

Minutes
Jefferson County Zoning Board of Appeals

- 1 Meeting Date: November 10, 2016
2 Meeting Location: Charles Town Library Conference Room
3 200 East Washington Street, Charles Town West Virginia
4 Board members present: Tyler Quynn, Chair; Jeffrey Bannon, Matt Knott, Christy Huddle,
5 Ted Schiltz, and Jeffrey Bresee, Alternate
6 Absent members: Craig Foster, Alternate (with notification)
7 Staff members present: Alexandra Beaulieu, Zoning Administrator; Lydia Lehman, Assistant
8 Prosecuting Attorney; and Jennilee Hartman, Zoning Clerk
9

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

11 Mr. Bannon moved to call the meeting to order at 2:00 p.m. The motion carried unanimously.

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

13 1. Approval of the minutes from the October 27, 2016 meeting.

14 Ms. Huddle moved to approve the October 27, 2016 minutes. The motion carried four (4) in
15 support and one (1) abstention (Mr. Quynn was absent from this meeting).

16 2. Variance request by the Bavarian Inn from the following sections to allow for a proposed
17 minor subdivision: (a) Section 4.11A (includes reference to Appendix B): To eliminate the
18 required landscape buffer between commercial uses; (b) Section 5.4D.2 (includes reference
19 to 5.6D.1 & Appendix B); and, (c) Appendix B to reduce the building setback from 50' to 25'
20 and to eliminate the required parking and drive aisle buffers. Property Owner: Asam Family
21 Limited Partnership; Property Location: 164 Shepherd Grade Rd, Shepherdstown, WV.
22 District: Shepherdstown Corp. (10); Map: 1; Parcel: 1; Zone: Residential Growth; Size:
23 ~6.15 ac. (2.45 acres in the County); File #ZV16-23.

24 Mr. Michael Shepp, consultant with Allegheny Surveys, was present to address the Board.

25 Ms. Beaulieu stated for the record that a different consultant was incorrectly noted in the staff
26 report. Ms. Beaulieu proceeded with an overview from the staff report and addressed questions
27 from the Board. Mr. Shepp addressed the Board. Noting that there were no members of the
28 public in attendance, Mr. Quynn called for a motion.

29 Ms. Huddle moved to approve the above referenced request with the following conditions:

- 30 a. The variance applies only to the new internal lot line created between the portion of Parcel 1
31 which contains the building and the portion which contains the majority of the parking.
32 b. The Final Plat shall include a note granting cross access and cross parking for both lots and
33 shall also state that should either lot be conveyed to another entity, an access easement and
34 parking agreement shall be dedicated and recorded. A copy of the parking agreement shall
35 be submitted to the Office of Planning and Zoning for their files.
36 c. No buildings shall be permitted to cross lot lines.

37 The motion carried unanimously.

38 Mr. Knott left the meeting early due to a scheduling conflict. Mr. Bresee became an acting member
39 in Mr. Knott's absence.

40 3. Approval of the 2017 Board of Zoning Appeals Meeting Schedule. Mr. Bannon moved to adopt
41 the Schedule. The motion carried unanimously.

- 1 4. Zoning Administrator's Report.
- 2 a) Monthly Zoning Certificate Activity Report
- 3 Ms. Beaulieu updated the Board on the status of pending amendments. Ms. Beaulieu noted that
- 4 the next meeting would be held on December 8, 2016.
- 5 5. Legal Update. Ms. Lehman did not have any information for the Board.
- 6 a) Possible executive session on pending lawsuits: None.
- 7 b) Discussion with possible deliberative session and signing of draft findings/decisions.
- 8 Meeting date October 27, 2016: The following Findings were reviewed by Mr. Bannon
- 9 as he presided over the October 27, 2016 meeting.
- 10 i. Variance request from Section 5.7(b) by Michael Coffman. File ZV16-20.
- 11 ii. Variance request from Section 4.18 by Beallair Homes LLC. File: ZV16-21.
- 12 iii. Variance request by Bernadine Somers on behalf of Morgan Academy from
- 13 Section 10.4C File #ZV16-22.
- 14 6. Acknowledgement of 11 years of service to the Board of Zoning Appeals by Ms. Christy Huddle.
- 15 Mr. Bresee thanked Ms. Huddle for her dedication and commitment to the Board. Mr. Bresee
- 16 noted that Ms. Huddle's fair and kind manner helped make an applicant feel at ease. Ms. Beaulieu
- 17 presented a plaque to Ms. Huddle thanking her for her service to the County.
- 18 Ms. Huddle moved to adjourn the meeting at 2:37 p.m. The motion carried unanimously.