

JEFFERSON COUNTY, WEST VIRGINIA  
DEPARTMENTS OF PLANNING AND ZONING

---

**COMPATIBILITY ASSESSMENT MEETING STAFF REPORT**

WHISTLING WIND FARM BED & BREAKFAST, FILE #CP15-02

Project Name: Whistling Wind Farm Bed & Breakfast  
Property Owner: David and Laura Humphreys  
Mailing Address: P.O. Box 988, Shepherdstown, WV 25443  
Phone Number: 304-268-8017  
Property Address: 290 Falling Spring Road, Shepherdstown, West Virginia 25443  
Tax Reference: District: Shepherdstown (09); Map: 13; Parcel: 29.41  
Deed Reference: Deed Book: 623; Page: 443  
Zoning District: Residential Growth  
Parcel Size: 20.21 acres

Compatibility Assessment Meeting Information:

Date: May 22, 2015;  
Time: 10:00 a.m.  
Location: Old Charles Town Library Meeting Room, 200 East Washington Street in Charles Town, WV  
Attendance: Staff: Jennifer Brockman, Acting Zoning Administrator and Director of Planning and Zoning; David Simon, County Planner and Zoning Administrator; Jennilee Hartman, Zoning Clerk.  
Applicant: David and Laura Humphreys, Owners/Developer; Paul Raco, Consultant.  
Proposed Use: The proposal consists of a 3-unit (5 bedrooms) bed & breakfast. No changes to the existing are structure proposed. The proposal also includes 5 parking spaces, which will utilize the existing driveway area. A 16 sq. ft. sign will be located at entrance of property (additional details may be found in PC File #CP15-02).

Ms. Brockman opened the public hearing. Members of the public in attendance offered testimony.  
The following resolved conditions were agreed to by the public and Developer:

#	Issue	Citizen Comment	Applicant Response/ Agreed-Upon Condition	Staff Comment
1	<b>Signage</b>	The size & lighting of the sign	Agreed to reduce the sign from 16' to 8' sq. ft. (using a solar powered dawn to dusk light directed towards the sign)	<b>Resolved*</b>
2	<b>Safety</b>	Concern regarding potential future owners of the B&B if the property sold	Applicant requests that the CUP not run with the land but that the CUP be terminated if and when the Humphries sell the land	<b>Resolved*</b>
3	<b>Increased traffic</b>	Road maintenance will increase due to increased traffic	Agreed to pay double HOA dues to cover any additional impact on the HOA maintained road.	<b>Resolved</b>
4	<b>Increased traffic</b>	A curfew for B&B occupants	Agreed to advise clients that there is a 11:00 pm to 6:00 am curfew except for emergencies	<b>Resolved</b>


Resolved Conditions continued,

5	<b>Increased traffic</b>	Requested speed limit on Falling Springs Road to be enforced	Agreed to notify clients of low speed limit and to cooperate with HOA if this becomes as issue	<b>Resolved</b>
6	<b>Increased traffic</b>	The applicant install speed bumps or trenches to slow traffic	Agreed if approved by the HOA	<b>Resolved</b>
7	<b>Impact on HOA Liability Insurance</b>	The applicant's pay for additional liability insurance to cover costs of visitors in common areas including the road	Agrees to pay additional cost, if based solely on the addition of a 3 unit B&B, at the same level as currently held	<b>Resolved</b>

Issues raised by the public which were NOT resolved are as follows:

#	Issue	Citizen Comment	Applicant Response	Staff Comment
1	<b>Increased traffic</b>	Request for a 75 foot fast growing hedge row to be planted on 67 Falling Spring Rd (D: 09/ M: 8/ P: 31.2), along Falling Springs Road	No	<b>NOT Resolved</b>
2	<b>Increased traffic</b>	Requested that applicant widen the road (to 20 feet) the entire length without negatively impacting the historic oak trees	Applicant offered to erect sign near entry to subdivision state "Single lane road, pass with care"	<b>NOT Resolved</b>

Ms. Brockman closed the public hearing. As there were unresolved issues the Conditional Use Permit for Whistling Wind Farm Bed & Breakfast will be placed on July 16, 2015 Board of Zoning Appeal's meeting for action.

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

July 2, 2015  
Date



Departments of Planning and Zoning Seal