



JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 East Washington Street, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: CUP 17-03
 Mtg. Date: 1/1
 Fee Paid: \$ 300.00
 Staff Int.: _____

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Application for a Conditional Use Permit

Conditional Use Permit process is outlined in Article 6 of the Zoning Ordinance

Project Name

Alisha's Child Care

Property Owner Information

Name: James Shimp, Jr.
 Business Name: _____
 Mailing Address: 130 Maple Avenue, Harpers Ferry, WV 25425 Mail Yes
 Phone Number: 304/876-3364 Email Response: alisha.souders@gmail.com Response: No

Applicant Information

Name: James and Alisha Shimp
 Business Name: Alisha's Child Care
 Mailing Address: 130 Maple Avenue, Harpers Ferry, WV 25425 Mail Yes
 Phone Number: 304/876-3364 Email Response: _____ Response: No

Engineer(s), Surveyor(s), or Consultant(s) Information

Name: Paul J Raco
 Business Name: P. J. Raco Consulting, LLC
 Mailing Address: P.O. Box 548, Charles Town, WV 25414 Mail Yes
 Phone Number: 304/676-8256 Email Response: pjraco.consulting@gmail.com Response: No

Physical Property Details

Physical Address: 130 Maple Avenue (Bakerton), Harpers Ferry, WV 25425
 Tax District: Harpers Ferry Map No: 3A Parcel No. 12
 Parcel Size: Approx 0.5 +- ac 88' x 234' Deed Book: 1163 Page No: 319

Zoning District (please check one)

Residential Growth (RG) <input type="checkbox"/>	Industrial Commercial (I-C) <input type="checkbox"/>	Rural* (R) <input type="checkbox"/>	Residential-Light Industrial-Commercial (R-LI-C) <input type="checkbox"/>	Village (V) <input checked="" type="checkbox"/>	Neighborhood Commercial (NC) <input type="checkbox"/>
General Commercial (GC) <input type="checkbox"/>	Highway Commercial (HC) <input type="checkbox"/>	Light Industrial (LI) <input type="checkbox"/>	Major Industrial (MI) <input type="checkbox"/>	Planned Neighborhood Development (PND) <input type="checkbox"/>	Office/Commercial Mixed-Use (OC) <input type="checkbox"/>

* For properties in the Rural Zoning District:
 Is property located on a primary or secondary road? Yes No

Name of Road and/or Route Number: N/A

RECEIVED
 APR 21 2017
 JEFFERSON COUNTY, WEST VIRGINIA
 DEPARTMENT OF ENGINEERING, PLANNING,
 ZONING & ENGINEERING

Sketch Plan (see cover sheet for description)

Attached

A list of all adjacent and confronting property owners (see cover sheet for description)

Attached

Please provide any information or known history regarding this property.

Located in the Bakerton Village District

Please respond (in detail) to the following statements located in Section 6.3 of the Zoning Ordinance:

1. The proposed use is compatible with the goals of the adopted Comprehensive Plan. *Section 6.3A.1*

See Attached

2. The proposed use is compatible in intensity and scale with the existing and potential land uses on the adjoining and confronting properties, and poses no threat to public health, safety, and welfare. *Section 6.3A.2*

See Attached

3. The proposed site development shall be such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings. *Section 6.3A.3*

See Attached

4. Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements found in Appendix B and Section 4.11 of this Ordinance. *Section 6.3A.4*

- I am aware of the landscaping buffer requirements and will adhere to them.
 - I am aware of the landscaping buffer requirements; however, I may be seeking a variance to modify them.
- N/A per Zoning Administrator*

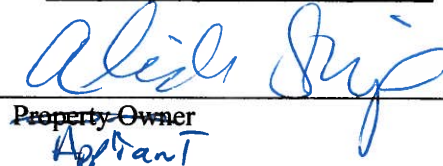
5. For properties in the Rural zoning district, roadway adequacy shall be assessed by the Comprehensive Plan's Highway Road Classification Map. If a rural parcel is not shown as commercial on the Future Land Use Guide or does not front on a Principal Arterial, Minor Arterial, or Major Collector road (as identified in the Comprehensive Plan), the applicant shall submit trip generation data, including Average Daily and Peak Hour trips, for the Board of Zoning Appeals to review in conjunction with the Highway Problem Areas Map when determining roadway adequacy for the proposed use. *Section 6.3A.6*

Applicable (Trip Generation Data attached)

Not Applicable

The information given is correct to the best of my knowledge. Original Signature Required.

 Property Owner 4-20-17 Date

 Property Owner 4/20/17 Date
Applicant

Conditional Use Permit Application
Alisha's Child Care
James, Jr. and Alisha Shimp
130 Maple Avenue (Bakerton)
Harpers Ferry, WV 25425
April 19, 2017

Brief Narrative on Proposed Project:

The Applicant and Owner of the property wish to continue their operation of a State Sponsored Childcare in their home in Bakerton. The Applicant has been caring for children for several years; however, only recently at this location. The home will only serve up to 12 children. The facility has already received the WV Fire Marshall approval and has already passed the associated inspections. As required by law, these inspections will continue to ensure that the operation remains in good standing. The facility and Applicant has already received the approval and licensing of the State and the Department of Health and Human Resources (DHHR).

The location is ideal for a childcare operation as it provides a large fenced yard. It is also located in a needed area, most appropriately, the Village of Bakerton. The facility is mostly used by the area residents. It is a sorely needed facility in the area and most of the families that use the facility qualify for State aid for the childcare.

When the Village Districts were created in Jefferson County as a part of the Zoning Ordinance, the intent was to allow existing homes and structures to be used for multiple purposes. Additionally, the County wanted to recognize the historic communities around Jefferson County to allow them to become self-sufficient so that the residents didn't need to travel into the five municipalities for their basic services. What could be more basic than a daycare in a village. This allows the residents to use a close facility that they feel is a part of their own community, without the need to drive for miles to drop the children off and pick them up at the end of the day. Here, some of the families walk the children to the facility before their day begins. It is a most basic convenience in the current times. It isn't really a cliché to say that 'It takes a village' to raise a child. In this case, it is appropriate that the children are cared for by neighbors in their own community.

Conversion of existing structures in Villages do not need to conform to any buffering or landscaping requirements and most setbacks. The Applicant's house meets those setback requirements as determined by the Zoning Administrator. The existing facility is also in compliance with the parking needs for dropping off and picking up the children. The house is served by an existing driveway and will utilize an existing off-street area for parking in the rear that has enough spaces per the requirements of the zoning ordinance. Likewise, the parking has been accepted by the Zoning Administrator.

The Zoning Ordinance has just recently been amended to make it easier for the Board to grant Conditional Uses for uses that make sense in the rural areas in the County, especially villages. This proposal meets that intent and is both compatible with the Comprehensive Plan and the neighborhood. Accordingly, the Board's approval would be greatly appreciated.

The proposal will include an existing sign as shown in the included picture.

Conditional Use Permit Application

The requirements for a Conditional Use Permit are outlined in Article 6, Section 6.3 of the Jefferson County Zoning and Land Development Ordinance.

Noticing requirements shall comply with Section 6.3C.

- Staff will notify the adjacent and confronting property owners of the date, time, and location of the Public Hearing by registered mail.
- Staff will publish notice of a public hearing in the Spirit of Jefferson at least 15 days prior to the public hearing.
- The subject property shall be posted with a zoning notice at least 15 days prior to the public hearing. The sign will be prepared by Staff but posting the sign is the responsibility of the applicant.

Commercial and Industrial Uses shall be in conformance with Section 8.9 of the Zoning Ordinance.

While not required, all applicants are encouraged to schedule a Pre-Proposal Conference with the Office prior to the submission of a Conditional Use Permit application.

A Conditional Use Permit shall become void eighteen (18) months after the date of issuance if the construction or use for which the permit was issued has not commenced. A one-time extension of this time frame may be granted by the Board of Zoning Appeals after evaluation of the hardship involved with noncompliance of this regulation. The length of time extended shall be at the discretion of the Board of Zoning Appeals and shall not exceed eighteen (18) months. (Section 3.2G)

In addition to the Conditional Use Permit application form, please submit the following support documentation:

- Sketch
- Narrative (optional)
- List of adjoining property owners

1. Sketch:

- a. Show in simple form the proposed layout of lots, parking areas, recreational areas, streets, building areas (existing and proposed), lighting, signage, and other features in relation to each other and to the tract boundaries.
- b. Delineate natural features such as woods, watercourses, prominent rock outcroppings, sinkholes, and quarries.
- c. Show adjoining and confronting properties and associated land use (Residential or Non-Residential/Commercial).
- d. General location and description of existing easements or rights-of-way.

2. Narrative (optional). the BZA may inquire on topics related but not limited to the following items:

- a. Type of development proposed at full build-out (provide as much detail as possible).
- b. Covenants and Restrictions and/or Plat Restrictions. It is the responsibility of the applicant to research any private agreements relating to the subject property, contact the Homeowners' Association, or seek the advice of a surveyor, engineer, or attorney.

- c. The business owner is responsible for ensuring compliance with all local, state, and federal taxing requirements.
 - d. Intended improvements and proposed building locations (including locations and size of sign). This should also be depicted on the sketch.
 - e. Proximity and relationship to historic structures or properties within two hundred feet.
 - f. Traffic characteristics – type and frequency of traffic (i.e. both existing traffic and level of traffic that would be generated by the proposed land use); adequacy of existing transportation routes.
 - g. Any other relevant information that would aid the Board of Zoning Appeals in reviewing the request (i.e. hours of operation, number of employees, etc.).
3. List of all adjacent and confronting property owners. This includes the properties located across any road, right-of-way, or easement. The Jefferson County Court House is the source for property owner information.
 - a. Include map and parcel numbers, as well as mailing addresses.

Note: Approval of a Conditional Use Permit, with or without conditions, allows the proposed land use only. Further processing may be required (i.e. site plan). All approved land uses must receive an approved Zoning Certificate from the office prior to the commencement of the approved land use.

Conditional Use Permit Application
Alisha's Child Care
James, Jr. and Alisha Shimp
130 Maple Avenue (Bakerton)
Harpers Ferry, WV 25425
April 19, 2017

Conditional Use Criteria:

1. The proposed use is compatible with the goals of the adopted Comprehensive Plan:

A proposed Childcare use within an existing house and historic district is compatible with the Comprehensive Plan. Throughout the plan, it endorses the use of existing structures and the enhancement of services in the various Villages in the County.

Page 23 of the Comprehensive Plan recognizes Villages as Mixed-Use Communities:

Villages

In addition to the PGAs listed above, the Comprehensive Plan acknowledges the potential provision of water and sewer services, as well as other shared infrastructure, that could lead to the revitalization of the County's villages and **the restoration of the village centers as distinct, mixed-use communities.**" (Emphasis Added)

Bakerton is one of the recognized eight Villages in Jefferson County. Again, the purpose of the Village District was to allow almost a zoning overlay to the area to allow them to be able to service themselves as a distinct community. The Comprehensive Plan includes 'Villages' in the Urban Level Development sections of the Ordinance, as well as, in the Rural Land Use narrative.

The Plan lists many recommendations under the **Urban Level Development Recommendations** beginning on Page 30. Some of pertinent ones include:

- "5. Create urban level land uses within the municipalities, UGBs, PGAs, or **Villages** through rezoning that is consistent with the Plan recommendations.
8. Encourage the location of new community public facilities (such as schools, libraries, parks) within Municipalities, UGBs, PGAs, or **Villages**.

These statements in the Plan recognize the need for additional services in the Villages that that serve the individual communities. This allowance is especially welcomed in re-purposed, existing buildings. If Childcare is needed in a small community like Bakerton, most want it to be in an approved setting in a home.

Finally, the first two recommendation under the Village section of the Comprehensive Plan (Page 45) makes it clear that the proposal is consistent with the Plan:

“Village Recommendations (Goal 3)

1. Create village plans for the redevelopment and expansion of the County’s villages through collaboration with key stakeholders.
 - a. Identify opportunities for restoration, rehabilitation and adaptive reuse of structures within village areas.”
2. Provide land use tools that will enable expansion of the villages that will establish a continuation of village form, scale, and design, using design guidelines and/or other applicable architectural and planning methods.
 - a. Encourage development and redevelopment of village based businesses, residential developments, small-scale multi-family housing, and applicable community facilities within designated village areas and in potential village expansion areas.

This proposed addition of child care into this house within the Bakerton Village District totally conforms to these two recommendations in the Comprehensive Plan.

2. *The proposed use is compatible in intensity and scale with the existing and potential land uses on the adjoining and confronting properties, and poses no threat to public health, safety, and welfare:*

The property is located on one of the main streets in Bakerton. The town’s Post Office and store is right down the street from the home. As illustrated in the Plan, the intent of Village Districts is to allow the utilization of existing structures for small scale commercial and service-based uses to revitalize and serve the community. The location of a daycare or childcare use in a mostly rural residential area, is a very appropriate use. This is the type of facility that should not be located in a commercial area or a busy traffic area. This location is ideal for the use to serve the neighborhood. The house and proposed daycare/childcare use is very compatible with the neighborhood. Villages aren’t new subdivision where everyone comes home and goes into their house for the evening. Bakerton is a community where the neighbors know the neighbors and the residents walk around in their community and walk down to the neighborhood store and Post Office. The addition of a Childcare facility will continue that tradition.

Since the structure exists and already has off-street parking, it should not impact the neighboring structures. The Applicant will utilize the existing entrance, parking and septic system. The proposal already has the approvals of the State Fire Marshall’s Office and the State DHHR’s Office, so there will be no impact on the health, safety and welfare of the community. A

Furthermore, this proposal will not impact the intensity of any potential land uses on the neighboring property in any way. As a matter of fact, it will positively impact the neighborhood by providing a small needed service in the neighborhood. Most likely, this will reduce traffic that is needed to take the children to another area of the County for childcare services.

3. *The proposed site development shall be such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings:*

This proposal will have a positive impact on the neighborhood. Once one of the close neighbors uses the facility. The house exists, so there will not be any new construction to disturb the neighbors. The use does not require anything of the neighbors that would negatively affect any plans for development on their land. Additionally, the fence, parking area and driveway already exists.

This use should encourage other service based uses in the community of Bakerton as the Envision Jefferson 2035 Comprehensive Plan endorses in all the eight Villages in the County. Hopefully, more properties are permitted to provide these types of services so that residents don't have to constantly travel to Route 340 to utilize basic services and purchase basic products.

4. *Landscaping Buffer:*

This is not applicable in an existing structure that is located in the Village District.

5. *Rural District Roadway Adequacy:*

This is not applicable since this property is not in the Rural District.

#CLIP1703

April 17, 2017

To Whom it May Concern,

What better sound is there other than the joyous sound of a child's laughter? My name is Angela Hough and my daughter Isabella has been attending Alisha's daycare, located in Bakerton, for over a year now.

I can not say enough good things about this facility. It is clean and well organized. The care that is given to my child is top notch. She receives appropriate meals and snacks, adequate care, and is truly loved like a child of their own. The facility also offers many hands on learning and educational activities that I contribute to the advance developmental capabilities.

It is also important that you know wonderful it is to see a fully functional business within the town of Bakerton! I grew up in this town and have been sad to see how the community has started to crumble. With the addition of the fire department and now this daycare it seems this town is starting to turn around and possibly be more appealing to newcomers.

Lastly, I can not forget to mention what incredible individuals Jimmy and Alisha are. Not only are they pillars of the community, they spend their extra time giving back. Alisha closely works with relay for life and Jimmy volunteers his spare time at the local fire department. In my personal opinion what they offer is very difficult to find and rarely replicated. I am happy to say that a business like this exists in my community and recommend them to anyone and everyone I know. A

Sincerely,

Angela M. Hough (304) 279-4620
184 Maple Ave.
HF WU 25425

CUP17-23

My son attends daycare at Alisha's In Home Child Care Facility. I commute to work from Charles Town to DC by riding the Marc Train. I'm new to the area and struggled to find a daycare that was nearby and also had business hours that could accommodate my longer than usual work days. Fortunately a family member from the area found this daycare and both our children now attend this daycare together.

Being that I ride the Marc Train from the train station on Flowing Springs road, the location is very convenient for me. It's not only near the daycare but also near my home. After a long day commuting to work and back, the last thing I want is to have a long drive ahead of me to pick my son up and another long drive home. Being that I commute, our time is already limited during the week so it's nice that we have time to play, relax, have dinner, bathe and get to bed without rushing all thanks to the convenient location.

The hours are also superior to other daycares. Due to commuting to work, my work days are much longer than the average working person. Other daycares in the area are open for a shorter amount of time. Being that I'm a single mom and don't have anyone that can watch my son (or pick him up and drop him off for me) on a regular basis, this daycare has saved my career. If it weren't for this daycare, I would be forced to quit my job and take a lesser paying job. I would have to find a job in the area that fit the other daycare's hours as opposed to this daycare fitting the hours and needs of my family.

An added bonus, as mentioned before, my son's cousin attends the same daycare and has another cousin on the way that will also attend. Family is important; it's great that my son and his cousins get to spend time together each day. I love that they're able to spend so much time together on a regular basis.

I know my child and other children who attend this daycare are well taken care of. Overall, this daycare is a benefit to the community, not only because of its favorable location and hours of operation but also because of the wonderful family that runs the daycare.

Sincerely,

Allyson Stewart

714 Crosswinds Dr.
Charles town WV
25414

~~(525) 993 8460~~
(525) 993 8460

#CUP17 03

To Whom It May Concern:

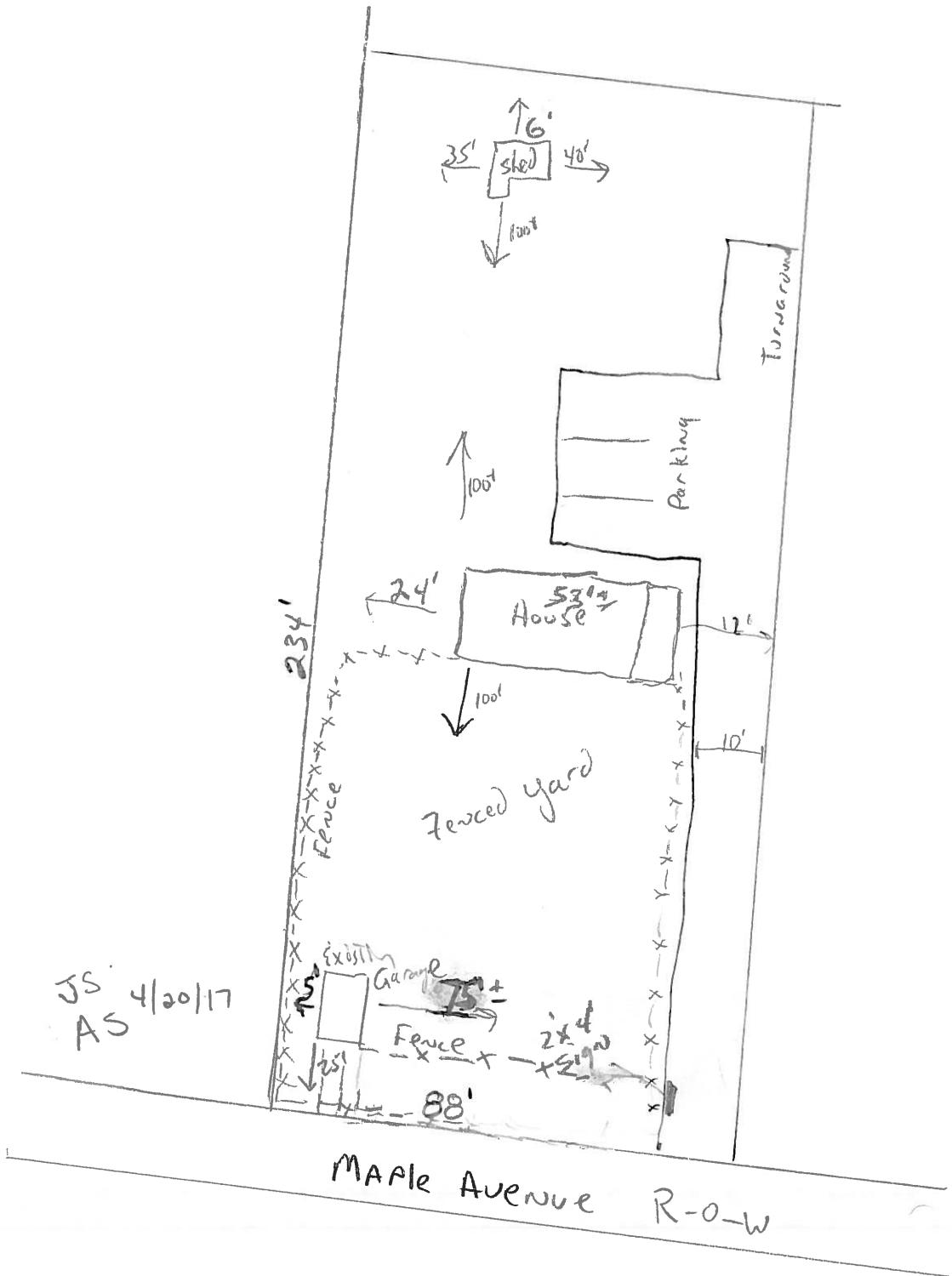
I am writing this in interest of Alisha's In-Home Childcare Services. I believe it is a great facility to have in the Bakerton area. It is great for parents who commute to Maryland every day. There are not many facilities in Bakerton or Harpers Ferry. The location is great as it only takes me maybe 15 minutes to get to. I know of one in Harpers Ferry but none in Bakerton. Her services are great because she does transportation to Ranson Elementary so I did not have to transfer my children and they get to attend the school they really like. Her hours and flexibility really helps the parents as many people do not get back to town until after six and most places closes at six. Another great service is she accepts Mountain Heart and it's hard to find somebody that could accept 4 children at different ages that have Mountain Heart. I have been to at least four different daycare facilities and none accommodates my needs as much as her services. I have experienced many difficulties at other facilities but none here. My children have been with her for 4 years now and really like her and enjoy being at her facility. Her and her husband are amazing people that really benefit me and my children. I am a single mother of four so her facility is very important for me to have as I do not have much help from my family. If you should have any questions you may contact me at 304-240-4530.

Thank You,

Natalie Parrish

28 Camden Dr.

Charles Town, WV 25414



JS 4/20/17
AS

MAPLE Avenue R-o-w

Conditional Use Permit Application
Alisha's Child Care
James, Jr. and Alisha Shimp
130 Maple Avenue (Bakerton)
Harpers Ferry, WV 25425
April 19, 2017

Adjoining Property Owners:

Tax Year: 2017

Parcel: 04 3A001100000000

Deeded Owner: LLOYD LEWIS O

Parcel ID: 04 3A001100000000

Tax Year: 2017

Deeded Owner: LLOYD LEWIS O

C/O:

Owner Address: 114 MAPLE AVE

City: HARPERS FERRY

State: WV

Zip: 25425

Tax Year: 2017

Parcel: 04 3A001300000000

Deeded Owner: HOLMES BRUCE E

Parcel ID: 04 3A001300000000

Tax Year: 2017

Deeded Owner: HOLMES BRUCE E

C/O:

Owner Address: PO BOX 8

City: BAKERTON

State: WV

Zip: 25410

Tax Year: 2017

Parcel: 04 3A001700000000

Deeded Owner: MAIER JOSEPH D & SEYANG

Parcel ID: 04 3A001700000000

Tax Year: 2017

Deeded Owner: MAIER JOSEPH D & SEYANG

C/O:

Owner Address: PO BOX 176

City: BAKERTON

State: WV

Zip: 25410

Tax Year: 2017

Parcel: 04 3A002100000000

Deeded Owner: FUNKHOUSER DAVID C & CYNTHIA D

Parcel ID: 04 3A002100000000

Tax Year: 2017

Deeded Owner: FUNKHOUSER DAVID C & CYNTHIA D

C/O:

Owner Address: 215 MAPLE AVE

City: BAKERTON

State: WV

Zip: 25425



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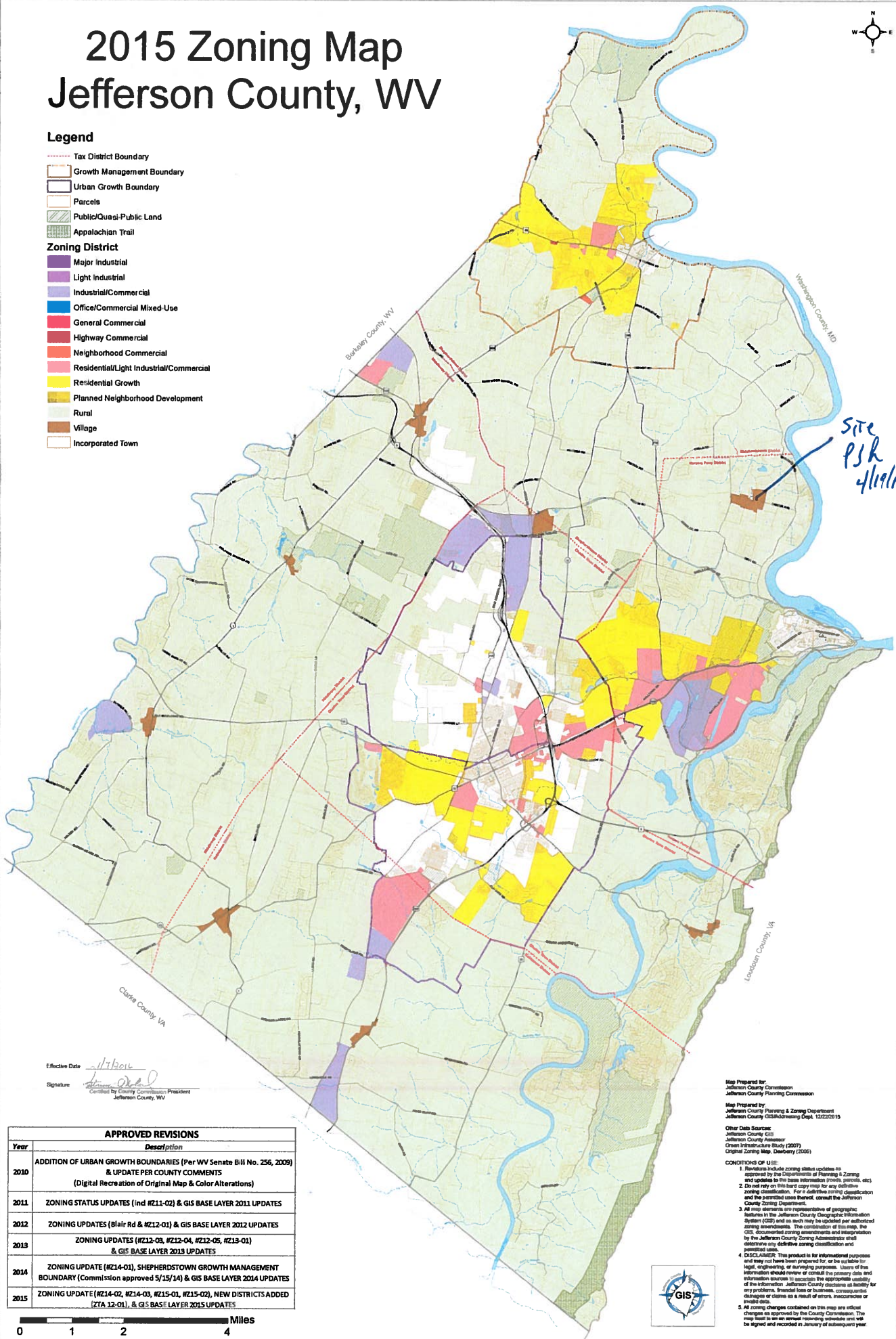
#CUP17-03

2015 Zoning Map Jefferson County, WV



Legend

- Tax District Boundary
- Growth Management Boundary
- Urban Growth Boundary
- Parcels
- Public/Quasi-Public Land
- Appalachian Trail
- Zoning District**
- Major Industrial
- Light Industrial
- Industrial/Commercial
- Office/Commercial Mixed Use
- General Commercial
- Highway Commercial
- Neighborhood Commercial
- Residential/Light Industrial/Commercial
- Residential Growth
- Planned Neighborhood Development
- Rural
- Village
- Incorporated Town



Site
PSK
4/14/17

Effective Date: 4/17/15
Signature: [Signature]
Certified by County Commission President
Jefferson County, WV

Map Prepared for:
Jefferson County Commission
Jefferson County Planning Commission

Map Prepared by:
Jefferson County Planning & Zoning Department
Jefferson County GIS&Planning Dept. 12/22/2015

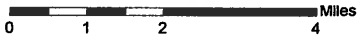
Other Data Sources:
Jefferson County GIS
Jefferson County Assessor
Open Infrastructure Study (2007)
Original Zoning Map, February 2006

CONDITIONS OF USE:

1. Revisions include zoning status updates not approved by the Department of Planning & Zoning and updates to the base information (roads, parcels, etc.)
2. Do not rely on this hard copy map for any definitive zoning classification. For a definitive zoning classification and the associated zoning district, consult the Jefferson County Zoning Department.
3. All map elements are representative of geographic features in the Jefferson County Geographic Information System (GIS) and as such may be updated per authorized zoning amendments. The combination of this map, the GIS, documented zoning amendments and interpretation by the Jefferson County Zoning Administration shall determine any definitive zoning classification and potential uses.
4. **DISCLAIMER:** This product is for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the appropriate usability of the information. Jefferson County disclaims all liability for any problems, incidental loss or business, consequential damages or claims as a result of errors, inaccuracies or omissions in this data.
5. All zoning changes contained on this map are official changes as approved by the County Commission. The map shall be an annual recording schedule and will be signed and recorded in January of subsequent year.



APPROVED REVISIONS	
Year	Description
2010	ADDITION OF URBAN GROWTH BOUNDARIES (Per WV Senate Bill No. 256, 2009) & UPDATE PER COUNTY COMMENTS (Digital Recreation of Original Map & Color Alterations)
2011	ZONING STATUS UPDATES (Ind #Z11-02) & GIS BASE LAYER 2011 UPDATES
2012	ZONING UPDATES (Blair Rd & #Z12-01) & GIS BASE LAYER 2012 UPDATES
2013	ZONING UPDATES (#Z12-03, #Z12-04, #Z12-05, #Z13-01) & GIS BASE LAYER 2013 UPDATES
2014	ZONING UPDATE (#Z14-01), SHEPHERDSTOWN GROWTH MANAGEMENT BOUNDARY (Commission approved 5/15/14) & GIS BASE LAYER 2014 UPDATES
2015	ZONING UPDATE (#Z14-02, #Z14-03, #Z15-01, #Z15-02), NEW DISTRICTS ADDED (#Z14-01, #Z15-01), & GIS BASE LAYER 2015 UPDATES





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