THE ELKTON PLANNING COMMISSION MET ON AUGUST 14, 1995

MEMBERS PRESENT: TOM WEYRICK, BEN KING, LOU KIRKENDALL, BARRY REAM

CHAIRMAN TOM WEYRICK OPENED THE MEETING WITH THE REQUEST TO RE-ELECT OFFICERS.

WEYRICK ASKED FOR NOMINATIONS FOR CHAIRMAN.

LOU KIRKENDALL MOVED TO NOMINATE TOM WEYRICK, SECONDED BY BEN KING.

BEN KING MOVED TO NOMINATE JOHN ADAMS FOR VICE-CHAIRMAN, SECONDED BY LOU KIRKENDALL.

LOU KIRKENDALL MOVED TO NOMINATE BEN KING FOR SECRETARY, BARRY SECONDED.

ALL NOMINATIONS WERE UNANIMOUSLY APPROVED.

NEW OFFICERS: TOM WEYRICK: CHAIRMAN, JOHN ADAMS: VICE CHAIRMAN, BEN KING: SECRETARY.

THE COMMISSION REVIEWED THE REQUEST BY SHEN-ELK ASSOCIATES FOR A SPECIAL EXCEPTION PERMIT FOR A PROPOSED CHURCH ADDRESSED #250 SHEN-ELK PLAZA.

THE COMMISSION STATED THAT THEY WOULD MAKE A RECOMMENDATION AT THE PUBLIC HEARING.

THE COMMISSION HAD A LEGNTHY DISCUSSION ON THE REQUEST BY SHEN-ELK ASSOCIATES TO SUBDIVIDE PARCEL 1A1 INTO THREE SEPARATE PARCELS.

MR. M. J. JONES WAS PRESENT AND HAD AN ADDITIONAL REQUEST FOR A PARTIAL REFUND ON SUBDIVISION FEES CHARGED BY THE ZONING ADMINISTRATOR, HIS REASON WAS THAT HE FELT LIKE THE 4.881 ACRES WAS NOT A PART OF THE SUBDIVISION AND HE SHOULD NOT HAVE BEEN CHARGED FOR THAT PARCEL.

TOM WEYRICK EXPLAINED TO MR. JONES THAT HE WOULD HAVE TO ADDRESS TOWN COUNCIL FOR THE POSSIBLE WAVING OF FEES.

BEN KING EXPRESSED A CONCERN ON THE SUBDIVISION OF PARCEL #3, HIS REASON FOR DISAPPROVAL WAS THAT IT WOULD NO LONGER BE SUITABLE FOR THE B-3 PLANNED BUSINESS ZONE. KING ALSO STATED THAT THIS REQUEST WOULD BE MORE SUITABLE IF A RE-ZONING TO B-1 OR B-2 WERE ALSO REQUESTED.

DAN DAIL STATED THAT HE DID NOT THINK THAT PARCEL 3# IS INCOMPATIBLE WITH THE EXISTING ZONING, HE ALSO STATED THAT THE FUTURE USE CAN BE CONTROLLED TO A CERTAIN EXTENT.

BARRY REAM MOVED TO ACCEPT PARCEL #3 AS A PART OF THE SUBDIVISION, LOU KIRKENDALL SECONDED THE MOTION.

THIS MOTION PASSED UNANIMOUSLY.

BEN KING MOVED TO ACCEPT THE DOCUMENT AS PRESENTED BY MR. JONES AS PRELIMINARY AND FINAL PLAT.

LOU KIRKENDALL SECONDED THE MOTION, ALL WERE IN FAVOR OF THIS MOTION.

TOM WEYRICK ASKED THE COMMISSION TO LOOK AT THE PROPOSED BY-LAWS AND TO READ OVER THEM LINE BY LINE TO TRY AND UPDATE AND/OR MAKE ANY NECESSARY CHANGES, BECAUSE HE WAS UNABLE TO LOCATE ANY EXISTING BY-LAWS AT THIS POINT.

BEN KING ASKED IF THERE WAS ANY SPECIFIC PLACE WHERE PLANNING COMMISSION MINUTES WERE KEPT, JOE SHIFFLETT REPLIED THAT HE COULD ONLY ACCOUNT FOR THE MINUTES THAT HE HAS TAKEN, AND THAT THEY WERE KEPT ON DISC IN HIS OFFICE.

AT THIS TIME, THE PLANNING COMMISSION HAD A WORK SESSION AND STARTED WORKING ON A REVISED COPY OF BY-LAWS.

THE MEETING ADJOURNED AT APPROXIMATELY 9:10 P.M.

RESPECTFULLY,

Joseph E. Shifflett

JOSEPH E. SHIFFLETT
DIRECTOR OF PUBLIC WORKS/
ZONING ADMINISTRATOR

8-14-95

Sample Bylaws

TOWN of ELKTON, Virginia
Planning Commission

Adopted_____, 19__

Article I - Authorization

1-1. This planning commission is established in conformance with a resolution adopted by the (Council/Board) of (Locality), Virginia on , 19 : and in accord with the provisions of Section 15.1-427.1, Code of Virginia (1950), as amended.

1-2. The official title of this body shall be the (Locality) Planning Commission, hereinafter referred to as the "Commission."

Article II - Purpose

2-1. The primary purpose of the Commission is to serve in an advisory capacity to the (Council/~~Board~~), by preparing and recommending plans, ordinances, capital improvements programs, and other documents to the (Council/[redacted]) for its consideration.

Article III - Membership

3-1. The Commission shall consist of (7) members appointed by the (Council/[redacted]). All shall be residents of the ~~(Locality)~~ and qualified by knowledge and experience to make decisions on questions of growth and development. At least half of the members shall own real property in ~~(Locality)~~. One member ~~may be~~ shall be a member of the (Council/[redacted])and one member may be a member of the administrative branch of the ~~(Locality)~~ TOWN government. ?

3-2 The terms of office for the (Council/[redacted]) member ~~and the administrative member~~ shall be coextensive with their terms of office, or until the (Council/[redacted]) appoints their replacement. The terms of the other original members shall be for one, two, three, and four years. Subsequent members shall be appointed for terms of four years. The (Council/[redacted]), at its discretion, may establish different terms of office for [redacted] subsequent appointments including terms of office concurrent with those of the (Council/[redacted]).

3-3. Vacancies shall be filled by appointment made by the (Council/[redacted]) and shall be for an unexpired term only.

3-4. Members of the Commission shall be eligible for reappointment.

3-5. Members of the Commission may be removed by the (Council/[redacted]) for malfeasance in office.

3-6. Terms of commission members shall expire immediately before the beginning of the regular meeting at which their successors' terms of office begin.

3-7. The (Council/[redacted]) may provide for the payment of expenses incurred by Commission members in the performance of their official duties and compensation for services.

Article IV - Selection of Officers

4-1. Officers of the Commission shall consist of a chairman, vice-chairman, and secretary. The chairman and vice-chairman shall be elected by the membership. The secretary shall serve at the request of the Commission and may be a member of the Commission, an employee of the (~~Local-~~ Town of Ellicott City), or a citizen volunteer.

4-2. Nomination of officers shall be made from the floor at the (identify which meeting) July meeting meeting each year. Election of officers shall follow immediately. A candidate receiving a majority vote of the entire membership shall be declared elected.

4-3. Terms of office shall be for one year or until a successor takes office.

4-4. Vacancies shall be filled for an unexpired term by a majority vote of the commission.

Article V - Duties of Officers

5-1. The chairman shall:

5-1-1. Preside at meetings.

5-1-2. Appoint committees.

5-1-3. Rule on procedural questions (subject to reversal by a two-thirds majority vote of the members present).

5-1-4. Report official communications at the next regular commission meeting.

5-1-5. Certify official documents involving the authority of the Commission.

5-1-6. Certify minutes as true and correct copies.

5-1-7. Carry out other duties as assigned by the Commission.

5-2. The vice-chairman shall:

5-2-1. Assume the full powers of the chairman in the absence or inability of the chairman to act.

5-3. The secretary shall:

5-3-1. Record attendance at all meetings.

5-3-2. Record the minutes of the Commission meetings.

5-3-3. Notify members of all meetings.

5-3-4. Maintain a file of all official Commission records and reports.

5-3-5. Certify maps, records, and reports of the Commission.

5-3-6. Give notice and be responsible for publishing public notices of all Commission public hearings and public meetings.

5-3-7. Attend to the correspondence for the execution of the duties and functions of the Commission.

Article VI - Committees

6-1. The following committees may be appointed at the discretion of the chairman.

6-1-1. Comprehensive Plan Committee - develops, updates, and revises the comprehensive plan and coordinates the work of other committees which relate to the plan development.

6-1-2. Land Use Committee - prepares and maintains an inventory of land uses within the (Locality), and is responsible for the preparation of land use maps.
Town

6-1-3. Subdivision Committee - drafts subdivision regulations and subsequent amendments. Examines subdivision applications and makes recommendations to the Commission after reviewing staff comments.

6-1-4. Zoning Committee - drafts zoning ordinance and subsequent amendments. Reviews applications for rezoning, special exceptions, or use permits and makes recommendations to the Commission.

6-1-5. Capital Improvements Committee - prepares and annually updates a capital improvements program (CIP) in conjunction with (Locality) administrative officials. Assures that the CIP is in conformance with the comprehensive plan.

6-2. Special committees may be appointed by the chairman for purposes and terms approved by the Commission.

6-3. The chairman shall be an ex-officio member of every committee.

Article VII - Meetings

7-1. Regular meetings of the Commission shall be held on the (Day/Week) 2nd Monday of each month at (7 p.m.) Special meetings shall be called as needed. When a meeting date falls on a legal holiday, the meeting shall be held on the day following unless the Commission selects an alternate day.

7-2. Special meetings may be called by the chairman or by two members upon written request to the secretary. The secretary shall mail a written notice to all members, at least five days before a special meeting, stating the time, place, and purpose of the meeting.

7-3. All meetings of the Commission shall be open to the public

Article VIII - Voting

8-1. A majority of the members shall constitute a quorum.

8-2. No action of the Commission shall be valid unless authorized by a majority vote of those present and voting.

8-3. Commission shall only consider Issues submitted in writing 5 days prior to meeting Date, unless Majority votes to Address issue

Article IX - Order of Business

9-1. The order of business for a regular meeting shall be:

9-1-1. Call to order.

9-1-2. Roll call.

9-1-3. Determination of a quorum.

9-1-4. Public expression.

9-1-5. Reading of minutes.

9-1-6. Report of secretary.

9-1-7. Report of standing committees.

9-1-8. Report of special committees.

9-1-9. Unfinished business.

9-1-10. New business.

9-1-11. Adjournment.

9-2. Parliamentary procedure in Commission meetings shall be governed by Robert's Rules of Order.

9-3. The Commission shall keep minutes of each meeting, and these minutes shall become a public record.The secretary and chairman shall sign all minutes and, at the end of the year, certify that the minutes of the preceding year are a true and correct copy.

Article X - Public Hearings

10-1. In addition to those required by law, the Commission may hold public hearings on any matter which is deems to be in the public interest.

10-2. Notice of a public hearing shall be published once a week for two successive weeks, in a newspaper of general circulation in the area, at least ten days before the day of the public hearing. Such notice shall specify the time and place of hearing, which cannot be less than six nor more than twenty-one days after the second newspaper advertisement.

Protters

10-3. The chairman shall summarize the matter before the Commission, allow interested parties to speak, and accept written statements and other documentation pertinent to the matter being addressed.

10-4. An accurate, written record shall be made of the proceedings of the public hearing and maintained as a part of the Commission's files.

Article XI - Amendments

11-1. These Bylaws may be amended by a majority vote of the entire membership after thirty days prior notice.

Submitted 8-14-95

TOWN OF ELKTON

INCORPORATED 1908

173 WEST SPOTSWOOD AVENUE
ELKTON, VIRGINIA
22827

AREA CODE (703)
CLERK AND TREASURER 298-1951
MAINTENANCE 298-1330
POLICE 298-9441

AUGUST 8, 1995

ELKTON PLANNING COMMISSION:

MR. M. J. JONES (GENERAL PARTNER SHEN-ELK ASSOCIATES) IS REQUESTING A SPECIAL EXCEPTION PERMIT TO ALLOW A CHURCH ON ACREAGE PARCEL 1A1 LOCATED IN SHEN-ELK PLAZA.

Joe Shifflett

JOE SHIFFLETT
DIRECTOR OF PUBLIC WORKS / ZONING ADMINISTRATOR

TOWN OF ELKTON

THE TOWN OF ELKTON, TOGETHER WITH THE ELKTON PLANNING COMMISSION WILL HOLD A PUBLIC HEARING ON MONDAY, AUGUST 21, 1995, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE ELKTON MUNICIPAL BUILDING, LOCATED AT 173 WEST SPOTSWOOD AVENUE, TO LISTEN TO COMMENTS ON THE FOLLOWING:

1. **A REQUEST BY SHEN-ELK ASSOCIATES (M. G. JONES JR. - GENERAL PARTNER) FOR A SPECIAL EXCEPTION PERMIT TO ALLOW A CHURCH ON ACREAGE PARCEL 1A1 LOCATED IN SHEN-ELK PLAZA, 550 FEET WEST OF INTERSECTION OF ROUTE 1706 AND 340, EAST OF NORFOLK SOUTHERN PROPERTY. ADDRESSED #250 SHEN-ELK PLAZA.**

THE ELKTON TOWN COUNCIL WILL ACT ON THIS REQUEST AT THEIR NEXT REGULARLY SCHEDULED MEETING FOLLOWING THE PUBLIC HEARING. INFORMATION CONCERNING THE ABOVE IS AVAILABLE DURING NORMAL BUSINESS HOURS IN THE OFFICE OF THE ZONING ADMINISTRATOR LOCATED IN THE ELKTON MUNICIPAL BUILDING.

ADJACENT PROPERTY OWNERS:

KENNY KITE
RT. 1, BOX 18
ELKTON, VA. 22827

EULUS BREEDEN
RT. 1, BOX 19
ELKTON, VA. 22827

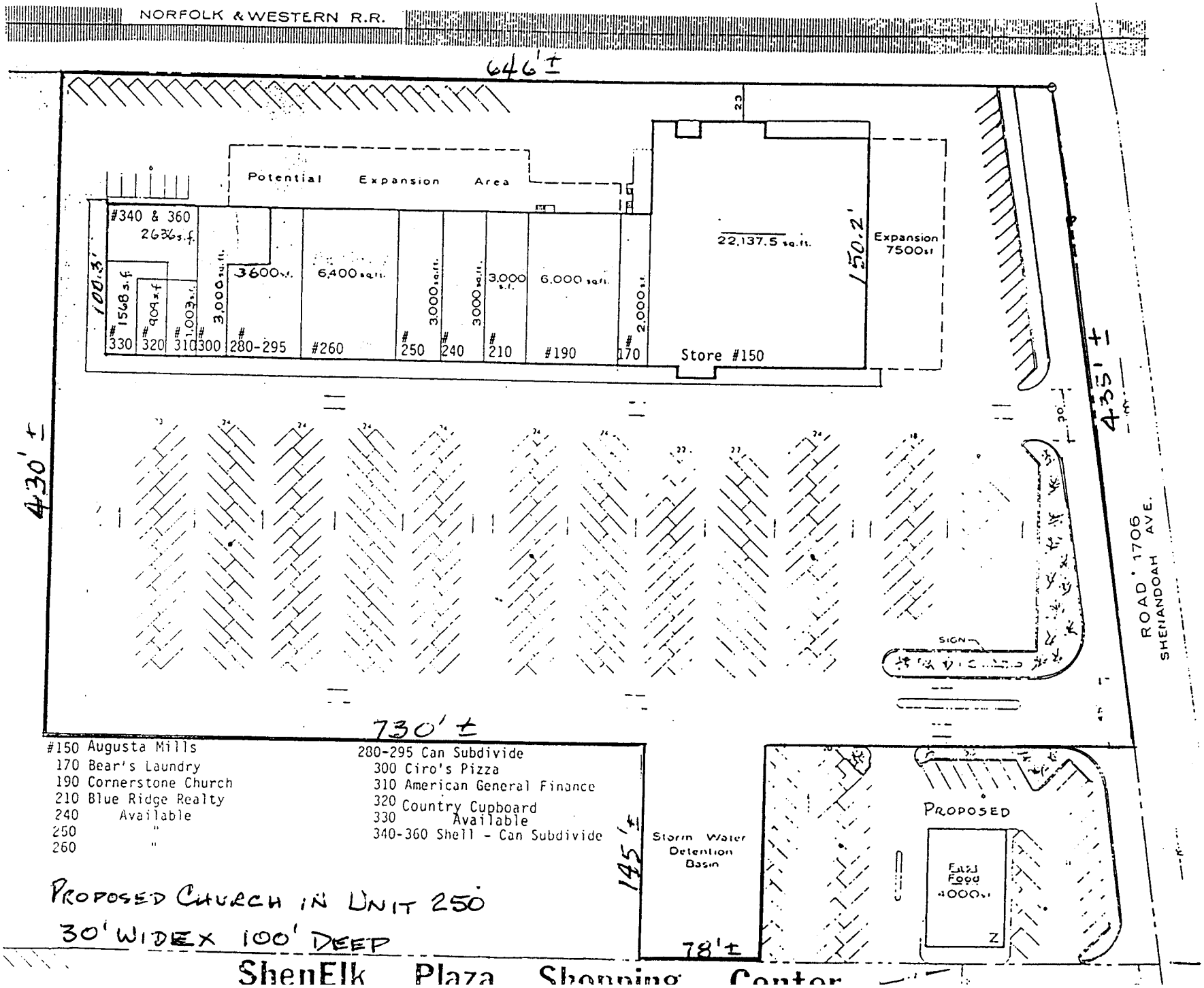
JR. O.U.A.M.
P.O. BOX 458

ELKTON, VA. 22827

BARNWELL & JONES
P.O. BOX 1166
WAYNESBORO, VA. 22980

NORFOLK SOUTHERN
8 NORTH JEFFERSON ST.
ROANOKE, VA. 24042

NOAH'S LITTLE ARK
C/O ALFRED COMER
RT. 1, BOX 17
ELKTON, VA. 22827


NORFOLK & WESTERN R.R.
646'±
Potential Expansion Area
#340 & 360
2636 s.f.
100.3'
1568 s.f.
909 s.f.
1,003 s.f.
3,000 sq.ft.
3600 s.f.
6,400 sq.ft.
3,000 sq.ft.
3000 sq.ft.
3,000 s.f.
6,000 sq.ft.
2,000 s.f.
22,137.5 sq.ft.
150.2'
Expansion 7500 s.f.
#330
#320
#310
#300
#280-295
#260
#250
#240
#210
#190
#170
Store #150
435'±
430'±
ROAD 1706
SHENANDOAH AVE.
SIGN
730'±
#150 Augusta Mills
170 Bear's Laundry
190 Cornerstone Church
210 Blue Ridge Realty
240 Available
250 "
260 "
280-295 Can Subdivide
300 Ciro's Pizza
310 American General Finance
320 Country Cupboard
330 Available
340-360 Shell - Can Subdivide
145'±
Storm Water Detention Basin
78'±
PROPOSED
Fast Food 4000 s.f.
PROPOSED CHURCH IN UNIT 250
30' WIDE X 100' DEEP
ShenElk Plaza Shopping Center

TOWN OF ELKTON
SPECIAL EXCEPTION PERMIT APPLICATION (PUBLIC HEARING)
LIMITED BED AND BREAKFAST PERMIT APPLICATION
HOME OCCUPATION PERMIT APPLICATION

PLEASE MARK BOX:
SPECIAL EXCEPTION [X] BED AND BREAKFAST [ ] HOME OCCUPATION [ ]

FEE: _____ (TO BE FILLED IN BY ZONING ADMINISTRATOR)

DATE: July 10, 1995 PHONE: 703-942-5101 (Landlord) (703)298-2165 (Tenant)

NAME: ShenElk Associates (M. G. Jones, Jr. - General Partner)
LAST FIRST MI

ADDRESS: P. O. Box 1166 Waynesboro VA 22980
ROUTE BOX # CITY/TOWN STATE ZIP

LOT: N/A BLOCK: N/A SECTION: N/A

LAND MAP: 131B1 ; PARCEL: A01A1 ZONE: B-3

LOCATION : 250 ShenElk Plaza

THE FOLLOWING FEES SHALL BE CHARGED UPON THE FILING OF AN APPLICATION.

A) SPECIAL EXCEPTION PERMIT _____ $100.00
B) LIMITED BED AND BREAKFAST PERMIT _____ $100.00
C) HOME OCCUPATION PERMIT _____ $100.00

PLEASE INCLUDE TWO COPIES OF AN ACCEPTABLE SITE PLAN.
PLAN SHALL INCLUDE THE FOLLOWING:
1: LOT DIMENSIONS WITH PROPERTY LINE MONUMENTS LOCATED THEREON.
2: LOCATION AND SIZE OF EXISTING AND PROPOSED STRUCTURES.
3: YARD DIMENSIONS AND THE USE OF STRUCTURES.
4: EASEMENTS (PUBLIC AND PRIVATE).
5: WATER COURSES, FENCES, STREET NAMES AND STREET RIGHT OF WAY LINES.
6: OFF-STREET PARKING.
7: OTHER INFORMATION AS MAY BE REQUESTED.
ON A SEPERATE SHEET OF PAPER, LIST NAMES AND ADDRESSES OF ALL ADJOINING PROPERTY OWNERS.

GRANTED:

_____ DATE: _____