February 12, 1996

Public Hearing and Planning Commission Meeting Minutes

Planning Commission Members Present
John Adams, Assistant Chairman
Ben King, Secretary Dan Dail, Council Representative
Barry Ream, Andy Dixon, Lou Kirkendall

Planning Commission Members Absent
Tom Weyrick, Chairman

COPY

Council Members Present
Mayor Charles Dean Marsha Fuller
Tom Whitfield Dan Dail, Council Representative

Staff Present
Ted Costin, Town Manager
Joe Shifflett, Director of Public Works/Zoning Administrator
Kelly Downey, Administrative Assistant to the Town Manager

Visitors
Randy Murphy Bernard A. Womack

Public Hearing

A **Public Hearing** was held prior to the Planning Commission Meeting to discuss and receive comment on a request by Shen-Elk Enterprises, L. C., (Bernard A. Womack) for a special exception permit to allow all Town of Elkton B-1 permitted uses in Shen-Elk Plaza, located 550 feet west of the intersection of Route 1706 and Route 340, East of Norfolk Southern Railroad property and to discuss and receive comment on closure of an unopened dedicated twenty foot wide alley located southeast of intersection of Route 340 and Blue and Gold Drive. Said alley adjoins those public thoroughfares and is adjacent to lands owned by Cline Energy Corporation being the same lands formally owned by L. G. Hensley and Lonnie and Betty Shifflett.

The hearing was called to order at 7:02p.m.

Issue #1 - Discussion on Special Exception Request - (Bernard A. Womack). Mr. Womack stated that two question asked when a tenant first inquires when renting is "How much is my rent a month and when can I move in?". Would like to have the Planning Commission approve the permit to allow B-1 permitted uses in Shen-Elk Plaza so that they will not have to get The Planning Commission and Council's approval to let someone begin moving in..

John Adams, Assistant Chairman questioned Mr. Womack as to whether or not the permit he is asking for will be on the existing building only?

The response was that they were just concerned about the existing building being zoned B-1, the existing land would still be zoned B-3.

Barry Ream questioned the reasoning for B-3 zoning in the first place.

Ted Costin answered by saying the adjacent property was zoned residential and B-3 fits businesses in residential district. It is possible that this is why it was done.

Lou Kirkendall suggested that they approve a B-2 zoning as opposed to a B-1 because she felt more comfortable with that.

Joe Shifflett stated that B-1 would be more suited for what was existing there now.

Issue #2 - Town of Elkton/Cline Energy Alley Vacation.

At his time Ted Costin stated that it was not necessary for the Planning Commission to make a recommendation because Council will take it up at their next meeting and appoint viewers.

Andy Dixon asked what the Town would get in exchange for vacating the said alley.

Ted Costin responded by saying that we would get a sewer easement to replace the sewer line that would be good for at least thirty years.

The Public Hearing was closed at 7:14 p.m. John Adams decided to wait until 7:30 p.m. to begin the Planning Commission Meeting.

The Planning Commission Meeting

The meeting of the Planning Commission came to order at 7:30 p.m. The minutes were read. Andy Dixon made a motion to accept the minutes. Lou Kirkendall seconded the motion. Unanimously approved.

1. **Lot Line Vacation - Kenneth Wayne Weaver.** Mr. Weaver wishes to vacate the lot line between two 25' x 125' lots. Joe Shifflett stated that he did not see any reason why this lot line vacation should not be approved. Andy Dixon motioned to approve the lot line vacation. Dan Dail seconded the motion. Unanimously approved.

2. **Other Business**

John Adams asked the Planning Commission to discuss the Public Hearing. They determined that the alley vacation would be left up to Council

Ben King asked not to be included in comments and voting on the issue of the special exception request by Shen-Elk because he has done business with them.

After some discussion Lou Kirkendall motioned to allow all Town of Elkton B-1 permitted uses in the building located in Shen-Elk Plaza. Barry Ream seconded the motion. Unanimously approved.

After these discussion Ted Costin had two issues to discuss with the Planning Commission. First, he asked the Commission if they would agree to send the letter that he had drafted to Robert O. Cassada to show approval of the ISTEA Grant. Ben King motioned to send the letter of endorsement. Lou Kirkendall seconded the motion. Unanimously approved.

The second issue that Mr. Costin wished to speak of was to remind the planning commission that a meeting of three or more of the Commission's member must be held as an open as a public meeting.

Lou Kirkendall questioned whether or not the issue on Side Yard Setbacks had been taken to Council. Dan Dail said that it has not been taken but the he and Mr. Costin will take it to Council on February 19, 1996.

Andy Dixon moved to adjourn the meeting at 7:59 p.m. Ben King seconded the motion.

Thomas M. Dail
Signature - Chairman

Benjamin C. King
Signature - Secretary

TOWN OF ELKTON

173 WEST SPOTSWOOD AVENUE
ELKTON, VIRGINIA 22827

AREA CODE (703)	
MANAGER	298-0597
CLERK/TREASURER	298-1951
POLICE	298-9441
PUBLIC WORKS	298-1330
RECREATION	298-9860
SUPERINTENDENT	298-9480
FAX	298-1270

TO: Elkton Planning Commission

FROM: Joe Shifflett, Director of Public Work/Zoning Administrator

DATE: January 5, 1996

SUBJECT: Lot Line Vacation - Kenneth Wayne Weaver

Kenneth Wayne Weaver is requesting a Lot Line Vacation between lots 15 & 16 on the north side of Spring Avenue. This will combine two (2) 25' x 125' lots to enable the construction of a dwelling. This lot will be labeled Lot 15 if his request is granted.

TOWN OF ELKTON

APPLICATION FOR SUBDIVISIONS
LOT LINE REVISIONS AND VACATIONS

Please Mark Box:

Lot Line Revision [ ] Lot Line Vacation [✓]

Subdivision [ ]

Preliminary Plat [ ] Final Plat [ ]

FEE: 110.00 (To be filled in by the zoning administration)

DATE: 11-27-95 PHONE: (540) 298-0756

NAME: WEAVER KENNETH WAYNE
LAST FIRST MI

ADDRESS: 220 WEST SPRING AVE. ELKTON, VA. 22827
ROUTE BOX # CITY / TOWN STATE ZIP

LOT: 15, 16 BLOCK: 28 SECTION: 2

LAND MAP: 131B2 PARCEL: —

Please See Section 2-6-5 Through Section 2-6-7 For All Applicable Fees Relating To This Application.

Permit Granted:

_____ Date: _____

The Planning Commission Meeting 2/12/96

Members Present

John Adams, Barry Beam, Andy Dixon, Lou Kirkendall
Dan Dave, Ben King.

Members Absent

Tom Weyrick,

Staff Present

Joe Shifflett, Ted Coburn, Kelly Downey

Visitors

Randy Murphy

Council members

Mayor Charles Dean, Tom Weyrick, [illegible]

7:02 Public Hearing

I. [illegible] - (Bernard [illegible]),
prob. - having to [illegible] before [illegible]
[illegible]

JH. On [illegible] request. Are [illegible] for
[illegible]?
Ad [illegible] or [illegible]?
Ted B/c [illegible] only [illegible]
B/c [illegible] may [illegible]

why it was zoned this way

*BR → Why zoned this way in the 1st place?

(2)

LK stated more comfy w/ B-2 doesn't like B-3
B-2 as opposed to B-1

AD - they asking for all B-1 uses [illegible] B-1 for building B-1 for [illegible]

JS B-1 more suited to what [illegible] here now

JA [illegible] B-1 B-3 [illegible]

II. Cline Energy Alley Vacation

JS - Read [illegible]
[illegible] on [illegible]
alley

TC - After [illegible] comm. [illegible] PC [illegible]
recommend [illegible] with [illegible]

JA - Any other comments

AD - closing alley what in replace?

TC - sewer easement replace sew. line good for 30 yrs.
or more

(Pub Hearing cont'd)
JS- They have been very cooperative.

7:14 Public Hearing Closed

15min Break [illegible] hearing

Planning Comm. Meeting came to order @ 7:30
minutes read A. Dixon motioned L.K 2nd

I Lot Line Vacation Kenneth Wayne Wenner
JS- combining 2 25'x125' lots ~~not~~ 15+16

AD- (to Jac)

AD → to approve DD 2nd
unan approved

II. Other Business
JS- PC to ~~Comm~~ Council on the item

determine Alley Vacation upto Council

+ voting

B.K obstain [illegible] b/c [illegible]
w/ Shen Clk

JA ask for motion to approve request

To allow B-1 existing [illegible] to

to → Lal

BA - Why better to B-2?

LK - rezone to B-2 though [illegible] better
conf. w/ B-1

JA Motion to Council?

AD - Have to be worded that both groups have
to sign [illegible] Can Council override [illegible]?

TC unlike of [illegible] If all [illegible]
say [illegible] approved then no prob.
unless they put a condition on it.

[illegible] it takes approval of PC - Council

LK - then it sounds as long as [illegible]

A [illegible] to [illegible]

LK → appr[illegible] [illegible] allow [illegible] C B-1 [illegible]
[illegible] [illegible] [illegible] located on Shen Clk Plaza
BR → [illegible] Urban approved

AD -

LK → approve

[illegible] [illegible] gas station (recommend to [illegible])
[illegible] [illegible] to Commerce.

TC 1. ISTEA [illegible] [illegible] [illegible] Ask [illegible] to [illegible]
to send letter or close to it. Ask if any?

AD - Streetscape w/ [illegible] [illegible] trees $
W BR $[illegible]000

TC Goes to original streetscape plan

AD Cut off [illegible] BR's [illegible]
w/ [illegible] [illegible]

JA. Power lines from [illegible] to main line Not going to leave here?

TC Only goes to Hader parking lot

TC more residential from that point on to extend water & more.
wanted ISZA to be approved

JA Adding would not be prohibited?

AD Why spend $ on 1 side of town

JA Save money

TC - Cut down St Scape on ISZA app to make prices work

JA BK → send letter of endorsement
LK 2nd Unan approved

Q. Freedom Info Act
↑ meeting to discuss [illegible]
[illegible] meeting

LK - Side Yard set back

DO - Says ~~they~~ he + Ted will take that to Council

JA - owner of prop. or Sign have have permission to have sign

JS - S "does not"

JA - Contract that was to [illegible] that [illegible]

TC - LLU [illegible] [illegible]

JS - "No"

BC - Have to get Sp. Except for sign?

Board
- Location was a question not applied by Council

JS - Will look at project again.

JA - Sign needs to come down [illegible]

cont

7:59 → AD → to ADDUCN

BK 2nd