



Jefferson County
Board of Zoning Appeals
Thursday, May 26, 2016, 2:00 p.m.

Members
Tyler Quynn, Chair
Jeffrey Bannon, Vice Chair
Christy Huddle
Matt Knott
Ted Schiltz
Jeff Bresee, Alternate
Craig Foster, Alternate

The Jefferson County Board of Zoning Appeals will meet in the Charles Town Library Conference Room located at 200 East Washington Street, at the side entrance on Samuel Street, in Charles Town, West Virginia.

Unless otherwise noted, all requests are pursuant to the Zoning & Land Development Ordinance.

1. Approval of the minutes from the March 24, 2016 and the April 28, 2016 meeting.
2. Swearing in of members of the public intending to provide testimony.
3. Request by The Middleway Conservancy Association Inc. for a Seasonal Use Permit for 'The Battle of Smithfield Anniversary Re-enactment' to operate from August 12-14, 2016. The event is to consist of a re-enactment of civil war camp life, drills, educational activities and public parking (SU16-01).
Owner/location of proposed events as follows: Battle of Smithfield Reenactment, military drills & educational activities: Chappell, William D. & Linda; 175 East St., Kearneysville; D: 07; M: 22B; P: 28; Size: .89 ac; Z: R & V; File: SU16-01A; Re-enactor parking: Bowers, Daniel B. & Anne L.; 272 Mason Farm Dr., Kearneysville; D: 07; M: 22; P: 12.9; Size: 7.75 ac; Z: R; File: SU16-01B; Military drills & educational activities: DeHart, Dorothea; 207 East St., Kearneysville; D: 07; M: 22B; P: 29 & 20; Size: 2.17 ac & .53 ac; Z: R & V; File: SU16-01C; Information & exhibit center; educational activities; public parking: Grace Episcopal Church; 112 East St., Kearneysville; D: 07; M: 22A; P: 70; Size: .38 ac; Z: V; File: SU16-01D; Civil War-style encampment of 150 reenactors; military drills; cannon and firearms demonstrations; educational activities: Quinones A., Carmen; 7513 Queen St., Kearneysville; D: 07; M: 22A; P: 18; Size: 2.45 ac; Z: V; File: SU16-01E; Encampment of SO cavalry re-enactors with horses; educational activities: Stickles, James; 7316 Queen St., Kearneysville; D: 07; M: 22A; P: 61; Size: 2.6 ac; Z: V; File: SU16-01F; Re-enactments of Civil War cavalry and infantry engagements; public parking: Supplee, J. Frank, IV, & Mary L.; 6880 Leetown Rd., Kearneysville; D: 07; M: 22; P: 31; Size: 137 ac; Z: V; File: SU16-01G; Living history presentations; educational activities: Middleway United Methodist Church Trustees; 328 King St., Kearneysville D: 07; M: 22A; P: 19; Size: .67 ac; Z: V; File: SU16-01H; Public parking: Middleway United Methodist Church Trustees; 7437 Queen St. Kearneysville; D: 07; M: 22A; P: 44; Size: .35 ac; Z: V; File: SU16-01I.
4. Variance from Section 10.4B to increase the maximum square footage of two proposed business signs from 144 sq. ft. to 264 sq. ft. (Washington St.) and from 192 sq. ft. to 264 sq. ft. (Euclid Ave.); and, to allow signage to face a residential property. Bret Skirvin, Site Enhancement Services, Inc., Applicant. Primax Properties, LLC, Owner. Location: Corner of Washington and Euclid St. Charles Town (future Advanced Auto Parts). District: 02; Map: 10A; Parcel: 76; Size: 1.04 ac; Zone: RLIC; File: ZV16-11.
5. Director's Report.
 - a) Monthly Zoning Certificate Activity Report
6. Legal Update. Possible executive session on the follow pending lawsuits:
 - a) Whistling Farms Bed & Breakfast Litigation CA # 15-C-209
 - b) Shenandoah Air Conditioning & Heating Inc. Pending Litigation CA #15-P-73

7. Discussion with possible deliberative session and signing of draft findings/decisions.

Meeting Date: 02/25/16 04/28/16meetings. (*see agenda for full item description*)

- a. Postponed from the 01/28/16 meeting. Variance request from Sec. 4.11A.2, 4.11E and App. B to remove the side and rear landscape/screening buffer for a private, commercial warehouse/garage. Owner: Daniel McGinn.
- b. Variance request by United Methodist Church from Sec. 10.4C to reduce the required setback of 25' to 0' to allow for the replacement of the existing freestanding sign. File: ZV16-03.
- c. Variance request by United Methodist Church from the following: (A) Sec. 4.10A to waive the requirement of a site plan for the installation of a 1000 square foot gravel parking lot. File: ZV16-04 (B) App. B to reduce the front parking setback from 15' to 0'. File: ZV16-04.
- d. Variance from Sec. 4.11A.1 & App. B to reduce the side & rear setback from 50' to 25'; and, to eliminate the required residential landscape buffer to allow for the construction of a proposed 37,500 square foot self-storage facility. Owner: CTSS, LLC.
- e. Variance from App. B to reduce the rear setback from 50' to 25' for the existing bowling alley to accommodate a proposed lot line adjustment. Owner: LSCG Fund LLC. Applicant: CTSS, LLC.
- f. Variance from Sec. 4.11A.2, 4.11E and App. B to eliminate the landscaping, parking, drive aisle & building setback requirements for the interior lot line between Lots 2 & 3; and, to reduce the landscape buffer along the side of Lot 3 & the rear of Lots 2 & 3. Owner: Decker Holding, LLC. Applicant: Kubic Enterprises.
- g. Variance from Sec. 5.7B to reduce the rear setback from 50' to 35' for the construction of 40' x 60' garage. Owner : Christopher & Victoria Dudash.
- h. Variance from Sec. 5.4B to reduce the rear setback from 20' to 10' to construct a deck. Owner : Yin Xu. Applicant: Brick Street Construction.