

Minutes
Jefferson County Zoning Board of Appeals

1 Meeting Date: February 25, 2016

2 Meeting Location: Charles Town Library Conference Room
3 200 East Washington Street, West Virginia

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5 Board members present: Tyler Quynn, Chair; Jeffrey Bannon, Vice Chair; Matt Knott, Ted Schiltz
6 Christy Huddle, Craig Foster, Alternate, and Jeff Bresee, Alternate

7 Board members absent: None

8 Staff members present: Jennifer M. Brockman, Acting Zoning Administrator/Director of
9 Planning and Zoning; Lydia Lehman; Assistant Prosecuting Attorney,
10 Jennilee Hartman, Zoning Clerk

11 All requests are pursuant to the Jefferson County Zoning and Land Development Ordinance.

12 Ms. Huddle moved to begin the meeting at 2:00 p.m. Mr. Quynn called for a vote, which carried
13 unanimously.

14 Ms. Hartman swore in members of the public who indicated they would be providing testimony.

15 Mr. Quynn explained how the meeting would be conducted to the public.

16 1. Election of Officers.

17 Mr. Quynn opened the floor for discussion and/or motion to fill the position of Chair.

18 Mr. Bannon moved to elect Mr. Quynn as Chair. Mr. Schiltz seconded the motion.

19 Mr. Quynn called for a vote, which carried unanimously.

20 Mr. Quynn opened the floor for discussion and/or motion to fill the position of Vice Chair.

21 Mr. Quynn moved to elect Mr. Bannon as Vice Chair. Ms. Huddle seconded the motion.

22 Mr. Quynn called for a vote, which carried unanimously.

23 2. Approval of the minutes from the December 10, 2015 and January 28, 2016 meetings.

24 The following corrections were requested to the December 10, 2015 minutes:

25 a) Line 47, remove the word *as*.

26 b) Page 3, line 10, replace *advised* with *suggested*.

27 c) Line 47, remove the word *as*.

28 d) Page 3, line 35, replace ~~Mr. Knott~~ to *Ms. Huddle*.

29 Ms. Huddle moved to approve the December 10, 2015 minutes as amended. Mr. Quynn called
30 for a vote, which carried four (4) in support and one (1) abstention (Mr. Knott was absent from
31 this meeting).

32 Mr. Bannon moved to approve the January 28, 2016 minutes without corrections. Mr. Quynn
33 called for a vote, which carried three (3) for and 2 abstentions (Ms. Huddle and Mr. Knott
34 were not present at the January 28, 2016 meeting).

35 3. Swearing in of members of the public intending to provide testimony.

36 Ms. Hartman swore in members of the public who indicated they would be providing testimony
37 at the beginning of the meeting.

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- 1 4. Postponed from the January 28, 2016 meeting. Variance from Section 4.11A.2, 4.11E, and
2 Appendix B to remove the side and rear landscape/screening buffer for a private, commercial
3 warehouse/garage. Owner: Daniel McGinn. Location: Burr Business Park, Lot 11, NE corner
4 of Clendening Dr. & James Burr Blvd., Kearneysville, WV. District: 02; Map: 1; Parcel: 111;
5 Size: 1.75 ac; Zone: IC; File: ZV16-02.
- 6 Mr. Jason Gerhart, consultant with Gordon, LLC, was present to address the Board.
7 Ms. Brockman presented her staff report to the Board. The Board asked Ms. Brockman
8 questions regarding the application. Mr. Gerhart briefly explained the nature of the request.
9 Mr. Quynn called for public comment. There were no members of the public to offer comment.
10 Mr. Quynn closed the public hearing.
- 11 Mr. Bannon moved to go into deliberative session at 2:37 p.m.. Mr. Quynn called for a vote, which
12 carried unanimously.
- 13 Ms. Huddle moved to go back into public session at 3:00 p.m. Mr. Quynn called for a vote, which
14 carried unanimously.
- 15 4. Postponed from the January 28, 2016 meeting. Variance from Section 4.11A.2, 4.11E and
16 Appendix B to remove the side and rear landscape/screening buffer for a private commercial
17 warehouse/garage. Owner: Daniel McGinn.
- 18 Mr. Bannon moved to approve the variance request with the condition that the variance applies
19 only to the approved site plan for Lot 11 and that the applicant retain the existing vegetation along
20 the rear lot line. Mr. Quynn called for a vote, which carried unanimously.
- 21 5. Director's Report.
- 22 a) Monthly Zoning Certificate Activity Report. Ms. Brockman provided the Board with
23 an update on pending text amendments:
- 24 1) Campgrounds: CC action scheduled for 02/18/16.
25 2) Zoning Ordinance, Article 12: CC Public Hearing scheduled for 02/18/16.
26 3) Mass Events (#ZTA14-02): CC Public Hearing tentatively set for 03/17/16 7:00 pm.
27 4) Draft LESA/CUP & Cluster Subdivision Amendments scheduled for 03/8/16
28 PC workshop discussion.
29 5) Historic Resource Demolition and Adaptive Reuse: Anticipated meeting in
30 Spring 2016 with HLC to discuss draft text amendments.
31 6) Future Amendments: Parking Standards, Landscape Standards, Signage.
- 32 6. Legal Update. None.
- 33 a) William Neufeld Pending Litigation CA #14-C-394
34 b) Shenandoah Air Conditioning & Heating Inc. Pending Litigation CA #15-P-73
35 c) Whistling Farms Bed & Breakfast Litigation CA # 15-C-209 (possible executive session)
- 36 7) Discussion with possible deliberative session and signing of draft findings/decisions. None.
- 37 Mr. Schiltz moved to adjourn the meeting at 3:05 p.m. Mr. Quynn called for a vote, which carried
38 unanimously.