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JEFFERSON COUNTY PLANNING COMMISSION

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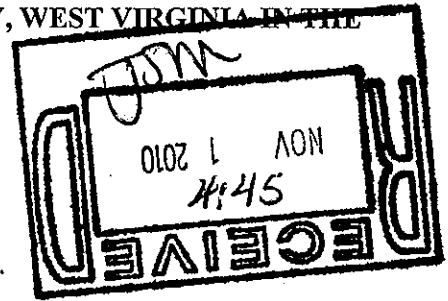
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BEFORE THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA IN THE
MATTER OF:

Rezoning of Certain Federal Lands



ORDER

On this 1st day of November, 2010 the Planning Commission of Jefferson County West Virginia hereby petitions the County Commission of Jefferson County West Virginia to rezone certain Federal lands, along US Route 340 that are currently zoned Industrial-Commercial; Residential-Growth and Residential-Light Industrial-Commercial, to Rural. These properties comprise a total of approximately 929 acres, of which 701 acres are owned by the Harper's Ferry National Park Service and 228 acres are owned by the U.S. Customs and Border Patrol. The specific parcel information with referenced tax district, map and deed book numbers are included as an attachment to this Order.

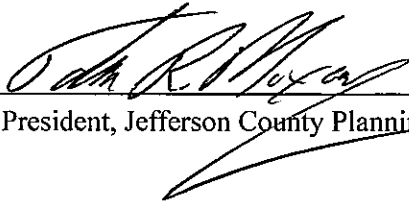
In August 2010, during a concentrated effort on Staff's part to perfect the zoning map, the Planning Commission inquired about the underlying zoning of the Federal lands on the zoning map, as they were merely designated "park land". At the August 24, 2010 Planning Commission meeting Jennifer Brockman, Director of the Department of Planning and Zoning made a presentation to the Planning Commission. During the presentation, Director Brockman stated that almost all the Federal lands located within Jefferson County are zoned Rural, with the exception of the Federal lands located along US Route 340, as they were zoned prior to becoming Federal land.

At their September 14, 2010 Planning Commission meeting, the Planning Commission voted to approve a Resolution to petition the County Commission to rezone the Federal lands along US Route 340. Additionally, the Planning Commission directed Staff to submit an Agenda Request Form on their behalf in order to retain an appointment to present their proposal to the County Commission. On September 23, 2010, after receiving the Planning Commission's presentation, offered by Planning Commission President, John Maxey, the County Commission moved to set a Public Hearing date at their September 30, 2010 meeting.

At their September 30, 2010 meeting, the County Commission tentatively scheduled the US Route 340 Federal Lands Rezoning Public Hearing for November 18, 2010 at 7:00 p.m. in the County Commission meeting room. At their regularly scheduled Planning Commission meeting on October 12, 2010, the Planning Commission received correspondence from County Commission President, Lyn Widmyer. Also, at the October 12, 2010 meeting, the Planning Commission moved that President John Maxey draft a response to County Commission President, Lyn Widmyer. Mr. Maxey's drafted response was approved at the Planning Commission meeting on October 26, 2010.

The Planning Commission believes that this rezoning is compatible with the Comprehensive Plan due to the significant changes within the area along US Route 340. As the Comprehensive Plan is currently written, there are key components within the Comprehensive Plan that support the rezoning. Additional Federal lands, along US Route 340, have been purchased since 2002. Of the 929 total acres owned by Federal agencies, 701 acres have been conserved by the Harpers Ferry National Park Service. A large portion of the remaining 228 acres, owned by the U.S Customs and Border Patrol, have been used for their own private educational facility.

It is therefore ORDERED that the Jefferson County Planning Commission petition regarding the Rezoning of Federal Lands along US Route 340 to the Jefferson County Commission be recorded and filed on this date, November 1, 2010.

Dated 11/1/2010 By 
President, Jefferson County Planning Commission

Owner	Tax District	Tax Map	Tax Parcel	Full Parcel	Deed Book	Deed Page
National Park Service	4	6	7	04000600070000	1065	710
	4	6	7.2	04000600070002	1065	710
	4	6	7.3	04000600070003	974	426
	4	7	1	04000700010000	905	328
	4	7	2	04000700020000	733	148
	4	7	3	04000700030000	1049	292
	4	7	5.2	04000700050002	488	146
	4	7	6	04000700060000	960	546
	4	7	31	04000700310000	405	30
	4	9	36	04000900360000	1016	675
	4	9	37.1	04000900370001	1065	710
	4	9	38	04000900380000	1011	49
	4	9	40	04000900400000	694	540
	4	9	68	04000900680000	968	641
	4	11	25	04001100250000	694	540
US Customs & Border Protection	4	9	12.1	04000900120001	1044	201
	4	9	13	04000900130000	957	603
	4	9	13.3	04000900130003	1037	510
	4	9	15	04000900150000	1036	158
	4	9	17	04000900170000	1033	389
	4	9	18	04000900180000	1033	389
	4	9	19	04000900190000	1037	680
	4	9	19.1	04000900190001	1036	152
	4	9	19.3	04000900190003	1033	389
	4	9	19.4	04000900190004	1056	592
	4	9	19.5	04000900190005	1037	680
	4	9	19.6	04000900190006	1056	592
	4	9	20	04000900200000	1056	592
	4	9	21	04000900210000	957	120
	4	9	39	04000900390000	1055	457
	4	9	39.2	04000900390002	1064	184
	4	9	39.3	04000900390003	1061	618
	4	9	40	04000900400000	694	540
	4	9	40.1	04000900400001	1056	592

Resolution to Petition the Jefferson County Commission to Amend the Zoning Map

WHEREAS the existing Jefferson County Zoning map indicates parcels along Route 340 now owned by the National Park Service and U.S. Customs and Border Patrol as either their original zoning classification or as "National, State and County Facilities"; and


WHEREAS the Jefferson County Planning Commission wishes to revise the zoning map so that it reflects the true underlying zoning classification rather than parcel ownership; and

WHEREAS the current use of these parcels fits the rural zoning classification; and

WHEREAS rezoning these parcels to reflect a rural classification would be consistent with the Jefferson County Comprehensive Plan;

THEREFORE BE IT RESOLVED that the Jefferson County Planning Commission petition the Jefferson County Commission under the provisions of WV Code §8A-7-9 paragraph B to rezone the parcels owned by either the National Park Service or the U.S. Customs and Border Patrol along Route 340 from the current zoning classification to rural.

On September 14, 2010 at the regularly scheduled Planning Commission meeting, the Planning Commission decided with a 5-0 vote to petition the County Commission to rezone Federal Lands along the Route 340 Corridor.

X 

John Maxey
President, Jefferson County Planning Commiss...