

Minutes
Jefferson County Board of Zoning Appeals

- 1 Meeting Date: March 23, 2017
- 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, Vice Chair; Matt Knott, Ted Schiltz,
5 and Jeff Bresee.
- 6 Absent members: Deirdre Catterton, Alternate (with notification)
- 7 Staff members present: Alexandra Beaulieu, Zoning Administrator; Nathan Cochran, Assistant
8 Prosecuting Attorney; and, Jennilee Hartman, Zoning Clerk
- 9 All requests are pursuant to the Jefferson County Zoning and Land Development Ordinance.
- 10 Mr. Schiltz moved to call the meeting to order at 2:00 p.m. The motion carried unanimously.
- 11 Mr. Quynn explained to the public how the meeting would be conducted.
- 12 1. Approval of the February 23, 2017 meeting minutes.
- 13 Mr. Bresee moved to approve the February 23, 2017 minutes. Mr. Bannon requested the
14 following edits:
- 15 1) Page 1, line 36, change the word *used* to *uses*.
- 16 2) Page 1, line 41, change the word *their* to *his*.
- 17 The motion carried unanimously.
- 18 2. Ms. Hartman swore in members of the public who indicated they would be providing testimony.
- 19 3. Variance request from Section 4.18 to allow a staffed model townhome on Lots 50 - 67,
20 which are located within the interior of the subdivision. Property Owner: Beallair Homes, LLC.
21 Location: Beallair Subdivision, fronting Lewis Washington Dr. & Clover Lea Way, Charles
22 Town. District: Harpers Ferry (04); Map: 10A; Parcel: RESB / 50; Combined acreage: ~3.00 ac
23 combined; Zone: Residential Growth; File: ZV17-02.
- 24 Mr. Michael Wiley, applicant, was present to address the Board. Ms. Beaulieu delivered an over-
25 view of the staff report and addressed questions from the Board. Mr. Wiley explained the nature
26 of the request, noting that it was not the company's intent to include model homes on all of the
27 lots. Mr. Wiley stated the company wanted flexibility to choose which unit could be a model
28 home and should that model sell, to replace it with another unit within the same block. Mr. Quynn
29 opened the public hearing. There was no public comment. Mr. Quynn closed the public hearing.
- 30 Mr. Bresee moved to approve the request referencing the applicant's testimony to limit the
31 number of models to one or so [at any one point]. Mr. Quynn called for a vote, which carried
32 unanimously.
- 33 4. Variance request from Section 9.7 to reduce the front setback from 20' to 12'; and the side setback
34 from 8' to 6' to allow for the replacement of a home that will be larger than the existing home.
35 Owner: Richard Pauley. Location: Harpers Ferry Campsites, 97 Skyhawk Trail, Harpers Ferry.
36 District: Harpers Ferry (04); Map: 13D; Parcel 15; Size: 8,181 sf; Zone: Rural; File: ZV17-03.
- 37 Mr. Richard Pauley was present to address the Board. Ms. Beaulieu delivered an overview of
38 the staff report and addressed questions from the Board. Mr. Pauley explained the nature of the
39 request and answered the Board's questions. Mr. Knott inquired about the adjacent parcel that
40 contained an abandoned dwelling. Mr. Pauley stated the home had not been occupied in the

1 past 15 years due to a fire that significantly damaged the home. Ms. Beaulieu explained that
2 the County had a Property Safety Enforcement Agency that addressed these issues and that a
3 complaint would need to be filed with the Office of Engineering. Mr. Quynn opened the public
4 hearing. There was no public comment. Mr. Quynn closed the public hearing.

5 Mr. Knott moved to approve the above referenced request. Mr. Quynn called for a vote, which
6 carried unanimously.

7 5. Zoning Administrator's Report

8 a. Monthly Zoning Certificate Activity Report. This report was provided to the Board in the
9 mailed packet.

10 Ms. Beaulieu briefed the Board on the revisions to the Zoning Ordinance, which was
11 approved by the County Commission on March 16, 2017. Ms. Beaulieu stated she would
12 provide the Board with a document that noted key changes to the Ordinance.

13 6. Legal Update. Mr. Cochran informed the Board that Ms. Lehman took a position with the
14 Berkeley County Prosecuting Office and that, in addition to serving the County Commission,
15 he would also serve as the Board's legal counsel for the time being. The Board noted that they
16 appreciated the counsel Ms. Lehman provided and remarked on her excellent performance while
17 serving the Board.

18 a. Possible executive session on the follow pending lawsuits: None.

19 b. Discussion with possible deliberative session and signing of draft findings/decisions
20 Meeting January 12, 2017

21 i. Appeal of the Zoning Administrator's determination by Thomas Hayden, President of
22 the Runnymede Homeowners Association, to permit Lisa and James Boyer to operate a
23 dog kennel (#ZC16-37) located at 5404 Kabletown Rd. in Charles Town. File: AP16-02.

24 ii. Variance request by CTSS, LLC, property owner, from Section 4.11A.2 & 8.9A.10 and
25 Appendix B File: ZV16-27.

26 iii. Variance by Alex Arneson and Christina Firaben from Section 5.7(b). File: ZV16-28.

27 Mr. Cochran provided the Board with a draft copy of the Findings for each request. Mr. Quynn
28 will sign the Findings once the suggested edits are completed.

29 Mr. Knott moved to adjourn the meeting at 2:36 p.m. Mr. Quynn called for a vote, which
30 carried unanimously.

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