

MINUTES
JEFFERSON COUNTY BOARD OF ZONING APPEALS
SEPTEMBER 15, 2005

The Jefferson County Zoning Board of Appeals met on Thursday, September 15, 2005 at 3:00 p.m., in the Jefferson County Meeting Room. Members present were Tiffany Hine, Thomas Trumble, Jeff Bresee and David Wiegand. Douglas Rockwell was absent with notification. Gregory Jones, Assistant Prosecuting Attorney, Paul Raco, Zoning Administrator and Rebecca Burns, Executive Secretary were also present.

The meeting was called to order by Ms. Hine at 3:00 p.m. Ms. Hine introduced Edwin Kelly who was recently appointed by the County Commission as the first alternate to the Board. Mr. Kelly sat in the audience for the meeting as an observer.

Ms. Burns swore in individuals who indicated they would be speaking.

1. Minutes. Mr. Trumble motioned to accept the minutes of the August 18, 2005 meeting. Mr. Wiegand seconded the motion which carried unanimously.

Mr. Wiegand stated he would be excusing himself for items #3 and #4 on the agenda. Ms. Hine stated the Board would hear item #4 on the agenda first so that Mr. Wiegand could be excused from the meeting.

4. Employee of the Board. Mr. Trumble stated he checked the references of the person discussed previously by the Board. Mr. Trumble motioned to offer the position to the person known to the Board at a starting salary of \$23,500.00 with an increase to \$25,000.00 upon successful completion of the 6 month probationary period. Mr. Bresee seconded the motion which carried unanimously.

Mr. Wiegand excused himself from the meeting room.

2. Request by Christopher B. Shultz/New Vision Properties, LLC to allow a temporary sales trailer on Lot 67 of the Windmill Crossing Subdivision (Article 4, Section 4.18). Christopher Shultz and Todd Hartley of Ryan Homes represented the request. Mr. Raco noted they are required to process a site plan unless waived by the Planning Commission and that it would address landscaping and handicapped access and parking. There was no public comment.

3. Postponed from the August 18, 2005 meeting. Findings of Fact and Conclusions of Law for the denial of Faraway Farms Conditional Use Permit. Mr. Bresee motioned to approve the document titled "Order Denying Conditional Use Permit Application" and authorize the chair to sign. Mr. Trumble seconded the motion for purposes of discussion. Mr. Trumble motioned to amend the motion to strike the second paragraph on page 4 (copy attached). Mr. Bresee seconded the amendment to the motion noting the Board had concerns about the intersection of Route 17 and Route 230 at Gardners Lane and Trough Road; the width of Trough Road;

MINUTES - JEFFERSON COUNTY BOARD OF ZONING APPEALS
SEPTEMBER 15, 2005
PAGE TWO

flooding on the road; and, testimony about the roads being marginal at best. Mr. Raco stated the transcript of the meeting denying the CUP shows that it was denied based on compatibility. Mr. Trumble called the question. The motion and amendment to the motion passed unanimously.

5. Correspondence: (1) Letter from CREO Manufacturing withdrawing their variance requests due to the plant being closed for business. (2) Jefferson County Ethics and Open Meeting Seminar.

Mr. Trumble motioned to go into deliberations. Mr. Bresee seconded the motion which carried unanimously. Mr. Trumble motioned to invite Mr. Kelly to sit in on the deliberations noting they are confidential, and the staff will have to determine the appropriateness of the Board's action to allow Mr. Kelly's presence. Mr. Bresee seconded the motion which passed unanimously. Mrs. Burns and Mr. Raco left the meeting room during the deliberative process. Mr. Bresee motioned to return to regular session. Mr. Trumble seconded the motion which carried unanimously.

2. Mr. Bresee motioned to allow a temporary sales trailer on Lot 67 of the Windmill Crossing Subdivision pursuant to Article 4, Section 4.18 of the Zoning Ordinance for a nine (9) month time frame conditioned on all other Ordinance requirements being met. Mr. Trumble seconded the motion which carried unanimously.

The Board thanked Mr. Jones for his work with the Board, noting this was to be his last meeting.

Mr. Bresee motioned to adjourn the meeting at 3:56 p.m. Mr. Trumble seconded the motion which carried unanimously.

A transcript of this meeting can be found on a CD(s) maintained in the Department of Planning, Zoning & Engineering. These Minutes were prepared by Rebecca F. Burns.