dining facilities. It seems

appropriate to make similar allowances for those who want to come and enjoy our natural beauty, as well.

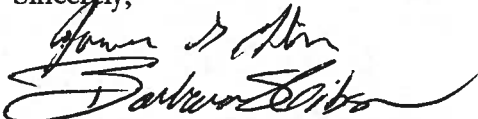
Here are some of my ideas for the allowance of campgrounds and cabins/cottages in the Rural District in the current ordinance (and possibly in other proposed districts that are being discussed for amendment):

1. Alternative Water and Wastewater Facilities should be as permitted by the Health Department.
2. A mix of units should be permitted including: tents; RVs; cabins; and, cottages.
3. A limited amount of mixed uses such as: general stores, country markets, dining facilities, farmers' markets and other tourist related commercial uses should be permitted.
4. Minimum size of qualifying property should be at least 100 acres.
5. Maximum size of the area dedicated to the campground should be no more than 50% of the qualifying property.
6. Permitted number of RV and tent units should not exceed one per three acres of qualifying property.
7. Allow adaptation of existing structures into accessory uses and cabin units.
8. Cabins and cottages should not exceed one per 10 acres of qualifying property and cannot be rented out to the same party for more than three months in a calendar year. This is exclusive of what is allowed in number 6.
9. The dedicated area of the property should be setback at least 500 feet from a State road.
10. The standards should be modified from what is currently required under the Mobile Home/Campground regulations.
 - a. Sidewalks, paved roads, curb and gutter and full stormwater management should be replaced with trails, gravel roads and low impact stormwater management.
 - b. Property should be encouraged to remain in natural condition.

These ideas should be taken into consideration to enhance Agricultural Tourism, but also to include Historic Tourism and Ecotourism. Barbara and I attend a lot of County meetings and hear over and over how the County should do more to enhance people's visits to Jefferson County. The key to this is to provide them the opportunity to stay in the more rural areas that would allow them to enjoy the entire experience. It would allow tourists not interested in just the casino to come out to visit historic Jefferson County and stay on a farm. These visitors need a reason to make an investment to the economy when they come to Jefferson County.

If you have any questions, please give me a call. Thank you.

Sincerely,



Jim and Barbara Gibson
304-279-2688 (Jim's cell)
304-535-9973 (Home)
304-267-7646 (Office private line)

10/22/11 Dear Amy Puetz, Planning Clerk

As a follow up to the recreational uses roundtable meeting on October 21, 2011; this letter is to state the concerns and comments of myself and others, in your words; 'community stakeholders' in regards to possible amendments to Zoning Ordinance and/or Subdivision Regulations. First, in the interest of expanded revenue and business, let's be careful not to ruin the very things that attract both tourists and residents!!! The natural beauty, the quiet, uncrowded areas, scenic vistas, and rural lifestyle are primary draws. If we allow commercial use of quiet residential areas it will change what is attractive about this area...for both tourists and residents.

Second, it is easy to allow 'little exceptions' or 'special use permits' that imply that this situation is different from future ones. The fact is; our Future Is Built on Past Actions! If we allow unplanned growth, development, and inappropriate uses of land now, it will pave the way for the continuation and expansion of this, in the future. Let's be proud of preserving our heritage and natural beauty. One example of a job well done is the protection of farm land by the The Land Trust. There are signs of this organization's projects near Molers Crossroads. Our hope is that the scenic vistas and farmland will be preserved for future generations. Give praise for nice work with long term vision!

Third, as a longtime property owner (29 years), and local business owner (20 years)...I have paid taxes and contributed to the County and State. Yes, tourism brings revenue and so do property taxes. The guidelines and rules exist, in part, to protect the rights of property owners. Most of the rules contain common sense ideas. Along this line are; no commercial ventures in rural residential areas, do not run a business on someone else's property, do not trespass (for example: driving commercial buses on a shared residential driveway) and follow the guidelines for having proper infrastructure in place, BEFORE you begin operating a business, and have a business license for that location. (...or, I wonder; was permission granted with the informal 'wink and a nod' ?) Property owners' deserve the right to quiet and peaceful enjoyment of their property! Any activity that creates disruption, by noise, trespassing, blocking the road or unsanitary practices is unlawful. Commercial ventures do not belong in rural residential areas. Perhaps there is a large tract of land on the River that is suited for a public access and/or businesses that wish to expand their canoe trip tours. (It is very convenient to have these discussions during River Rider's off season when active, current complaints are not possible, due to lack of activity!)

Lastly, I suggest the development of Bike and Walking Trails to be put on the front burner for discussion. We already have a large number of cyclists, both groups and individuals, visiting the county. Maybe some roads could be widened to accommodate the bikers? This is a big draw three seasons of the year! There is a need for more Agricultural based business ventures, such as 'pick your own' or small orchards and farms centered around 'learning experiences' for children and families. Perhaps a petting zoo could be a viable attraction? These are just a few ideas for recreational development that would be in keeping with the heritage of Jefferson County.

Thank you for your time. Sincerely, Diane E. Ferren



County Commissioner

RECREATIONAL USE OF THE POTOMAC RIVER

RECEIVED
NOV 03 2011
 JEFFERSON COUNTY
 PLANNING, ZONING AND ENGINEERING

NOVEMBER 3, 2011

JOYCE DAILEY 524 FILLMORE STREET, HARPERS FERRY, WV

428 MC SHANE'S LANDING LANE, SHEHERDSTOWN, WV

REFERENCE POSSIBLE AMENDMENTS TO ZONING ORDINANCE AND/OR SUBDIVISION REGULATIONS

ALSO REFERENCE MY MARCH 11, 2011, LETTER TO Mr. STEVE Barney ZONING ADMINISTRATOR

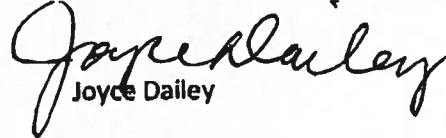
REGARDING POSSIBLE USE OF RESIDENTIAL PROPERTY FOR COMMERCIAL RIVER RAFTERS BUSINESS IN PARTICULAR MC SHANES LANDING LANE, SHEPHERDSTOWN, WV

County officials have been aware for 30+ years that certain secondary roads cannot support tourist traffic. As you proceed from Route 340 on Bakerton Road the road narrows significantly after Glen Haven entrance. The macadam road is not wide enough for two vehicles to pass comfortably, much less the horrifying experience to meet buses with trailers full of canoes. The State Road administration has never maintained the brim of the road for safe driving – deep ruts on edges.

The Rattling Springs development permit was denied due to roads and tunnel not supporting traffic, yet the local rafting business has been permitted to use the same road and tunnel for commercial reasons. It is my understanding that the rafting business was grandfathered in to set up operations at the dam because previously there was a campground. What was the name of the company or person operating the campground and when was the permit issued?

I have resided at 428 McShane's Landing Lane for the past 47 years on weekends and have enjoyed the rural, quiet, peacefulness of the community. During the week I reside in the town of Harpers Ferry and am quite familiar to the disruption that tourist cause in your lifestyle. One point of concern is that information has been circulating that the river riders plan to rent ski jets. Promotong ski jet activities definitely creates an unsafe environment. Local citizens who own ski jets are familiar with the water depth, dangerous rocks close to the water surface, respect speed, swimmers children playing in the river and fisherman. New drivers will have no respect for safety or persons in the river. They will ultimately want to "speed". test the power of the equipment and disregard safety regulations. If you have ever ridden a ski jet you can appreciate the noise level. How would you like to be sitting on your porch and constantly hear ski jet motors? Also Maryland Deparmentt of Natural Resources has certain regulations governing who can operate this type of watercraft.

My neighbors and I agree there should be recreational use of the Potomac River, however, permits should be issued for entering from West Virginia land where there are NO HOUSING DEVELOPMENTS. Neighbors have no problem sharing water recreation activities, however, the neighbors and their visitors respect each other's property. We would like our development to remain the quiet, peaceful environment which we have enjoyed for many years.


Joyce Dailey



RECEIVED
JAN 9 2012
JEFFERSON COUNTY
PLANNING ZONING AND ENGINEERING

January 3, 2012

**Ms. Jennifer Brockman, AICP
Director of Planning & Zoning
Jefferson County Commission
P. O. Box 338
Charles Town, WV 25414**

**Re: Proposed Amendments to Jefferson County
Zoning and Land Use Ordinances
& Extension of the 340 Corridor**

Dear Ms. Brockman:

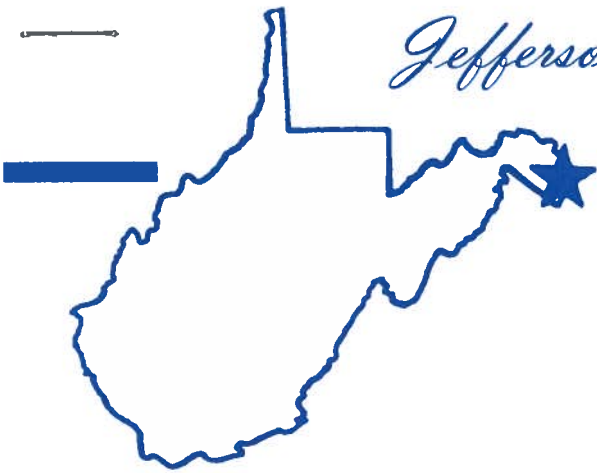
As a concerned citizen of Jefferson County (home owner, tax payer, registered voter), I hereby make of record that I am strongly opposed to extending the 340 corridor and to any zoning and land use development amendment that would permit commercial recreational users to operate in residential areas and/or on residentially zoned land.

Respectfully,

**Beverly A. Meadows
448 McShane's Landing Lane
Shepherdstown, WV 25443
304-876-2149
meadowsonriver@aol.com**

Jefferson County

CHAMBER OF COMMERCE, INC.



29 Keyes Ferry Road, Suite 200

Post Office Box 426

Charles Town, West Virginia 25414-0426

Phone: 304-725-2055 or 800-624-0577

Fax: 304-728-8307

E-mail: chamber@jeffersoncountywvchamber.org

www.jeffersoncountywvchamber.org

January 4, 2012

Jefferson County Department of Planning and Zoning
Jennifer Brockman
P.O. Box 338
Charles Town, WV 25414

RECEIVED

JAN 9 2012

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

Dear Ms. Brockman:

On behalf of the officers and directors of the Jefferson County Chamber of Commerce, I write to support tourism and outdoor recreation in Jefferson County as does the Comprehensive Plan. The county should foster the recreation industry as it benefits our community by means of health and enjoyment, employment opportunities, and tax base. Recreational usage in Jefferson County such as river trips, camping, hiking, biking and rental vacation homes does not typically occur in the standard commercial areas. Therefore, I believe there is a need to develop a recreational zoning category which will allow recreational tourism businesses to exist and expand in the areas that are more suitable for them to occur.

Thank you for your time and consideration,

A handwritten signature in black ink that reads "Heather M. McIntyre".

Heather Morgan McIntyre

Executive Director

Jefferson County Chamber of Commerce



January 6, 2012

Ms. Jennifer Brockman, AICP, Director
Jefferson County Planning & Zoning
PO Box 338
Charles Town, WV 25414

Re: Proposed Recreational Zone – Jefferson County, WV

Dear Ms. Brockman:

It is my understanding that the Planning Commission is examining opportunities to modify the Zoning Ordinance to permit well designed commercial uses that focus on recreational/eco-tourism business. These uses are important to the local economy; bringing visitors and spending that benefit our community. Engaging young and old in healthy outdoor activities should be recognized as priority for our County.

Jefferson County has struggled in the past with the permitted uses in various zoning categories. The inclusive nature of the zones makes it difficult to predict what type of growth will occur in a specific zone. Strategically adding some new zoning categories, amending existing zones or inserting mechanisms for special exception uses into the ordinance will enhance land planning in Jefferson County. The ordinance should allow recreational business to become stewards of the river areas and develop plans that protect the resource and use it for the benefit of the County.

I will close with a few thoughts on what I see on our rivers and natural areas:

- A young couple getting away from the big city and discovering nature through river rafting;
- A elementary student fishing on the Potomac River from a public pier;
- Summer camps that teach about nature and encourage healthy living;
- Enjoying a river view while eating lunch;
- Camping along the Shenandoah River;
- Connecting Jefferson County residents to our natural assets instead of walling them off.

I hope the Planning Commission will support the efforts to plan for commercial recreational opportunities in Jefferson County.

Sincerely,

Mark Dyck, CLA, LEED AP
Senior Vice President / Director, Charles Town Office

CC: Steve Barney, Zoning Administrator
Patsy Noland, County Commission President
President, Jefferson County Planning Commission





37 Washington Court, Harpers Ferry, WV 25425 • 304.535.2627 • 866.HELLO-WV • fax 304.535.2131 • www.wveasterngateway.com

Steve Barney
Zoning Administrator
Jefferson County Department of Planning & Zoning
116 East Washington Street 2nd Floor
Charles Town, WV 25414

October 20, 2011

RE: Roundtable Discussion Regarding Recreational Uses

Dear Mr. Barney:

The Jefferson County Convention and Visitors Bureau supports and urges the County Commission to adopt amendments to the Jefferson County Zoning Ordinance and other land use ordinances to better accommodate and facilitate outdoor recreational uses within the County.

Outdoor recreational uses such as river-related activities like boating, kayaking, canoeing, rafting, and tubing, hiking, rock climbing and other outdoor games and sports, fishing, swimming, picnicking, biking, and camping have long been popular in Jefferson County. The availability of these activities is a major attraction of our county. River recreation activities alone are estimated to contribute as much as \$5 million per year to Jefferson County's economy and employ approximately 400 people on a seasonal basis. Notably, local outdoor recreation businesses provide jobs for many of our county's young adults, a group otherwise beset with higher than average unemployment rates. Many Jefferson County Schools employees, such as teachers and school bus drivers, obtain needed summer employment with outdoor recreation businesses. Outdoor recreation customers also generate substantial revenue for other "Main Street" businesses throughout the County.

Outdoor recreation businesses create jobs, generate revenue and offer the public a healthy, family-friendly, low impact, and environmentally sound way to spend their free time. Outdoor recreation has also become a very popular context for corporate retreats and firm outings. These activities constitute an important part of Jefferson County's identity and economy, past, present and hopefully into the future.

The Convention and Visitors Bureau urges you to frame amendments to the Zoning and other ordinances that will allow these outdoor recreation businesses to thrive and grow.

Very truly yours,

Paulette Sprinkle

Paulette Sprinkle, Executive Director
Jefferson County Convention and Visitors Bureau

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FEB 15 2012

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

MARAL P. STRATHEARN

4838 Bakerton Road
Harpers Ferry WV 25425

February 13, 2012

Jefferson County Commission
P.O. Box 250
Charles Town WV 25414

Dear Members of the Commission:

I am writing to voice my concern over what is happening to the Rattling Springs property along Bakerton Road in the Harpers Ferry District. I'm sure other citizens of the County have already or soon will voice their concern over the creeping conversion of what was once a peaceful, heavily wooded, riverside bluff to a tourist industrial site. So much has been done without public hearings and seemingly inconsistent with the laws, rules, and regulations enacted to maintain or improve the quality of life of the people of Jefferson County.

Over the past 25 plus years, I have visited the "Potomac Street" area directly east of the Bakerton underpass on several occasions; for road and river clean-ups, to bike (free of road traffic) to Harpers Ferry, to accompany school kids to John Browns Cave or to fish off the old dam. A summer or two ago I was surprised, while driving the old road (Potomac Street) from Harper Ferry to the underpass, to find the area choked with tubers brought to the area by River Riders, a so-called outfitter. More recently I read about an apparently unsuccessful attempt to develop the Rattling Springs property as a resort hotel-residential subdivision. So I was surprised when a neighbor informed me last fall of a Planning Department hearing to address ways to enhance tourism along the Potomac River. I attended the meeting and came away with the impression that the Planning folks were running interference for the owners of River Riders who had acquired the Rattling Springs property and intended to develop campsites, establish a zip-line and who knows what in the area.

The Planning Department staff response to the somewhat hostile crowd was not reassuring. They seemed unaware that the Potomac Street area was in the flood plain, and the ramshackle River Riders bus, the terminus of the zip-line, several campsites and numerous porta-johns were all subject to inundation. They claimed "documentary evidence" indicating the area had been used as a commercial campground required them to grant River Rider's request to "continue" operating a commercial camp ground in the area.

Last week, the sawyers and bulldozers went to work opening an entrance onto Bakerton Road directly across from Best Road. Was this work, which impacted portions of the WV Route 28 right-of-way, approved? What is the purpose of the civil works? A parking lot or drop off point for zip line customers? Another fait accompli?

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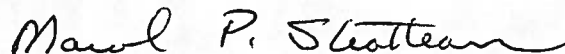
FEB 14 2012

Jefferson County Commission

The Bakerton area is a well established, most of the homes were built decades ago. Zoning regulations encouraged low-density, rural residential development. The only commercial establishment in the area is the Bakerton Store. Highway access to the area is problematic. The US 340, WV Route 27 intersection is a nightmare much of the time, particularly on weekends. The railway underpass is difficult for non-locals to understand. Busloads of tubers, zip line clients, et al will not make the situation better. To change the character of the area by enabling River Riders to build a low-end tourism industrial site in a rural-residential district is wrong. To allow it to happen without adequate vetting and scrupulous adherence to every aspect of the permitting process is inconsistent with democratic principles.

Let's put a stop to all talk of "floating zoning." People bought land and built homes expecting a rural, not a Six Flags, experience. Let's take a serious look at flood plain and sanitary regulations. Does River Riders intent to rely on porta-johns forever? If not, where do they expect to establish sewer and water facilities. Let's look at the traffic implications; fix the 340 intersection before anything else; re-engineer the antiquated underpass; reopen and improve Potomac Street all the way to Harpers Ferry. Don't fall for the "grandfathered in" argument. The railroad leased lots to people who used them in various ways. The Potomac Street flats were many things to many people: trash dump, trysting place, illicit drug market, but certainly not a commercial campground as River Riders contends. And finally, in view of the sordid way this matter has been handled to this point, shut down the zip line and camp ground operation until all aspects of the issue have been shopped in the market place of ideas and all aspects the law complied with.

Sincerely,

A handwritten signature in cursive script that reads "Maral P. Strathearn".

Maral P. Strathearn

S. Groh

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, WEST VIRGINIA

GARY L. CAPRIOTTI,
Petitioner,

v.

CIVIL ACTION NO. 11-C-325

JEFFERSON COUNTY PLANNING
COMMISSION, a public body,
Respondent

RECEIVED
FEB 22 2012
JEFFERSON COUNTY
CIRCUIT CLERK

-and-

EDWARD R. MOORE,
Petitioners,

v.

CIVIL ACTION NO. 11-C-326

JEFFERSON COUNTY PLANNING
COMMISSION, a public body,
Respondent

-and-

EDWARD E. DUNLEAVY,
Petitioner,

v.

CIVIL ACTION NO. 11-C-327

JEFFERSON COUNTY PLANNING
COMMISSION, a public body,
Respondent

-and-

SHEPHERDSTOWN BATTLEFIELD
PRESERVATION ASSOCIATION, INC.,
Petitioner,

v.

CIVIL ACTION NO. 11-C-328

JEFFERSON COUNTY PLANNING
COMMISSION, a public body,
Respondent.

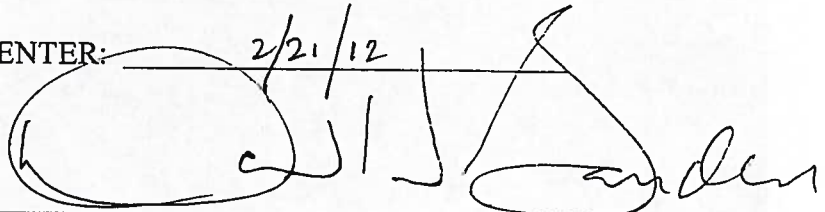
ORDER DENYING AMENDED MOTION TO DISMISS

This matter came on this 21st day of February, 2012, upon the Defendant's Amend Motion to Dismiss, and the Response and Reply thereto.

The Court has examined the Amended Motion to Dismiss, Petitioners' Response, Defendant's Reply, and has studied the pertinent legal authorities. As a result of these deliberations, the court has concluded that the defendant has failed to establish a basis for the dismissal of Petitioners' claim.

Accordingly, the Court does hereby Order that the Defendant's Amended Motion to Dismiss is DENIED.

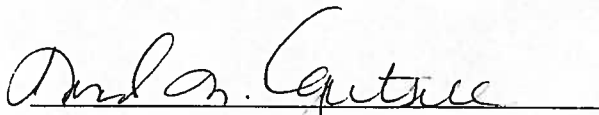
The Clerk is directed to enter the foregoing upon the record of this action, and to forward attested copies hereof to counsel of record for the parties.

ENTER: 2/21/12

DAVID H. SANDERS, Circuit Judge

2 cc's:
L. Gutsell
S. Groh

2-23-12-*bc*

Prepared by:


Linda M. Gutsell (WVSB #5774)
Attorney at Law
107 N. College St.
Martinsburg, WV 25401

A TRUE COPY
ATTEST:

LAURA E. RATTENNI
CLERK, CIRCUIT COURT
JEFFERSON COUNTY, W.VA.


DEPUTY CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, WEST VIRGINIA

RECEIVED
AUG 03 2011
JEFFERSON COUNTY
CIRCUIT CLERK

FAR AWAY FARM, LLC
Petitioner,

v.

CIVIL ACTION NO.: 11-C-125

JEFFERSON COUNTY PLANNING COMMISSION,
A public body;
JOHN MAXEY, President,
THOMAS TRUMBLE, Vice-President,
MORGAN ETTERS, Member,
GENE TAYLOR, Member,
KELLY BATY, Member,
ARNOLD DAILEY, Member,
ERIC SMITH, Member, and
FRANCES MORGAN, Commission liason,
Respondents.

AGREED SETTLEMENT ORDER

On the 3rd day of August, 2011, came the parties, Far
Away Farm, LLC, by counsel, the Law Office of Richard G. Gay, LC, and the Jefferson County
Planning Commission, by counsel, Jefferson County Prosecutor's Office.

WHEREAS, the Planning Commission is currently in litigation in the Circuit
Court of Jefferson County, West Virginia in the above-referenccd case.

WHEREAS, the Planning Commission has determined that it is in the best
interest of the Planning Commission and the citizens of Jefferson County to resolve the issues
currently before the court in Civil Action No. 11-C-125 by agreeing to settle the Circuit Court
case under the conditions stated below.

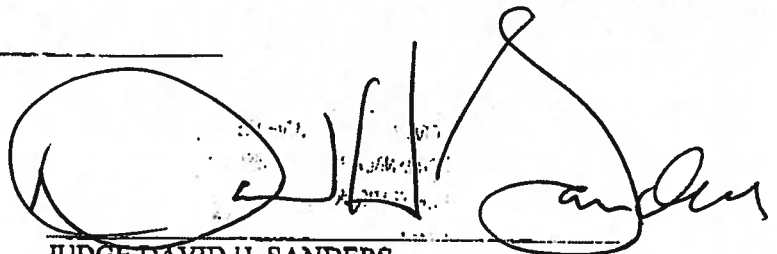
WHEREAS, the parties have agreed to resolve and settle the issues in this case under the following terms and conditions:

1. The Planning Commission will re-issue the conditional use permit to Far Away Farm, and all conditions to the existing conditional use permit will attach to the re-issued conditional use permit;
2. The developer will agree to proceed under the new subdivision regulations (as enacted on October 9, 2008, and as amended as of August 19, 2010, effective November 2010);
3. Further the Planning Commission agrees that the conditional use permit shall be valid for eighteen (18) months in addition to an eighteen (18) month extension permitted under the Jefferson County Zoning Ordinance, for a total of three (3) years;
4. Because Far Away Far, has submitted extensive documentation in relation to the community impact statement under the prior ordinance, and participated in an extensive public hearing, the Planning Commission agrees that the pre-existing community impact statement serves in lieu of the concept plan, public workshop/comments, and related pre-preliminary plat phase requirements that exist under the new subdivision ordinance;
5. All time lines with respect to the new subdivision regulations and the re-issuance of the conditional use permit will be reset and begin as of the date the Court signs the entry of the Agreed Settlement Order in this Civil Action No. 11-C-125; and

The parties agree this settlement resolves all issues that were raised in Civil Action No. 11-C-125. The case shall be dismissed with prejudice and removed from the docket of the Jefferson County Circuit Court. Further, each party shall bear its own costs and attorney fees incurred to date in this matter.

IT IS SO ORDERED.

DATE: 8/3/11


JUDGE DAVID H. SANDERS

3cc
- L. Gutschell
- R. Gay
- S. Gron
8/4/11
AW

CIVIL () JUVENILE ()
CRIMINAL () MSC ()
ORDER BOOK CVOS-16
PAGE 132-134 (AW)

Agreed:

By: Jefferson County Planning Commission

Donald B. Hays
President of the Planning Commission

[Signature]
Jefferson County Prosecutor's Office
Counsel for Jefferson County Planning Commission

By: Far Away Farm, LLC

[Signature] / Mike Boltz / Managing member

Richard G. Gay
Law Office of Richard G. Gay, LC
Counsel for Far Away Farm, LLC

JEFFERSON COUNTY, WEST VIRGINIA
Department of Planning & Zoning
116 East Washington Street, 2nd Floor
P.O. Box 338
Charles Town, West Virginia 25414

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

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

Director's Report
March 13, 2012
Planning Commission Meeting

- 1) Activity Report (attached)
- 2) Update and Discussion of Next Steps re: Zoning Categories Workshop (from the February 14, 2012 meeting)
- 3) Update and Discussion of Next Steps re: US 340 Corridor - East Gateway Plan Presentation (Joint PC/CC Meeting, March 8, 2012)
- 4) Discussion of possible PC recommendations related to the land use and zoning issues in the Millville area
- 5) Discussion of Possible APA Membership
- 6) Recent CC agenda items:
 - a) Draft FY 13 Work Plan for the Departments of Planning and Zoning and the Planning Commission (3/8/12)
- 7) Upcoming PC meetings:
 - a) No second meeting in March 2012 at this time
 - b) April 10, 2012
 - Public Hearing – Breckenridge East Final Plat
 - Public Hearing of 7 additional proposed Commercial Zoning Categories
 - Discussion and Feedback from PC on US 340 Plan in preparation for version available for public comment
 - PC Training – Tentative Presentation of Bonding and Recording
 - c) April 24, 2012 – Special Called Meeting
 - Public Hearing – Zoning Map Amendment, Capriotti property
 - Public Hearing – Harvest Hills Final Plat
 - d) May 15, 2012 – Note: meeting date change
 - Possible Public Hearing/Workshop -- US 340 Plan

Christine Chalmers

To: Planning Commission
Subject: RE: WEEKLY CALENDAR / 2.13.12- 2.17.12

MONDAY, FEBRUARY 13, 2012

9:00 am JENNIE – TELEPHONE CONFERENCE WITH PAUL TAYLOR
10:00 am – 11:00 am STAFF MEETING
2:30 pm – 3:30 pm JENNIE, SETH & AMY – WEEKLY PLANNING MEETING
6:30 pm – 8:30 pm JENNIE – SUPER NOVA TRANSIT / TDM VISION PLAN

TUESDAY, FEBRUARY 14, 2012

8:00 am JENNIE – MEETING WITH LYN WIDMYER
9:30 am JENNIE & SETH – MEETING @ JCDA / RE: PROPOSED NEW AREA BUSINESS
11:00 am STEVE & JENNILEE – ZC (COTTAGE INDUSTRY) SITE VISIT / PLACARD CHECK
2:30 pm – 4:00 pm JENNIE & STEVE – WEEKLY ZONING MEETING
7:00 pm JENNIE, STEVE, SETH & AMY – PLANNING COMMISSION MEETING

WEDNESDAY, FEBRUARY 15, 2012

10:00 am JENNIE, STEVE, JENNILEE – COMPATIBILITY ASSESSMENT MEETING
RE: ASPEN GREENS / CONSULTANT: FRED GATES
3:30 pm JENNIE, STEVE, SETH & DAWN – US 340 PLAN MEETING

THURSDAY, FEBRUARY 16, 2012

9:00 am - COUNTY COMMISSION MEETING
3:00 pm JENNIE, STEVE & JENNILEE – BOARD OF ZONING APPEALS MEETING

FRIDAY, FEBRUARY 17, 2012

10:00 am STEVE – MEETING w/MR. BEARUP – RE: RECREATIONAL USE
2:00 pm – 4:00 pm STEVE – “COOP” WORKSHOP/TRAINING & TABLETOP EXERCISE

Christine Chalmers

To: Planning Commission
Subject: RE: WEEKLY CALENDAR / 2.20.12- 2.24.12

MONDAY, FEBRUARY 20, 2012 **PRESIDENT'S DAY / OFFICES CLOSED**

TUESDAY, FEBRUARY 21, 2012

10:00 am STAFF MEETING
11:00 am JENNIE, STEVE & SETH – MONTHLY “AMENDMENT” MEETING w/ENGINEERING
2:00 pm STEVE & JENNILEE – MONTHLY BZA APPLICATION REVIEW MEETING
3:00 pm JENNIE – EDA BOARD MEETING

WEDNESDAY, FEBRUARY 22, 2012

9:00 am JENNIE & JENNILEE - COUNTY HEALTH, WELLNESS & EAP MTG
LOCATION: LIBRARY CONFERENCE ROOM
10:00 am – 11:30 am JENNIE, STEVE & JENNILEE – WEEKLY ZONING MEETING
1:30 pm – 2:30 pm JENNIE, SETH & AMY – WEEKLY PLANNING MEETING
3:00 pm STEVE & JENNILEE, OR SETH & AMY AND JONATHAN – MSD PPC
RE: CONSULTANT, FRED BLACKMER

THURSDAY, FEBRUARY 23, 2012

9:00 am - COUNTY COMMISSION MEETING
3:00 pm JENNIE, STEVE, SETH & DAWN – US 340 PLAN MEETING
3:00 pm -4:00 pm JENNIE – USBR 11 MEETING (TELEPHONE CONFERENCE)
6:00 pm JENNIE – MONTHLY PARKS & RECREATION MEETING

FRIDAY, FEBRUARY 24, 2012

9:00 am JENNIE, STEVE, SETH & DAWN – PREPARATION FOR US 340 PLAN MEETING
10:00 am STEVE & SETH – MEETING WITH RUSTY MORGAN
11:00 am JENNIE & DAWN – MEETING WITH CHARLOTTE / COMPUTER CLARIFICATION
11:00 am STEVE & JENNILEE – COMPATIBILITY ASSESSMENT MEETING SITE VISIT /
PLACARD CHECK - LOCATION: MORGAN GROVE MARKET
12:00 pm JENNIE, STEVE & SETH – PLANNERS LUNCH / BUDGET DISCUSSION
AFTERNOON JENNIE, STEVE, SETH & DAWN – PREPARATION FOR US 340 PLAN MEETING

Christine Chalmers

To: Planning Commission
Subject: RE: WEEKLY CALENDAR / 2.27.12- 3.2.12

MONDAY, FEBRUARY 27, 2012

11:00 am – 11:30 am JENNIE, STEVE & SETH – LWV MEETING / P & Z PROCESS
2:00 pm JENNIE, STEVE, SETH & DAWN – PREP US 340 PLAN MEETING
2:30 pm JENNIE, STEVE, SETH – MEETING WITH SUZANNE MALESIC
3:00 pm – 4:00 pm JENNIE, STEVE, SETH & DAWN - US 340 TAC/CAC MEETING
4:00 pm – 5:00 pm JENNIE, STEVE, SETH & DAWN – PREP US 340 PLAN MEETING

TUESDAY, FEBRUARY 28, 2012

ALL DAY JENNIE – WORKSHOP/
RE: COACHING & MENTORING SKILLS FOR LEADERSHIP SUCCESS

WEDNESDAY, FEBRUARY 29, 2012

10:00 am STEVE/JENNILEE, SETH/AMY & JONATHAN – DANNY LUTZ PPCMTG
(RE: SITE PLAN / LOCATION: ENGINEERING CONFERENCE ROOM)
11:00 am - 11:30 am STAFF MEETING
11:30 am – 1:30 pm JENNIE, STEVE, SETH & DAWN – PREP US 340 PLAN MEETING
2:00 pm – 4:00 pm JENNIE – “COOP” MEETING

THURSDAY, MARCH 01, 2012

9:00 am - COUNTY COMMISSION MEETING
10:30 am – 11:30 am JENNIE & SETH - WEEKLY PLANNING MEETING
12:00 pm JENNIE – CASUAL LJ LUNCH @ SKIPPERS
1:30 pm – 3:00 pm JENNIE & STEVE – WEEKLY ZONING MEETING
3:00 pm JENNIE, STEVE, SETH & MASON – 340 DEFENSE MEETING

FRIDAY, MARCH 02, 2012

10:00 am - NOON JENNIE, STEVE, SETH & JENNILEE – COMPATIBILITY ASSESSMENT MEETING/
RE: MORGAN GROVE MARKET

Christine Chalmers

To: Planning Commission
Subject: RE: WEEKLY CALENDAR / 3.05.12- 3.09.12

MONDAY, MARCH 05, 2012

1:30 pm -2:30 pm JENNIE – MEETING WITH TODD / RE: SUMMER INTERNS
3:00 pm – 5:00 pm JENNIE, STEVE & SETH – US 340 PLAN MTG & POWER PT PRESENTATION

TUESDAY, MARCH 06, 2012

10:00 am – 11:00 am STEVE – UNSCHEDULED MTG W/MATTHEW GROVE – RE: HAWTHORN
11:30 am – 12:30 pm JENNIE & STEVE – WEEKLY ZONING MEETING
2:00 pm STEVE & JENNILEE – BZA AGENDA ITEM SITE VISITS/PLACARD CHECK
2:00 pm – 3:00 pm JENNIE & SETH – WEEKLY PLANNING MEETING
3:00 pm JENNIE, STEVE & SETH – RECREATIONAL USE AMENDMENTS MTG

WEDNESDAY, MARCH 07, 2012

8:00 am – 9:30 am JENNIE – MONTHLY DEPARTMENT HEAD MEETING
10:00 am - NOON JENNIE – BUDGET WORK SESSION IN LIBRARY
1:45 pm JENNIE – SUPPORT OF DOC MANAGEMENT SYSTEM REQ MTG (LIBRARY)
2:30 pm – 5:00 pm JENNIE, STEVE, SETH & DAWN – US 340 PLAN MEETING

THURSDAY, MARCH 08, 2012 MONTHLY PLANNING COMMISSION PACKET DAY

9:00 am - COUNTY COMMISSION MEETING
9:30 am JENNIE, STEVE, SETH & DAWN – PREPARATION / US 340 PLAN MTG
2:00 pm – 3:00 pm JENNIE, STEVE & SETH – MEETING WITH LEE SNYDER
7:00 pm – 9:00 pm JENNIE, STEVE, SETH & DAWN - US 340 JOINT PC/CC MTG IN LIBRARY

FRIDAY, MARCH 09, 2012 MONTHLY BOARD OF ZONING APPEALS PACKET DAY