

Morgan County Planning Commission
Meeting Minutes
February 23, 2016 – 7:00 p.m.
Morgan County Commission Meeting Chambers

I. CALL TO ORDER

Meeting was opened at 7:03 p.m.

Members present: Jack Soronen, Eric LaRue, Wayne Omps, Robert Ford, Scott Swaim, Robert White, Susan Parker.

Members absent: Carl Cowgill, George Didawick, Jim Hoyt.

II. ELECTION OF OFFICERS

Floor was opened for nominations for President:

On an E. LaRue/W. Omps motion, Jack Soronen was nominated to serve as President of the Morgan County Planning Commission for 2016. Motion carried.

Floor was opened for nominations for Vice-President:

On a W. Omps/E. LaRue motion, Scott Swaim was nominated to serve as Vice-President of the Morgan County Planning Commission for 2016. Motion carried.

III. MEETING MINUTES

On a S.Swaim/E. LaRue motion, the Planning Commission unanimously approved the December 1, 2015 meeting minutes as written.

IV. EXEMPTION PLAT WAIVER REQUEST

TIEGS, KURT & RAMONA

Allen District, Tax Map 11, Parcel s 35, 36, 38

Description of Request:

Property owned by Kurt & Ramona Tieg, located in Allen District, L & N Subdivision Lots 18, 20 and 21 at 5949 Martinsburg Road.

Property owner is seeking approval of a boundary line adjustment Exemption Plat that would adjust the property boundary to include the driveway and right-of-way on Lot 21, moving the driveway from Lot 20 to Lot 21. The boundary adjustment will result in Lot 20 being 1.92 acres, less than the two acre minimum lot size as required by Article 3, Section 3.3 Exemption Procedures. Property owner is requesting a waiver of this minimum lot size requirement.

Staff Report:

Background information:

Public Notice was posted two times as required by Section 6.0 of the Ordinance in the Morgan Messenger on 2.3.16 and 2.10.16.

As per Section 3.2 Exemptions, Morgan County Subdivision Ordinance, the following material was submitted and facts provided:

Completed Waiver Request Application and Plan received 12.14.15;

Exemption Plat for a Boundary Adjustment between Lots 20 and 21 of L&N Subdivision;

Total acreage of adjustment is 0.10 acres;

Remaining lands for Lot 20 result in a total acreage of 1.92 acres, less than the minimum lot size required as per Section 3.3(b);

Remaining lands for Lot 21 result in a total acreage of 2.39 acres;

Well and Septic locations are not affected by the proposed boundary adjustment;

Entrance permit requirement not applicable for no new entrances are being proposed.

Section 6.0 Waivers:

It is the opinion of our Prosecuting Attorney that the granting of the waiver is permissible under Section 6.0(a) and that granting the waiver shall not be detrimental to the public welfare. Public notice has been provided and a public hearing is being conducted.

Additional Notes:

L&N Subdivision was approved in November 1980, prior to the enactment of the Morgan County Subdivision Regulations.

Some of the roads platted were not constructed.

Per the applicant, there is no active Homeowner's Association for L&N Subdivision and road maintenance fees are not collected.

There are Covenants and Restrictions recorded for the subdivision. Approval of this boundary adjustment does not violate the provisions outlined in the Covenants and Restrictions.

Engineer Report:

Planning Commission Engineer Richard Parks stated that there were no technical issues with the proposal.

Planning Commission Action:

On a R. White/S. Swaim motion, the Planning Commission approved the request for waiver of Section 3.3(b), minimum lot size requirement for Kurt & Ramona Tiegs, L&N Subdivision Lots 20 & 21.

President J. Soronen stated that approval of this waiver does not conflict with the Ordinance.

Motion carried.

On a R. White/E. LaRue motion, the Planning Commission approved the Boundary Adjustment Exemption Plat for Kurt & Ramona Tiegs. Motion carried.

V. MINOR SUBDIVISION – FINAL PLAT PUBLIC HEARING
WHITE, LAVERNE – TWO LOT MINOR SUBDIVISION APPLICATION
Timber Ridge District, Tax Map 18, p/o Parcel 20

Description of Minor Subdivision Application:

Property owned by Laverne White, Lots A & B, located on east side of Pine Grove Road, .25 mile south of Blue Brook Road. Application consists of two lots totaling 5.49 acres (Lot A 3.10 acres, Lot B 2.39 acres), average lot size of 2.74 acres. Two Waiver Requests: 1. Reduction of plat scale to 1"=200'; 2. Reduction of plat size to 8.5"x14" as stated in the Morgan County Subdivision Regulations Section 13.3.a.1.

Staff Report:

Background Information:

Public Notice was posted one time as required by Section 4.8 of the Ordinance in the Morgan Messenger on January 27, 2016.

As per Section 11.6 Minor Subdivision, Morgan County Subdivision Ordinance, the following material was submitted and facts provided:

Completed Application for Subdivision and Plat received 1.11.16;

Completed Waiver Request Applications (2) received 1.11.16;

Approved Well Permits from the Morgan County Health Department for Lots A & B received 1.11.16;

Approved Sewage Permits from the Morgan County Health Department for Lots A & B received 1.11.16;

Approved WV Department of Highways Entrance Permits for Lots A & B received 1.11.16;

Received verification from Surveyor of property corners, well and septic location, 1.11.16;

Engineer Report dated 1.25.16 from R. Parks, P.E.

Project does not create more than 4 lots and does not create any new roads, Remaining land totals 8.3 acres.

Section 6.0 Waivers:

The two waiver requests are technical in nature and do not have any impact on the site itself. The Waiver Requests were included in the advertisement for the project and are listed on the plat as required by the Ordinance.

Planning Commission Action:

On a W. Omps/S. Parker motion, the Planning Commission approved the waiver of the reduction of the plat scale to 1"=200' for the Minor Subdivision two lot Application for Laverne White. Motion carried.

On a S. Parker/E. LaRue motion, the Planning Commission approved the waiver request for the reduction of plat size to 8.5"x14" for the Minor Subdivision two lot Application for Laverne White. Motion carried.

On a S. Parker/S. Swaim motion, the Planning Commission approved the Final Plat for the two lot Minor Subdivision Application for Laverne White. Motion carried.

VI. DISCUSSION

Update of Morgan County Comprehensive Plan

Staff had provided the group a timeline of meetings and public hearings for the updating of the county's Comprehensive Plan. The timeline was prepared to provide the Commission an approximate timeline of work completed and public hearings that are required by WV Code. J. Soronen stated that the Comprehensive Plan update will segue into the updating of our Subdivision Regulations that will occur once the Plan update is completed.

Staff will submit a request for funding from the County Commission for assistance provided by Arro Consulting.

County Commissioner Robert Ford talked about newly changed State regulations regarding eligibility for managed timber tax credits and how this may impact how we amend our subdivision regulations.

VII. ADJOURNMENT

The meeting adjourned at 7:55 p.m.