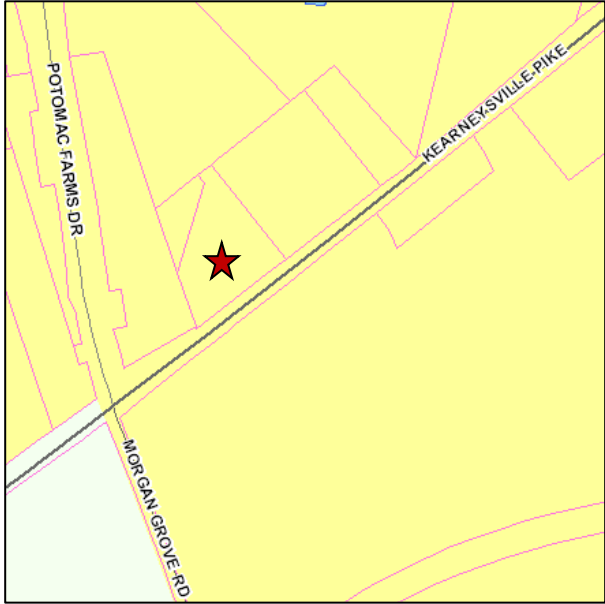


Staff Report
Jefferson County Board of Zoning Appeals Meeting
March 27, 2014

Sustainable Solutions, LLC
Conditional Use Permit (#CP13-01)

APPLICANT:	James Remuzzi, Sustainable Solutions, LLC
OWNER:	Steve Wandless
DEVELOPER:	Same as Applicant
SURVEYOR/ENGINEER:	N/A
PROPERTY LOCATION:	4419 Kearneysville Pike, Shepherdstown, West Virginia
LEGAL DESCRIPTION: ZONING DISTRICT:	<p>District: Shepherdstown (09); Map: 8; Parcel: 9.3 Zoning Map Designation: Residential Growth</p> 
SURROUNDING PROPERTIES:	<p style="text-align: center;">Zoning Map Designation:</p> <p style="text-align: center;"><i>North:</i> RG <i>South:</i> RG <i>East:</i> RG <i>West:</i> RG</p>
LOT AREA:	1.78 acres
APPROVED ACTIVITY:	Single-Family Residential Use
WAIVERS/VARIANCES:	<p>10/17/96: BZA denied a reduction of the front setback from 25' to 1'; the front distance requirement from 75' to 1'; and, the side setback from 75' to 15'.</p> <p>01/15/98: BZA denied a reduction of the side distance requirement from 75' to 12'.</p>
SUBDIVISION PC File #99-35	01/11/00: PC Final Plat Approval
APPLICABLE DATES:	01/31/14: Compatibility Assessment Meeting

Staff Report
Jefferson County Board of Zoning Appeals Meeting
March 27, 2014

Sustainable Solutions, LLC
Conditional Use Permit (#CP13-01)

RELEVANT INFORMATION:

A Compatibility Assessment Meeting regarding the conversion of existing expired nonconforming commercial buildings to a use that includes the operation of a business that helps private Landowners, State & Federal Agencies and Non-Profits manage their land for Ecological, Economic and Social returns was held on January 31, 2014 at 10:00 a.m. in the Charles Town Library Meeting Room, located at 200 E Washington Street, Charles Town, West Virginia.

1. Presentation of the Proposed Land Use

Description of Use

The applicant is proposing to use the existing expired nonconforming commercial buildings for the operation of a business that helps private Landowners, State & Federal Agencies and Non-Profits manage their land for Ecological, Economic and Social returns. The business will include a 12' x 12' company office within Building A (as shown on Figure 1. Site Map). The remaining portion of Building A, as well as Buildings B and C, are to be used as shop space for storage, maintenance and repair of company equipment and vehicles and equipment.

Employees and Hours of Operation

This enterprise has a limited number of employees and customers rarely come on-site. Typically customers make contact by phone or the internet and representatives of Sustainable Solutions work is conducted off-site.

Parking and Access

There is adequate space for the limited number of spaces required for a 12' x 12' office. All vehicles and equipment used for the purposes of the business can be housed in the balance of Building A and Buildings B and C. No equipment is proposed to be stored outside. One ADA compliant customer/employee space will be required. The applicant is proposing additional landscaping in the form of native trees, shrubs and flowers along the back of the parking area and along the frontage in a manner intended to direct the flow of traffic on-site.

The applicant is proposing two entrances to allow their vehicles and equipment to pull through. The applicant has been advised that this requires the approval of WV DOH. If this approval is received, such access will be permitted.

Signage

Two sign locations were proposed (a) to be located on the existing canopy; or, b) to be located on Building A. Unless otherwise provided by this CUP, all signage will be required to meet the requirements of the Zoning Ordinance.

2. Staff Comments

The subdivision plat was approved with a single family restriction; however, by conducting a public hearing in conjunction with the CUP process this restriction will be considered void should the Board choose to approve the proposed project.

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Land Evaluation and Soils Assessment

The subject parcel passed the Development Review System with a points assessment of 22 out of a possible 60 points. The project must achieve a score below 60 to be deemed compatible for site development.

Section 6.5D of the Zoning Ordinance states,

“The Soils Assessment of a proposed development is not applied when the development proposal is located within the Residential/Growth District or the Industrial/Commercial District.”

Due to the Residential Growth zoning designation of the subject parcel the soils assessment points were not required to be evaluated for this project.

The proposed use will create minimal traffic impact and/or off-site impacts and appears to be compatible with the surrounding residential and rural uses and a reasonable reuse of the existing structures.

This site is adjacent to or in close proximity to two approved conditional use permit projects.

Shepherdstown Professional Center (File #Z07-03)

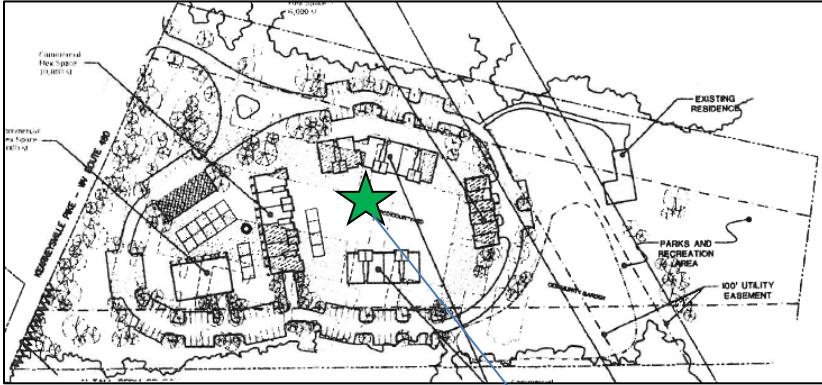
- Approved uses include: construction of a two-story commercial building with approximately 24,640 square feet of space to accommodate offices and retail space. Intended improvements will include the building, as shown on the concept drawing, access drives, parking lots, water and sewer systems, utilities (including power and telephone) and storm water management systems. The development is adjacent to the Colonial Hills and Toll House Woods Subdivisions (a tolled development). A sign will be located at each entrance and facing the intersection of Rt. 480.

Morgan’s Grove Market (File #CP12-01)

- Approved uses include: a Food Hub, Professional - Business Offices, General Merchandise (Retail) and Community Amenities (see the issued CUP for a comprehensive list of uses). Intended improvements will include the buildings as shown on the Site Plan (File #S12-06) drawing, access drives, parking lots, connection to Shepherdstown water and sewer systems, utilities (including power and telephone) and storm water management systems.

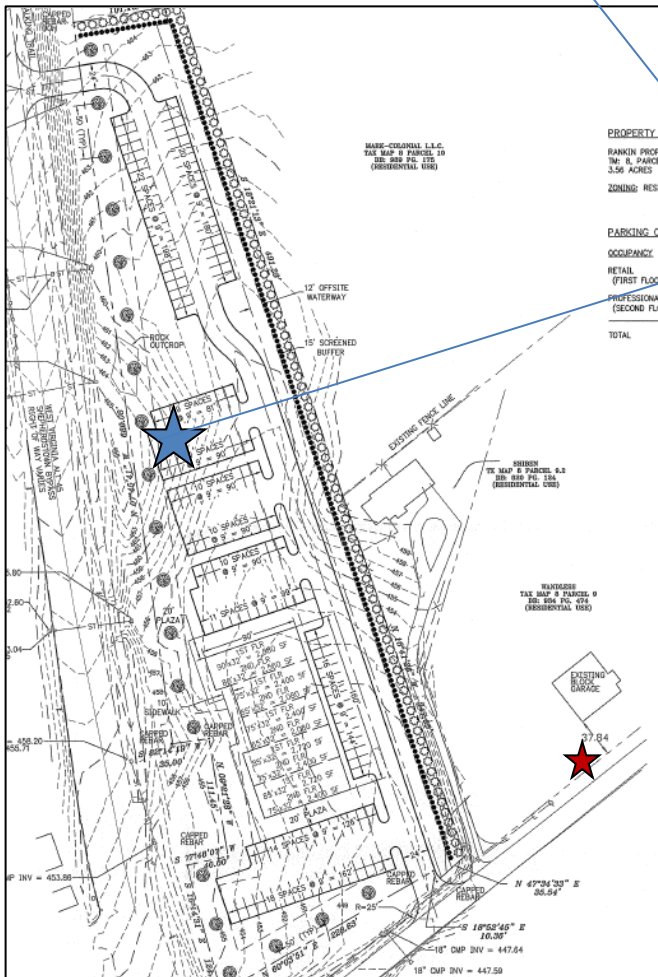
Staff Report
Jefferson County Board of Zoning Appeals Meeting
March 27, 2014

Sustainable Solutions, LLC
Conditional Use Permit (#CP13-01)

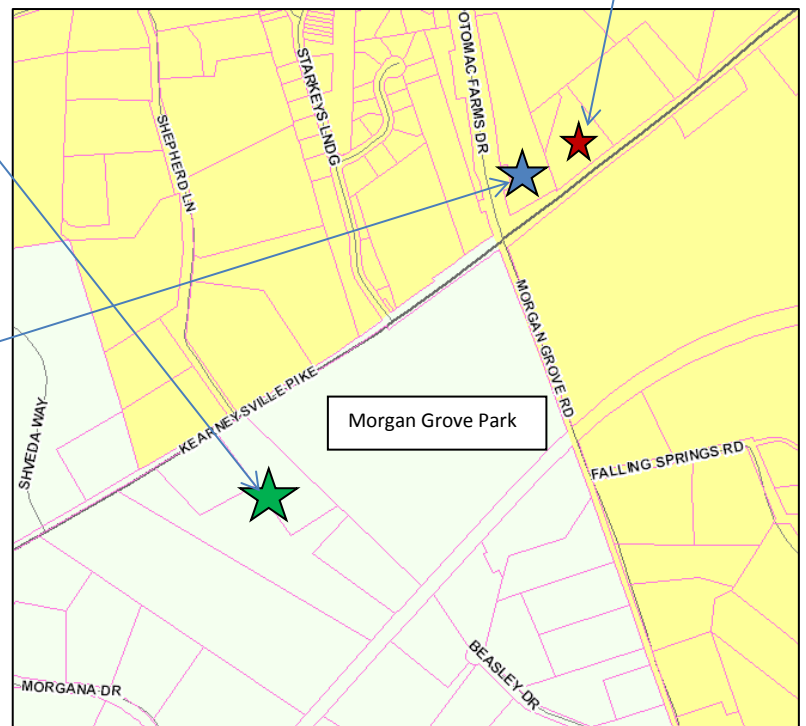


Morgan's Grove Market
File #CP12-01

Sustainable Solutions
File #CP13-01



Shepherdstown Professional Center
File #Z07-03



Staff Report
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Sustainable Solutions, LLC
Conditional Use Permit (#CP13-01)

3. Public Testimony

There were no members of the public in attendance at the January 31, 2014 Compatibility Assessment Meeting (CAM) to offer testimony. As there were no unresolved issues, the project was scheduled for the next available BZA meeting which the applicant could attend.

The CAM and the BZA hearing are the only requirements to process this CUP application.

Sections 7.6E and 7.6F of the Ordinance states,

“If all issues raised at the Compatibility Assessment Meeting were resolved at that meeting, no public hearing shall be required. At the next Board of Zoning Appeals meeting, the Board shall take action as described in Section 7.6F.”^{2, 17, 21, 23},”

4. Outcome

The meeting resulted in no unresolved issues.

Section 7.6F of the Ordinance states,

“The Board of Zoning Appeals shall issue, issue with conditions, or deny the conditional use permit. The standards governing the issuance of the Conditional Use Permits shall be: successful LESA Point application, Board of Zoning Appeals resolution of unresolved issues; and, evidence offered by testimony and findings by the Board of Zoning Appeals that the proposed development is compatible with the neighborhood where it is proposed.”^{2, 17, 21, 23},”

JEFFERSON COUNTY, WEST VIRGINIA
DEPARTMENTS OF PLANNING AND ZONING

COMPATIBILITY ASSESSMENT MEETING STAFF REPORT
SUSTAINABLE SOLUTIONS, LLC, FILE #CP13-01

Project Name: Sustainable Solutions, LLC
Business Developer: James Remuzzi, Sustainable Solutions, LLC
Telephone Number: 202-746-1649
Property Owner: Steve Wandless
Property Address: 4419 Kearneysville Pike, Shepherdstown, West Virginia 25443
Tax Reference: District: Shepherdstown (09); Map: 8; Parcel: 9.3
Deed Reference: Book: 934; Page: 474 (prior to contract purchase)
Zoning District: Residential Growth
Parcel Size: 1.79 acres

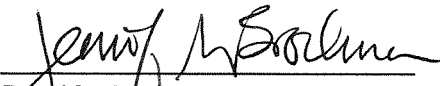
A Compatibility Assessment Meeting for the proposed Conditional Use Permit for Sustainable Solutions, LLC was held on January 31, 2014, at 10:00 a.m., in the Charles Town Library meeting room located at 200 East Washington Street in Charles Town, West Virginia.

The following use is being proposed by the applicant (details may be found in PC File #CP13-01):

The use of existing expired nonconforming commercial buildings for the operation of a business that helps private Landowners, State & Federal Agencies and Non-Profits manage their land for Ecological, Economic and Social returns. The business will include a 12' x 12' company office within Building A (as shown on Figure 1. Site Map). The remaining portion of Building A, as well as Building's B and C, are to be used as shop space for storage, maintenance and repair of company equipment and vehicles and equipment. Two sign locations were proposed (a) to be located on the existing canopy; or, b) to be located on Building A. The applicant is proposing additional landscaping in the form of native trees, shrubs and flowers.

Jennifer Brockman, Acting Zoning Administrator and Director of Planning and Zoning; James Remuzzi, owner/developer of Sustainable Solutions, LLC; Alexandra Beaulieu, Planning Clerk; and, Jennilee Hartman, Zoning Clerk were in attendance.

Ms. Brockman opened the public hearing. There were no members of the public in attendance to offer testimony. Ms. Brockman closed the public hearing. As there was no public testimony or unresolved issues the Conditional Use Permit for Sustainable Solutions, LLC will be placed on February 27, 2014 Board of Zoning Appeal's meeting for action. Mr. Remuzzi informed Staff that he may not be able to attend the February meeting and will notify the office should he need to reschedule. The next available meeting date would be March 27, 2014.


Jennifer M. Brockman, AICP
Acting Zoning Administrator
Director of Planning and Zoning

March 11, 2014
Date



Departments of Planning and Zoning Seal