



**Jefferson County**  
**Board of Zoning Appeals**  
**Thursday, June 22, 2017, 2:00 p.m.**

Members  
Tyler Quynn, Chair  
Jeffrey Bannon, Vice Chair  
Matt Knott  
Ted Schiltz  
Jeff Bresee  
Deirdre Catterton, 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 pm 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 May 25, 2017 meeting.
2. Swearing in of members of the public intending to provide testimony.
3. Variance request from the following requirements to allow for the construction of a new church site:
  - a. Section 4.11A(1) & 4.11D: to allow the existing parking & access drive to remain within the 50' unscreened green space buffer yard along the eastern boundary; and,
  - b. Appendix B: to reduce the western side setback from 50' to 15' for Phases 1 and 2 of the church building.

Owner/Applicant: Dr. Craig Bush, Pastor, Grace Baptist Church. Location: 4272 Charles Town Road, Kearneysville; District: Middleway (07); Map: 2; Parcel: 2.6; Size: 3.917 acres; Zone: Rural File: ZV17-10.

4. Variance request from Section 5.4(B) [of the Jefferson County Zoning and Land Development Review Ordinance, as amended 11/07/02] to reduce the rear setback from 20' to 8' to construct a 12' x 12' deck. Owner: Collis Holdings, LLC and F Squared, LLC. Location: Deerfield Village, Lot 46, Deerfield Village Dr., Shepherdstown; District: Shepherdstown (09); Map: 14B; Parcel 46; Size: .239 acres; Zone: Rural; File: ZV17-11.
5. Variance request from Section 9.7 to reduce the rear setback from 50' to 30' for a 30' x 45' accessory structure. Owner: Patricia Dunn. Location: 923 Gardners Ln, Shepherdstown; District: Shepherdstown (09); Map: 17; Parcel: 1; Size: 2.5 ac; Zone: R; File: ZV17-12.
6. Request by applicant, The Middleway Conservancy Association Inc., for a Seasonal Use Permit for "Reenactment of the Battle of Smithfield Crossing" to operate from September 8-10, 2017. The event is to consist of a reenactment of civil war camp life, drills, educational activities and public parking. Property owner, location and description of proposed events as follows: File: SU17-01(A – I).

SU17-01A: William & Linda Chappell

175 East St., Kearneysville; D: 07; M: 22B; P: 28; Size: .89 ac; Z: R & V; military drills & educational activities, reenactment;

SU17-01B: Daniel & Anne Bowers

272 Mason Farm Dr., Kearneysville; D: 07; M: 22; P: 12.9; Size: 7.75 ac; Z: R; reenactor parking; encampment of 20 cavalry reenactors with horses, and educational activities;

SU17-01C: Dorothea DeHart

207 East St., Kearneysville; D: 07; M: 22B; P: 29 & 20; Size: 2.17 ac & .53 ac; Z: R & V; military drills & educational activities; reenactment of the battle

SU17-01D: Grace Episcopal Church

112 East St., Kearneysville; D: 07; M: 22A; P: 70; Size: .33 ac; Z: V; information center; living history exhibits; educational activities;

SU17-01E: Carmen Quinones

7513 Queen St., Kearneysville; D: 07; M: 22A; P: 18; Size: 2.45 ac; Z: V; encampment of 150 reenactors; military drills & equipment; civil war camp life & reenactment;

6. "Reenactment of the Battle of Smithfield Crossing" property owner, location and description of proposed events continued,

SU17-01F: James Stickles

7316 Queen St., Kearneysville; D: 07; M: 22A; P: 61; Size: 2.6 ac; Z: V; reenactor (50 cavalry) encampment with horses; military drills & equipment; civil war camp life;

SU17-01G: Timothy Johnson

7279 Queen St., Kearneysville; D: 07; M: 22A; P: 33; Size: .266 ac; Z: V; exhibition of Middleway/Smithfield records & artifacts;

SU17-01H: Middleway United Methodist Church Trustees

328 King St., Kearneysville. D: 07; M: 22A; P: 19; Size: .67 ac; Z: V; living history

SU17-01I: interpretations; educational activities; and,

7437 Queen St. Kearneysville; D: 07; M: 22A; P: 44; Size: .33 ac; Z: V; spectator parking;

7. Zoning Administrator's Report

a. Monthly Zoning Certificate Activity Report

8. Legal Update

a. Possible executive session on the following pending lawsuits: None.

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

Meeting May 25, 2017

- i. Variance from Sec. 9.7 to reduce the side and rear setback from 6' to 1' for a 7' tall fence. Owner: Kathleen A. Holsinger.
- ii. Request for a CUP by Alisha's Child Care to operate a child care facility within an existing home. The facility will provide services for up to 12-children, the existing driveway will be utilized for parking and a 2' x 4' free standing sign will advertise the location. Owner: James Shimp.
- iii. Request for a CUP by Middleway Antique Shop and Information Center for a proposed antique shop and information center to be located in an existing building. The business would utilize an existing gravel parking lot located in the rear of the property and is proposing an 18 sf sign. Owner: Timothy Johnson.
- iv. Variance from Sec. 4.10A to waive the requirement of a site plan due to the need for a paved parking lot. Applicant is requesting to utilize the existing gravel parking lot as part of CUP application CUP17-02. Owner: Timothy Johnson.
- v. Variance from Sec. 5.7(B)1 to reduce the side setback from 15' to 3' for a 20' x 32' accessory structure. Owner: Suzin & Laurence Wright.

Minutes  
Jefferson County Board of Zoning Appeals

- 1 Meeting Date: May 25, 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 2:02 p.m. The motion carried unanimously.
- 11 Mr. Quynn explained to the public how the meeting would be conducted.
- 12 1. Approval of the April 27, 2017 meeting minutes.
- 13 Mr. Bresee moved to approve the April 27, 2017 minutes. Mr. Bannon requested the following edit:  
14 Page 1, line 25, insert the word **is** after the word **that**. Mr. Quynn asked Mr. Bresee if he accepted  
15 the suggested amendment to the minutes. Mr. Bresee accepted the amendment. Mr. Quynn called  
16 for a vote on the amended minutes, which carried unanimously.
- 17 2. Ms. Hartman swore in members of the public who indicated they would be providing testimony.
- 18 Mr. Quynn stated the Board would review Item #7 on the Agenda (ZV17-09, Suzin and  
19 Laurence Wright) as the first item.
- 20 3. Variance from Section 5.7(B)1 to reduce the side setback from 15' to 3' for a 20' x 32' accessory  
21 structure. Owner: Suzin & Laurence Wright. Location: 947 Hostler Rd., Harpers Ferry. Tax  
22 District: Harpers Ferry (04); Tax Map: 15; Parcel: 19.1; Size: 1.18 ac; Zone: R; File: ZV17-09.
- 23 Ms. Suzin Wright was present to address the Board. Ms. Beaulieu delivered an overview of the  
24 staff report and addressed questions from the Board. Ms. Wright briefly explained the nature of  
25 the request to the Board noting that she owned the adjacent property. Mr. Quynn opened the  
26 public hearing. There was no public comment. Mr. Quynn closed the public hearing.
- 27 Mr. Bresee moved to approve the variance, which carried unanimously.
- 28 4. Variance from Section 9.7 to reduce the side and rear setback from 6' to 1' for a 7' tall fence.  
29 Owner: Kathleen A. Holsinger. Location: 50 Garden Pl., Charles Town. Tax District: Charles  
30 Town (02); Tax Map: 10B; Parcel: 73; Size: .21 ac; Zone: RG; File: ZV17-06.
- 31 Ms. Kathleen Holsinger was present to address the Board. Mr. Quynn stated for the record that  
32 he has lived in close proximity to the subject parcel for 8-10 years and noted that he did not  
33 believe there was any conflict in making a clear decision on the application. The Board members  
34 did not object to Mr. Quynn's statement pertaining to the request. Mr. Cochran asked Mr. Quynn  
35 if he believed he could be objective with regard to the variance request. Mr. Quynn agreed.
- 36 Ms. Beaulieu delivered an overview of the staff report and addressed questions from the Board.  
37 Ms. Holsinger briefly described the nature of the request to the Board explaining that the purpose  
38 of the taller fence is to help contain her large dog that habitually escapes her yard. Mr. Quynn  
39 opened the public hearing. There was no public comment. Mr. Quynn closed the public hearing.
- 40 Mr. Knott moved to approve the variance. Mr. Schiltz seconded the motion, which carried  
41 unanimously.

- 1 5. Request for a conditional use permit by Alisha's Child Care to operate a child care facility  
2 within an existing home. The facility will provide services for up to 12-children, the existing  
3 driveway will be utilized for parking and a 2' x 4' free standing sign will advertise the location.  
4 Owner: James Shimp. Location: 130 Maple Ave, Harpers Ferry. Tax District: Harpers Ferry  
5 (04); Tax Map: 3A; Parcel: 12; Size: .5 ac; Zone: V; File: CUP17-03.
- 6 Mr. Paul Raco, land use consultant with P.J. Raco Consulting, and Ms. Alisha Shimp, owner,  
7 were present to address the Board. Ms. Beaulieu provided an overview of the staff report and  
8 addressed questions from the Board. Mr. Raco presented the request and answered the Board's  
9 questions. Mr. Raco stated that Ms. Shimp's Child Care had obtained all the necessary State  
10 approvals. He explained that due to the fact that Ms. Shimp accepted MountainHeart, she was  
11 unable to restrict or limit her clientele base. Mr. Raco stated that the site consisted of an existing  
12 paved parking area to be used by clients and noted that Ms. Shimp did not believe parking  
13 would be an issue because the employees of Alisha's Child Care resided on the property and  
14 utilized a separate private parking area. Ms. Shimp addressed questions from the Board.
- 15 Mr. Quynn opened the public hearing. Allyson Stewart, Chris Foreman, and Angela Hough  
16 spoke in favor of the conditional use permit. Additionally, letters of support were submitted  
17 for the record by the Christner family, David and Cynthia Funkhouser, J. Evan and Christine  
18 Barnes, Erica Dunn, and Christina Costello. Mr. Lewis Lloyd expressed concerns regarding the  
19 sanitary conditions of the property in relation to the chickens and hogs and the septic capacity  
20 for a childcare facility. Ms. Beaulieu informed the Board of an anonymous email that the office  
21 received just before the meeting stating an objection to the request. She also noted that the  
22 email would be included in the file but did not believe the Board was required to consider the  
23 comment as part of their review due to the late submission and the individual not being present  
24 for the meeting. Mr. Quynn closed the public hearing.
- 25 Mr. Raco's rebuttal included testimony explaining that a recent text amendment inadvertently  
26 made processing commercial uses in existing structures within the Village zoning district more  
27 cumbersome. Mr. Raco highlighted the fact that there had been no verbal testimony in opposition  
28 to the proposed day care. In response to Mr. Lloyd's concerns regarding the hogs, Ms. Shimp  
29 stated that the hogs would be removed from the property within the next two weeks.
- 30 Mr. Bannon moved to approve the conditional use permit for Alisha's Child Care (#CUP17-03),  
31 to operate a child care facility within an existing home providing services for up to 12-children.  
32 The existing driveway will be utilized for parking for clients and a 2' x 4' freestanding sign will  
33 identify the business location. Mr. Bresee seconded the motion, which carried unanimously.
- 34 6. Request for a conditional use permit by Middleway Antique Shop and Information Center for a  
35 proposed antique shop and information center to be located in an existing building. The business  
36 would utilize an existing gravel parking lot located in the rear of the property and is proposing an  
37 18 sq. ft. sign. Owner: Timothy Johnson. Location: 7279 Queen St., Kearneysville. Tax District:  
38 Middleway (07); Tax Map: 22A; Parcel: 33; Size: .266 ac; Zone: V; File: CUP17-02.
- 39 This item was addressed in conjunction with Item #7. See below.
- 40 7. Variance from Section 4.10A to waive the requirement of a site plan due to the need for a  
41 paved parking lot. Applicant is requesting to utilize the existing gravel parking lot as part of  
42 conditional use permit application for the Middleway Antique Shop and Information Center  
43 (#CUP17-02). Owner: Timothy Johnson. Property location: 7279 Queen St., Kearneysville.  
44 Tax District: Middleway (07); Map: 22A; Parcel: 33; Size: .266 ac; Zone: V; File: ZV17-07.

1 Mr. Paul Raco, land use consultant with P.J. Raco Consulting, and Mr. Timothy Johnson,  
2 owner, were present to address the Board. Ms. Beaulieu provided an overview of the staff  
3 report, noting that the application included a request to include an 18 square foot sign, but that  
4 the location and design had not been included in the application. Ms. Beaulieu addressed  
5 questions from the Board. Mr. Raco presented the request on behalf of his client and answered  
6 the Board's questions. Mr. Raco presented a general design for the proposed 18 square foot  
7 sign. He requested that the Board not limit the sign to the general design presented, but limit it  
8 to what the Middleway Conservancy approves to avoid possible conflict and the possible need  
9 to seek additional variances. Regarding the variance request, Mr. Raco explained that requiring  
10 a paved parking area would take away from the historic character of the area, which is why  
11 Mr. Johnson is requesting to waive the requirement of a site plan. Mr. Quynn opened the public  
12 hearing. There was no public comment. Mr. Quynn closed the public hearing.

13 Mr. Schiltz moved to approve the conditional use permit for Middleway Antique Shop and  
14 Information Center, which is to consist of an antique shop and information center to be located  
15 in an existing building. The business would utilize an existing gravel parking lot located in the  
16 rear of the property and is proposing an 18 sq. ft. sign. Mr. Bresee seconded the motion, which  
17 carried unanimously.

18 Mr. Bresee moved to approve the variance request from Section 4.10A to waive the requirement  
19 of a site plan due to the need for a paved parking lot for conditional use permit application  
20 #CUP17-02, Middleway Antique Shop and Information Center. The motion carried unanimously.

21 Owner: Timothy Johnson. Property location: 7279 Queen St., Kearneysville. Tax District:  
22 Middleway (07); Map: 22A; Parcel: 33; Size: .266 ac; Zone: V; File: ZV17-07.

23 Mr. Knott left the meeting at 3:19 p.m.

24 8. Zoning Administrator's Report

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

27 Ms. Beaulieu reported on the status of pending text amendments.

28 Mr. Schiltz stated he would not be at the June 22, 2017 meeting. Mr. Schiltz also stated he  
29 did not receive an emailed packet. Ms. Beaulieu stated she would look into it.

30 9. Legal Update.

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

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

33 Meeting April 27, 2017

34 i. Variance from Section 9.7. Owner: David Young. File: ZV17-04.

35 ii. Request for a CUP for a Popeye's. Owner: Sharp Best & Brown LLC. File: CUP17-01.

36 Mr. Cochran provided the Board with a draft copy of the Findings for each request.

37 Mr. Schiltz moved to adjourn the meeting at 3:25 p.m. Mr. Quynn called for a vote, which carried  
38 unanimously.



Staff Report  
 Jefferson County Board of Zoning Appeals Meeting  
 June 22, 2017

**Grace Baptist Church Variance Request (#ZV17-10)**

Item #3 Variance request from the following requirements to allow for the construction of a new church:

- a) Section 4.11A(1) and 4.11D: To allow the existing parking and access drive to remain within the 50' unscreened green space buffer yard along the eastern boundary.
- b) Appendix B: To reduce the western side setback from 50' to 15' for Phase 1 and 2 of the church building.

Applicant:	Grace Baptist Church c/o Dr. Craig Bush, Pastor
Owner:	Same as above
Developer:	N/A
Consultant:	Allegheny Surveys, Inc. c/o Lisa McCauley
Property Location:	4272 Charles Town Road, Kearneysville WV
Legal Description & Zoning District:	<p style="text-align: center;">District: Middleway (07); Map: 2; Parcel: 2.6          Size: 3.917 acres; Zone: Rural</p>
Surrounding Properties:	<p style="text-align: center;">Zoning Map Designation:</p> <p style="text-align: center;"><i>North:</i> Industrial-Commercial      <i>South:</i> Rural  <i>East:</i> Rural      <i>West:</i> Rural</p>
History:	Walls Nursery Site Plan 12/14/04: PC approved Site Plan (PC file #S04-16)
Waivers/Variations:	02/19/10: PC approves variance to decrease length of the deceleration lane. 05/19/11: BZA approves variance to reduce landscaping standards (ZV11-14).
Approved Activity:	Non-Residential (nursery)

Staff Report  
Jefferson County Board of Zoning Appeals Meeting  
June 22, 2017

**Grace Baptist Church Variance Request (#ZV17-10)**

**STAFF EVALUATION OF REQUEST**

a. Summary of Request and Purpose of Ordinance Requirements

The proposed project consists of a new church and associated parking that will be constructed in two phases. The first phase consists of a new 6,000 square foot (sf) building that will utilize well and septic, a gravel parking lot with 47 spaces, concrete sidewalks, and a screened dumpster pad. Additionally, the site will provide a stormwater management pond to accommodate full build-out, four street trees and signage along Martinsburg Pike (WV Rte. 9), and a 15' screened buffer along the western boundary.

Phase II of the project will replace the western most parking area (22 spaces) with a second 6,000 sf building and concrete sidewalks. The access drive to this replaced parking area will be disconnected and shortened. The dumpster area will be relocated and another parking lot will be expanded.

In order to accommodate the proposed build out, the applicant is requesting the following variances:

- a) Section 4.11A(1) and 4.11D: To allow the existing parking and access drive to remain within the 50' unscreened green space buffer along the eastern boundary.
- b) Appendix B: To reduce the western side setback from 50' to 15' to accommodate two 6,000 sf church buildings proposed for phases I and II.

The purpose of a landscape buffer is to provide a separation between different uses and the associated parking and drive aisles to lessen the impact on adjoining land uses. Landscape buffers serve as a barrier to visibility, airborne particles, glare, or noise created by an adjacent land use. In this particular case, the adjacent lot to the east is vacant.

The purpose of side and rear yard setback requirements is to reduce the impact that a land use might have on an adjacent property; to allow adequate space between a structure and a property line so that maintenance of the structure is feasible; to maintain adequate separation between structures for fire prevention purposes; and to allow room for utility easements.

b. Previous Case History

In 2004, Walls Nursery processed a site plan through the Department which proposed a 15' screened buffer to include 159 shrubs along the eastern boundary. However, in 2011, Walls Nursery was granted a variance from the required screening and buffer requirements along the eastern boundary as shown on Site Plan S04-16. Staff determined that because the 2011 variance was granted for a nursery utilizing stock on premises, the change in use to a church necessitated approval from the Board.

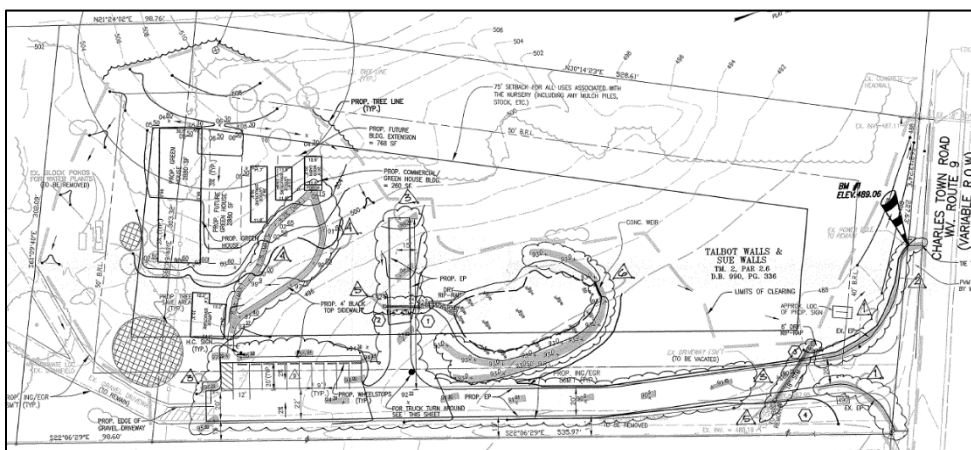


Figure 1:  
Walls Nursery Site Plan  
(S04-10)

Staff Report  
Jefferson County Board of Zoning Appeals Meeting  
June 22, 2017

**Grace Baptist Church Variance Request (#ZV17-10)**

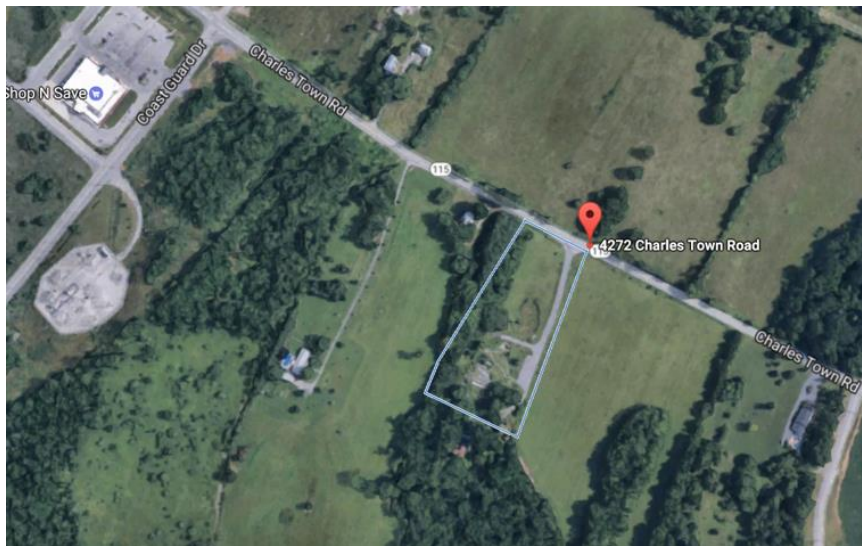
c. Impact on adjacent properties

- a) Parking/drive aisle encroachment within 50' unscreened buffer

The adjacent property to the east is vacant; therefore, the request to continue the encroachment does not appear to create a negative impact. Additionally, the parking and drive aisle features have existed since the Walls Nursery site was developed in 2004.

- b) Setback reduction request

A side setback reduction along the western property line from 50' to 15' for the church structures (Phases I and II) would likely have minimal impact on the neighboring property as the applicant is proposing a 15' screened planting along this property line. Additionally, it appears the residential home that is located on the adjacent property is approximately 170' from the property line.



d. Feasibility of complying with the ordinance by other means

Based on the previously approved site plan for Walls Nursery, it is feasible to install a 15' screened green space buffer along the eastern property line. However, it should be noted that the Subdivision Regulations restrict parking and landscaping within an access easement. On June 13, 2017, the applicant was granted a waiver by the Planning Commission to allow the existing ten parking spaces to remain in the access easement. Requiring the applicant to install a 15' screened green space buffer along the eastern property line would necessitate an additional waiver from the Planning Commission.

The church buildings for phases I and II have not yet been constructed; therefore, it is feasible to reconfigure the proposed layout to comply with the 50' setback along the western property line. Due to the topography and other site features, modifying the site design may be difficult.

e. Conditions of Approval

Should the Board choose to approve this request, possible conditions of approval include:

1. No conditions of approval have been identified.

Staff Report  
 Jefferson County Board of Zoning Appeals Meeting  
 June 22, 2017

**Grace Baptist Church Variance Request (#ZV17-10)**

**SECTION OF ORDINANCE TO BE CONSIDERED:**

**Section 4.11 Landscaping, Screening and Buffer Yard Requirements**

Buffer yard requirements are as shown in Appendix A and B of this Ordinance, and are summarized in this section.<sup>27</sup>

A. Commercial Development<sup>27</sup>

1. All commercial development adjacent to any Residential district, or any lot with a residence, school, church, or institution of human care shall have a 50 foot or greater unscreened green space buffer or a 15 foot screened green space buffer along common property lines. The screening may be either vegetative or opaque fencing and may be placed anywhere within the buffer. **No structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers.**

- D. In all buffer yards, the exterior width beyond the vegetative screen shall be planted with grass, seed, sod, or ground cover.

**APPENDIX B: NON RESIDENTIAL SITE DEVELOPMENT STANDARDS TABLE<sup>27, 32</sup>**

Zoning District	Development Type <sup>Q</sup>	Min Lot Area (MLA)	Min Lot Width	Max Building Height <sup>r</sup>	Impermeable Surface Limit	Building Setbacks		Parking/ Drive Aisle Setbacks			Buffers (Sec. 4.11)							
											(Screened / Unscreened) Adjacent Use							
											A Residential district, or any lot with a residence, school, church, or institution of human care (Distance per Sec. 4.6)						Commercial Use	
Front	Side	Rear	Front	Side	Rear	Distance Front Side Rear	Front	Side & Rear	Front	Side & Rear	Front	Side & Rear						
Industrial – Commercial (IC) **	Commercial sites 1.5 acres and smaller	N/A	N/A	75	80%	25		15	4	4	75	Street Trees	Narrow Buffer Detail No. M-54	N/A	10(S)	N/A	10(S)	
	Commercial sites greater than 1.5 acres	N/A	N/A	75	80%	25		15	10	10	75	Street Trees	Medium Buffer Detail No M-53	N/A	10(S)	N/A	10(S)	
	Industrial	3 ac ***	N/A	75	90%	50 or 25 if adjacent to Industrial Use		25 or 20 if adjacent to Industrial Use			200	Street Trees	Wide Buffer Detail No. M-52	25(S)	20(S)	N/A	20(S)	
Residential-Light Industrial-Commercial (RLIC)	Commercial or Industrial	N/A	N/A	75	80%	See IC District												
Rural (R)	Churches	2 acres	200	45	N/A	25	50	50	See IC District									
	Schools, Grades K-12	K-4: 10 ac+ 5-8: 20 ac+ 9-12: 30 ac+	500	45	N/A	100			See IC District for commercial sites			N/A	50(U) or 15 (S)		N/A	10(S)	N/A	10(S)
	Hospitals	10 ac	500	45	N/A	100			See IC District for commercial sites			N/A	N/A		N/A	N/A	N/A	N/A
	Other Rural principal permitted uses	40,000	100	45	N/A	40	50	50	See IC District for commercial sites			N/A	See I-C District for commercial or industrial use; Otherwise, N/A					
	Commercial or Industrial **	See IC District																



**JEFFERSON COUNTY, WEST VIRGINIA**  
**Department of Engineering, Planning, and Zoning**  
**Office of Planning and Zoning**  
 116 East Washington Street, P.O. Box 338  
 Charles Town, WV 25414  
 www.jeffersoncountywv.org

File Number: #2017-10  
 Staff Initials: CJC  
 Meeting Date: 06-22-17  
 Fees Paid (\$100 or \$150): \$100.00

Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Phone: (304) 728-3228

**Zoning Variance Request**

*Variations from the Zoning and Land Development Ordinance must comply with Article 8A-7-11 of the WV State Code. A variance is a deviation from the minimum standards of the ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district, nor shall it involve changing the zoning classification of a parcel of land.*

**Property Owner Information**

Name: Trustees of the Grace Baptist Church c/o Dr. Craig Bush, Pastor  
 Mailing Address: 115 Aikens Center, Suite 9, Martinsburg, WV 25404  
 Phone Number: 304-620-7025 Email: cbarnes@gbcmartinsburg.com

**Applicant Contact Information**

Name: Grace Baptist Church c/o Dr. Craig Bush, Pastor  
 Mailing Address: 115 Aikens Center, Suite 9, Martinsburg, WV 25404  
 Phone Number: 304-620-7025 Email: cbarnes@gbcmartinsburg.com

**Applicant Registered Engineer(s), Surveyor(s), or Consultant(s)**

Name: Allegheny Surveys, Inc, c/o Lisa McCauley  
 Mailing Address: 25 Lights Addition Drive, Martinsburg, WV 25404  
 Phone Number: 304-901-2162 Email: lmccauley@alleghenysurveys.com

**Physical Property Details**

Physical Address: 4272 Charles Town Road  
 City: Kearneysville State: WV Zip Code: 25430  
 Tax District: Middleway District (07) Map No: 2 Parcel No: 206  
 Parcel Size: 3.917 Deed Book: 1180 Page No: 75

**Zoning District (please check one)**

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential- Light Industrial- Commercial (R-LI-C)	Village (V)	Neighborhood Commercial (NC)	General Commercial (GC)	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<div style="text-align: center;"> <p><b>RECEIVED</b></p> <p><b>MAY 18 2017</b></p> <p>JEFFERSON COUNTY PLANNING, ZONING &amp; ENGINEERING</p> </div>			Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/Commercial Mixed-Use (OC)
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Place Received Date Stamp Here

On a separate sheet of paper, provide a sketch showing the shape and location of the lot indicating all roads, rights of way, and easements. Show the location of the intended construction or land use indicating building setbacks (i.e. the distance of the structure from all property lines), size, and height. Identify all existing buildings, structures, or land uses on the property. The sketch should show the full extent of the property. Sign and date the sketch.

Is there a Code Enforcement action pending in relation to this property?  Yes  No

Reference the section of the Zoning Ordinance pertaining to this request: 4.11A(1), 4.11D, and Appendix B(non-res)

*Briefly describe the nature of the variance request:*

#1-The variance is to allow existing parking and an access drive to remain within the 50' unscreened green space buffer yard along the eastern boundary (4.11A(1) and 4.11D). #2-In addition to this request, we are also seeking a variance from the 50' building restriction line and allow the reduction to 15' for both buildings in phase 1&2.

*If this request is for a setback variance, please check one of the following:*

Front Setback  Side Setback  Rear Setback  Reduction From 50' to 15'

*Please explain why granting the variance will NOT adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents:*

#1 - The property adjoining the eastern buffer is currently an undeveloped field. The access drive and parking are existing and have not created an unsafe or unsightly condition. #2 - There is currently a heavy tree buffer between the proposed buildings and the residential property to the west. A 15' vegetative screen will be planted between the uses.

*In what way does this request arise from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance?*

#1-The parking/access drive/50' access easement exists along the eastern property line. The previous use was granted this variance. There is not adequate space to provide the 15' screening #2 - Due to the property development area being "squeezed" between the existing access easement/SWM pond and the property line, we seek the reduction

*How will granting this variance eliminate an unnecessary hardship and permit a reasonable use of the land?*

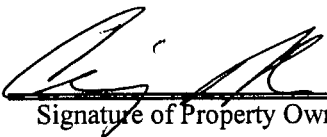
#1-Allowing the existing parking, access drive/easement to remain within the buffer will allow adequate room to construct the church buildings/parking while utilizing the existing SWM pond & minimizing disturbance. #2-Allowing a reduction enables the siting of buildings while utilizing the existing facilities/minimizing disturbance.

*How will granting this variance allow the intent of the Zoning Ordinance to be observed and substantial justice to be done?*

#1-50' of greenspace is provided for 496'/635' of the eastern boundary west of the access easement. The buildings are 135'+ away from this property line. Every attempt has been made to still provide a "buffering affect" for the adjoiner. #2-The required 50' BRL is to create a buffer. 15' screening as well as a large existing stand of trees buffer the west Pl.

*Original signature is required. If additional signatures are necessary, please attach a separate piece of paper.*

*By signing this application, I give permission for the Office of Planning and Zoning staff to walk onto the subject property, if necessary, in order to take photos for the Board of Zoning Appeals staff reports. The information given is correct to the best of my knowledge.*

 5-18-17  
Signature of Property Owner Date

\_\_\_\_\_  
Signature of Property Owner Date

*Notification Requirements (to be completed by staff)*

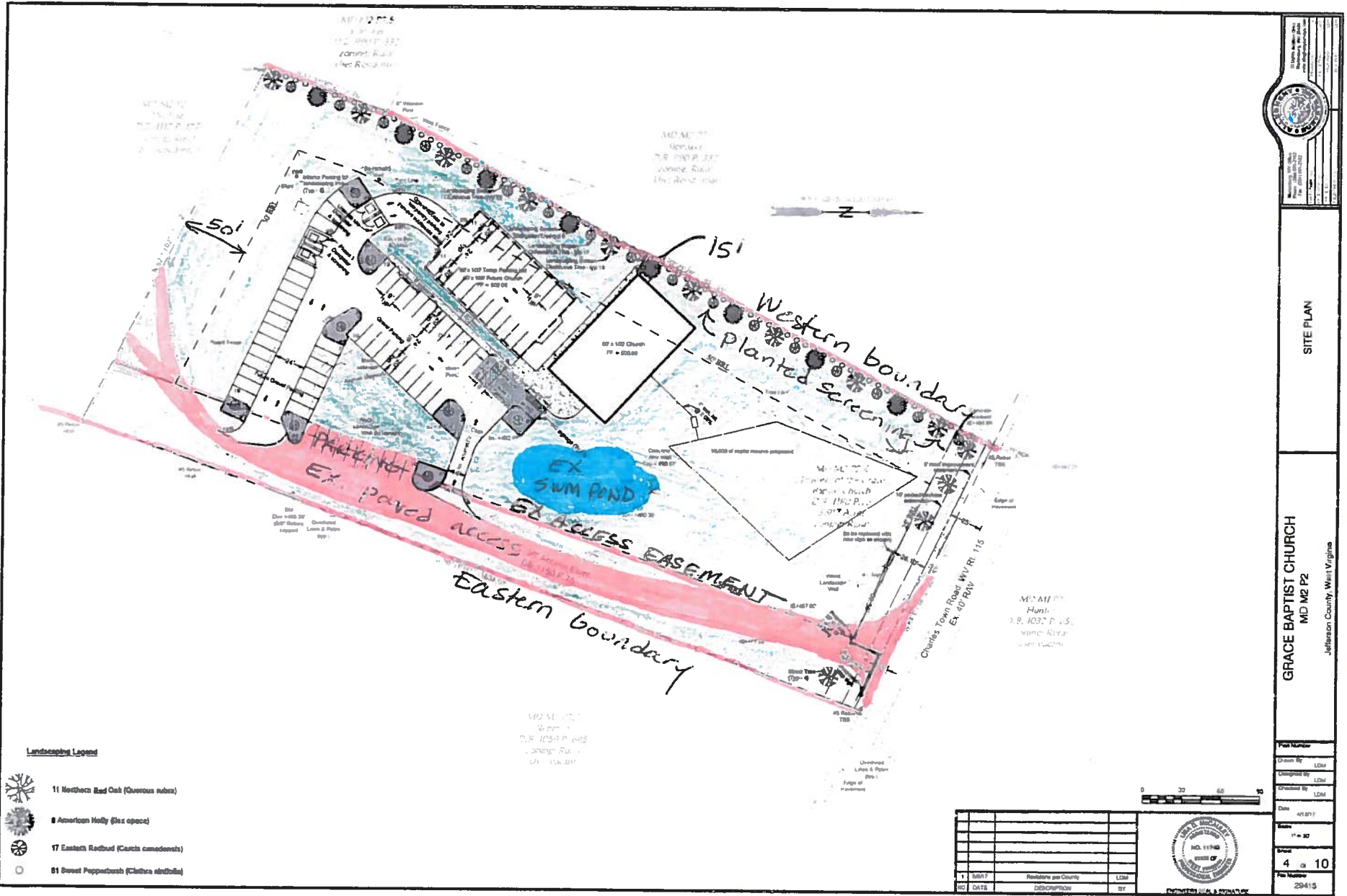
Notice of a public hearing for an appeal shall be advertised in a newspaper having general circulation in the County at least 15 days before the hearing. The subject property shall be posted conspicuously by a zoning notice no less than 28" x 22" in size, at least 15 days before the hearing (pursuant to the Zoning and Land Development Ordinance Section 3.4A(3)(b).

06/22/17  
Date of Public Hearing

06/07/17  
Advertising Date

06/07/17  
Placard Posting Date

ZY17-16



Variance/Waiver Requests sketch

5/12/17  
Lisa McCarty

# Aerial Map from WV Flood Map

5/12/17  
*Tom M...*



This map is not the official regulatory FIRM or DFIRM. Its purpose is to assist with determining potential flood risk for the selected location.

**User Notes:**  
 Grace Baptist Church

Map created on May 12, 2017

- Flood Hazard Zone
- Flood Point of Interest

**Disclaimer:**

The online map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. To obtain more detailed information in areas where Base Flood Elevations have been determined, users are encouraged to consult the latest Flood Profile data contained in the official flood insurance study. These studies are available online at [www.msc.fema.gov](http://www.msc.fema.gov).  
 WV Flood Tool (<http://www.MapWV.gov/flood>) is supported by FEMA, WV NFIP Office, and WV

**Flood Hazard Area:**

Flood Hazard Area: Location is NOT WITHIN any identified flood hazard area. Unmapped flood hazard

**FEMA Issued Flood Map:** 54037C0020E

**Watershed (HUC8):** Conococheague-Opequon (2

**Elevation:** About 490 ft

**Location (long, lat):** (77.903440 W, 39.397611 N)

**Location (UTM 17N):** (766655, 4365477)

**Contacts:** Jefferson

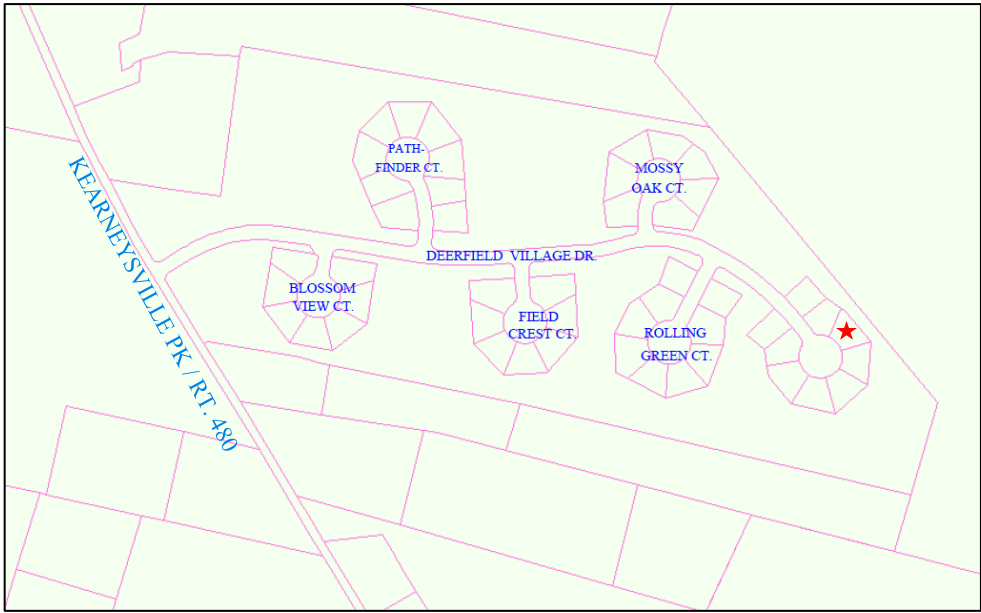
**CRS Information:** Jefferson County

**Parcel Number:** 19-07-0002-0002-0006

Staff Report  
 Jefferson County Board of Zoning Appeals Meeting  
 June 22, 2017

**Deerfield Variance Request (#ZV17-11)**

Item #4 Variance request from Section 5.4(B) to reduce the rear setback from 20' to 8' to construct a 12' x 12' deck.

Applicant:	Collis Holdings, LLC and F Squared, LLC
Owner:	Same as above
Developer:	N/A
Consultant:	N/A
Property Location:	Deerfield Village, Lot 46 Deerfield Village Dr., Shepherdstown, WV
Legal Description & Zoning District:	<p style="text-align: center;">District: Shepherdstown (09); Map: 14B; Parcel 46          Size: .239 acres; Zone: Rural</p> 
Surrounding Properties:	<p style="text-align: center;">Zoning Map Designation:</p> <p style="text-align: center;"><i>North:</i> Rural                      <i>South:</i> Rural  <i>East:</i> Rural                         <i>West:</i> Rural</p>
History:	Deerfield Village Subdivision 03/11/03: PC approved CUP (PC file #Z02-07) 05/24/04: Final plat recorded (PC file #03-15)
Waivers/Variiances:	None
Approved Activity:	Residential

**STAFF EVALUATION OF REQUEST**

a. Summary of Request and Purpose of Ordinance Requirements

The applicant is requesting a variance to reduce the rear setback requirement from 20' to 8' to allow for the construction of a 12' x 12' deck.

The purpose of side and rear yard setback requirements is to reduce the impact that a land use might have on an adjacent property; to allow adequate space between a structure and a property line so that maintenance of the structure is feasible; to maintain adequate separation between structures for fire prevention purposes; and to allow room for utility easements.

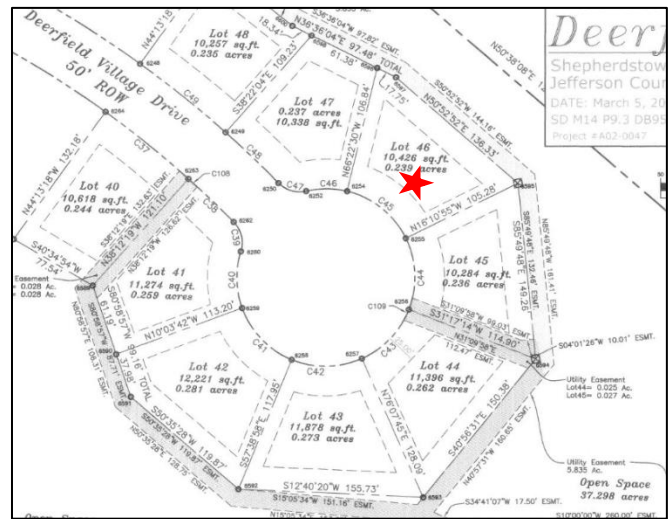
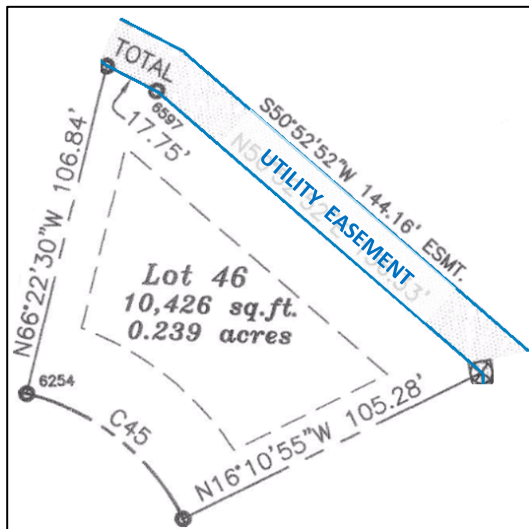
Staff Report  
Jefferson County Board of Zoning Appeals Meeting  
June 22, 2017

**Deerfield Variance Request (#ZV17-11)**

b. Unique characteristics of property

Deerfield Village processed as a Conditional Use and was approved on March 11, 2003. The Deerfield Village final plat was approved by the Planning Commission on April 13, 2004. The approved subdivision consists of 48 residential lots. There is a 15' utility easement that borders the rear of the subject parcel. Additionally, an open space area is located beyond the easement, which combined, provides approximately 50' between the Applicant's rear property line and the property line of the nearest neighbor.

While each application must be reviewed independently, the Board of Zoning Appeals reviewed similar variance requests in the Deerfield Village Subdivision on July 19, 2007 (Simpson, ZV07-21), August 16, 2007 (Crouse ZV07-22) and May 19, 2011 (McSwain Z11-13).



Staff Report  
Jefferson County Board of Zoning Appeals Meeting  
June 22, 2017

**Deerfield Variance Request (#ZV17-11)**

c. Impact on adjacent properties

There is approximately 50' between the Applicant's rear property line and the property line of the adjacent parcel (parcel 8). Parcel 8 is currently vacant and contains approximately 256± acres. A rear setback reduction from 20' to 8' would likely have minimal impact on the neighboring property.

d. Feasibility of complying with the ordinance by other means

The house has not yet been constructed. Therefore, it is feasible to modify the layout of the house to accommodate a 12' x 12' deck within the building envelope.

The developer acknowledged the unique size and shape of individual lots and noted on the Final Plat:

Note 28: "Although this subdivision is in technical compliance with Jefferson County Land Development Ordinance, several lots have geometry that may limit future construction of decks, pools, sheds, and other accessory structures."

e. Conditions of Approval

Should the Board choose to approve this request, possible conditions of approval include:

1. No conditions of approval have been identified.

**SECTION OF ORDINANCE TO BE CONSIDERED:**

*Jefferson County Zoning and Land Development Review Ordinance, as amended 11/07/02*

Section 5.7 Rural District

(b) Minimum Lot Area, Lot Width and Yard Requirements

Minimum lot sizes, lot width, and yard requirements are as follows for principal permitted uses. For any residential use that complies with the Development Review System, the setbacks and lot shall be as outlined in Article 5.4(b).

Section 5.4b Residential Growth District - Height And Yard Requirements

[AMENDED TWICE BY ACT OF THE COUNTY COMMISSION, EFFECTIVE SEPTEMBER 13, 1990 AND SEPTEMBER 1, 2006]

<u>Development Type</u>	<u>Minimum Lot Area (MLA) Area per Dwelling Unit (ADU)</u>	<u>Required Yards</u>
Single family detached dwelling	6,000 sq. ft. MLA**	25 ft. front
Public/Central water & sewer	10,000 sq. ft. ADU	12 ft. side
Public/Central Water or Sewer	20,000 sq. ft. MLA	20 ft. rear
No Public/Central water or sewer	40,000 sq. ft. MLA	





**JEFFERSON COUNTY, WEST VIRGINIA**  
**Department of Engineering, Planning, and Zoning**  
**Office of Planning and Zoning**  
 116 East Washington Street, P.O. Box 338  
 Charles Town, WV 25414  
 www.jeffersoncountywv.org

File Number: #ZV17-11  
 Staff Initials: Alc  
 Meeting Date: 06-22-17  
 Fees Paid (\$100 or \$150): \$100.00

Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Phone: (304) 728-3228

**Zoning Variance Request**

*Variances from the Zoning and Land Development Ordinance must comply with Article 8A-7-11 of the WV State Code. A variance is a deviation from the minimum standards of the ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district, nor shall it involve changing the zoning classification of a parcel of land.*

**Property Owner Information** DEERFIELD REAL ESTATE

Name: % COLLIS HOLDINGS, LLC ET AL  
 Mailing Address: 779 RIDGE RD. SOUTH ; MARTINSBURG, WV 25403  
 Phone Number: 304 279 5532 Email: \_\_\_\_\_

**Applicant Contact Information**

Name: SAME  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Applicant Registered Engineer(s), Surveyor(s), or Consultant(s)**

Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Physical Property Details**

Physical Address: DEERFIELD VILLAGE PR  
 City: SHEPHERDSTOWN State: WV Zip Code: 25443  
 Tax District: SHEPHERDSTOWN Map No: 14B Parcel No: 46  
 Parcel Size: .239 AC Deed Book: 1187 Page No: 169

**Zoning District (please check one)**

Residential Growth (RG) <input type="checkbox"/>	Industrial Commercial (IC) <input type="checkbox"/>	Rural (R) <input checked="" type="checkbox"/>	Residential- Light Industrial- Commercial (R-LI-C) <input type="checkbox"/>	Village (V) <input type="checkbox"/>	Neighborhood Commercial (NC) <input type="checkbox"/>	General Commercial (GC) <input type="checkbox"/>	
<div style="border: 1px solid black; padding: 5px; transform: rotate(-15deg); display: inline-block;"> <b>RECEIVED</b>            MAY 16 2017            JEFFERSON COUNTY PLANNING,            ZONING &amp; ENGINEERING         </div>			Highway Commercial (HC) <input type="checkbox"/>	Light Industrial (LI) <input type="checkbox"/>	Major Industrial (MI) <input type="checkbox"/>	Planned Neighborhood Development (PND) <input type="checkbox"/>	Office/Commercial Mixed-Use (OC) <input type="checkbox"/>

Place Received Date Stamp Here

On a separate sheet of paper, provide a sketch showing the shape and location of the lot indicating all roads, rights of way, and easements. Show the location of the intended construction or land use indicating building setbacks (i.e. the distance of the structure from all property lines), size, and height. Identify all existing buildings, structures, or land uses on the property. The sketch should show the full extent of the property. Sign and date the sketch.

Is there a Code Enforcement action pending in relation to this property?  Yes  No

Reference the section of the Zoning Ordinance pertaining to this request: 5.4b

Briefly describe the nature of the variance request:

FOR A 12X12 DECK OFF BACK OF HOUSE

If this request is for a setback variance, please check one of the following:

Front Setback  Side Setback  Rear Setback  Reduction From 20 to 8

Please explain why granting the variance will NOT adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents:

It will be in line with neighbor  
no negative affect on anyone

In what way does this request arise from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance?

not created by owner, just a small lot  
and would like a big deck

How will granting this variance eliminate an unnecessary hardship and permit a reasonable use of the land?

most homes have decks need to be in  
line with the neighbor hood

How will granting this variance allow the intent of the Zoning Ordinance to be observed and substantial justice to be done?

because we would be conforming with other  
owners in the subdivision

Original signature is required. If additional signatures are necessary, please attach a separate piece of paper.

By signing this application, I give permission for the Office of Planning and Zoning staff to walk onto the subject property, if necessary, in order to take photos for the Board of Zoning Appeals staff reports. The information given is correct to the best of my knowledge.

[Signature]  
Signature of Property Owner  
5/16/17  
Date

Signature of Property Owner Date

**Notification Requirements (to be completed by staff)**

Notice of a public hearing for an appeal shall be advertised in a newspaper having general circulation in the County at least 15 days before the hearing. The subject property shall be posted conspicuously by a zoning notice no less than 28" x 22" in size, at least 15 days before the hearing (pursuant to the Zoning and Land Development Ordinance Section 3.4A(3)(b)).

June 22, 2017  
Date of Public Hearing

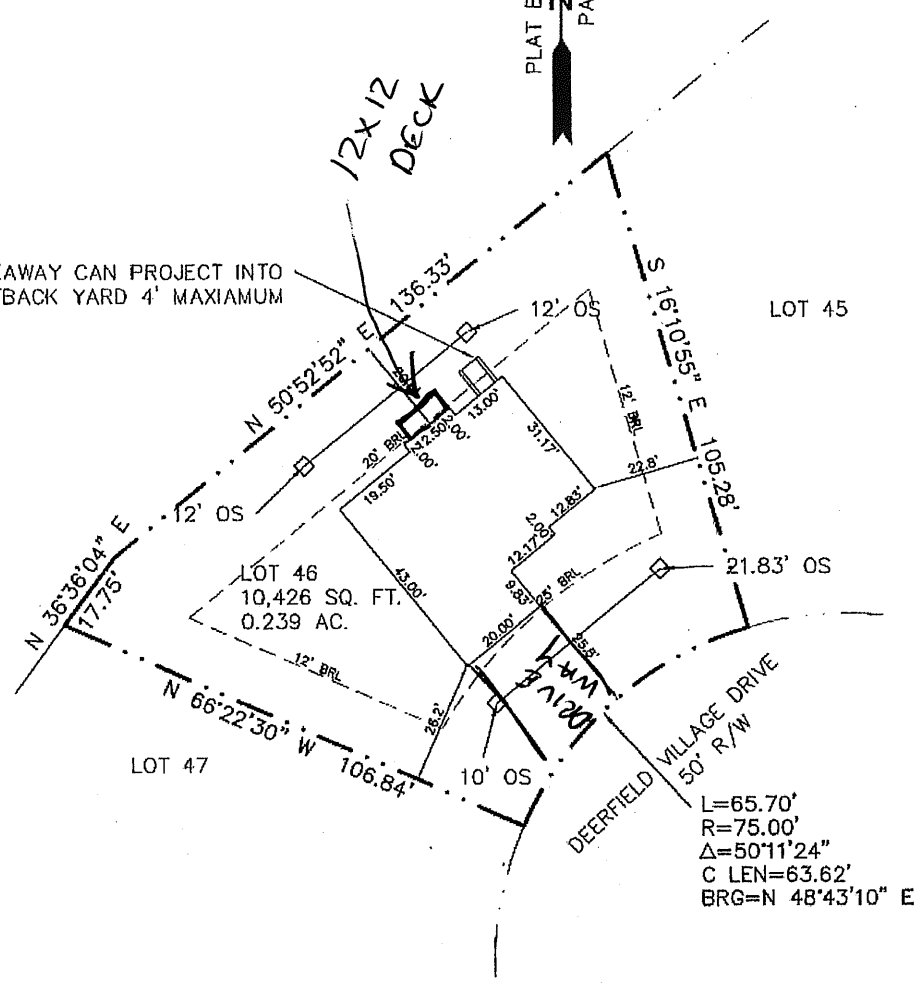
June 7, 2017  
Advertising Date

WEDNESDAY, June 07, 2017  
Placard Posting Date



AREAWAY CAN PROJECT INTO  
SETBACK YARD 4' MAXIAMUM

12x12  
DECK



HOUSE PLOT PLAN  
LOT 46, DEERFIELD VILLAGE

THE PROPERTY OF  
COLLIS HOLDINGS LLC  
DB 1187 PAGE 169 TAX MAP 14B PARCEL 46  
SHEPHERDSTOWN DISTRICT  
JEFFERSON COUNTY, WEST VIRGINIA  
SCALE: 1" = 30' APRIL 24, 2017

ED JOHNSON AND ASSOCIATES, INC.  
LAND SURVEYORS  
P.O. BOX 1277  
CHARLES TOWN, WEST VIRGINIA 25414  
(304)725-6060

RECEIVED

MAY 16 2017

JEFFERSON COUNTY PLANNING,  
ZONING & ENGINEERING


#ZV17-11



Staff Report  
 Jefferson County Board of Zoning Appeals Meeting  
 June 22, 2017

**Dunn Variance Request (#ZV17-12)**

Item #5 Variance request from Section 9.7 to reduce the rear setback from 50' to 30' for a 30' x 45' accessory structure.

Applicant:	Patricia Dunn
Owner:	Same as above
Developer:	N/A
Consultant:	N/A
Property Location:	923 Gardners Lane, Shepherdstown
Legal Description & Zoning District:	<p style="text-align: center;">District: Shepherdstown (09); Map: 17; Parcel: 1          Size: 2.5 ac; Zone: Rural</p> 
Surrounding Properties:	<p style="text-align: center;">Zoning Map Designation:</p> <p style="text-align: center;"><i>North:</i> Rural                      <i>South:</i> Rural  <i>East:</i> Rural                         <i>West:</i> Rural</p>
History:	None
Waivers/Variations:	None
Approved Activity:	Residential

**STAFF EVALUATION OF REQUEST**

a. Summary of Request and Purpose of Ordinance Requirements

The applicant is requesting a variance from Section 9.7 to reduce the rear setback from 50' to 30' for a 30' x 45' accessory structure.

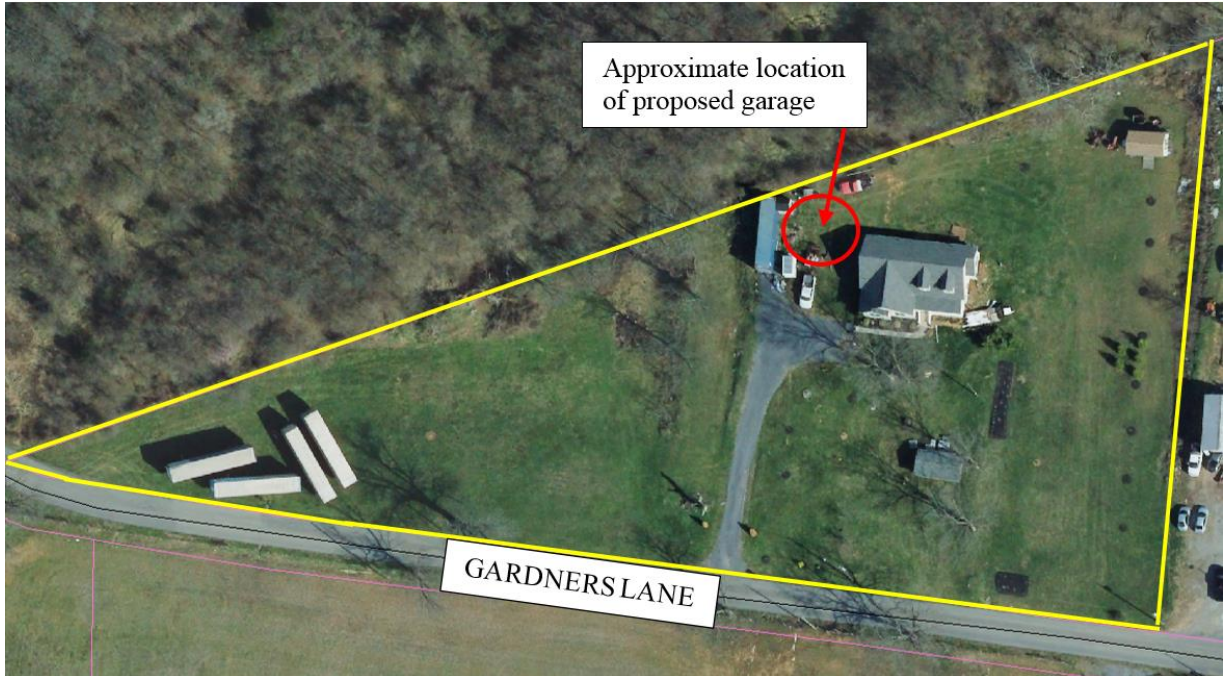
The purpose of side and rear yard setback requirements is to reduce the impact that a land use might have on an adjacent property; to allow adequate space between a structure and a property line so that maintenance of the structure is feasible; to maintain adequate separation between structures for fire prevention purposes; and to allow room for utility easements.

Staff Report  
Jefferson County Board of Zoning Appeals Meeting  
June 22, 2017

**Dunn Variance Request (#ZV17-12)**

b. Unique characteristics of property

The subject parcel was created prior to the adoption of subdivision and zoning standards. Taking into consideration the parcel's shape, the location of the well and septic areas, as well as the location of the home, placement of an accessory structure in conformance with current County setback requirements may prove challenging.



c. Impact on adjacent properties

A rear setback reduction from 50' to 30' would likely have minimal impact on the neighboring property as the adjacent parcel is approximately 205 acres and is currently vacant.



Staff Report  
Jefferson County Board of Zoning Appeals Meeting  
June 22, 2017

**Dunn Variance Request (#ZV17-12)**

d. Feasibility of complying with the ordinance by other means

Based on the dimensions of the property, the applicant could potentially situate the storage structure in another location to meet setback requirements.

e. Conditions of Approval

Should the Board choose to approve this request, possible conditions of approval include:

1. No conditions of approval have been identified.

**SECTION OF ORDINANCE TO BE CONSIDERED:**

**Section 9.7 Other Exceptions<sup>3</sup>**

For all lots that were approved with setbacks by the Planning Commission as part of the subdivision process prior to September 1, 1989, the setbacks and sizes shall be as established as a part of that process.

Setbacks are as follows in subdivisions for which no setback was stipulated previously by the Jefferson County Planning Commission as a part of the subdivision process:<sup>23</sup>

Rural Agricultural and Industrial Commercial

Single Family Residences

Over 2 acres --	40' front,	15' side	and	50' rear
40,000 sq. ft. to 2 acres --	25' front,	12' side	and	12' rear
30,000 sq. ft. to 39,999 sq. ft. --	20' front,	10' side	and	12' rear
under 30,000 sq. ft. --	20' front,	8' side	and	12' rear





**JEFFERSON COUNTY, WEST VIRGINIA**  
**Department of Engineering, Planning, and Zoning**  
**Office of Planning and Zoning**  
 116 East Washington Street, P.O. Box 338  
 Charles Town, WV 25414  
 www.jeffersoncountywv.org

File Number: # ZV17-12  
 Staff Initials: SH  
 Meeting Date: 5/22/17  
 Fees Paid (\$100 or \$150): 100.00

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

**Zoning Variance Request**

*Variations from the Zoning and Land Development Ordinance must comply with Article 8A-7-11 of the WV State Code. A variance is a deviation from the minimum standards of the ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district, nor shall it involve changing the zoning classification of a parcel of land.*

**Property Owner Information**

Name: PATRICIA I. DUNN  
 Mailing Address: 923 GARDNERS LANE Shepherdstown, WV 25443  
 Phone Number: 304-433-4315 Email: pgdunn2013@gmail.com

**Applicant Contact Information**

Name: PATRICIA I. DUNN  
 Mailing Address: 923 GARDNERS LANE Shepherdstown, WV 25443  
 Phone Number: 304-433-4315 Email: pgdunn2013@gmail.com

**Applicant Registered Engineer(s), Surveyor(s), or Consultant(s)**

Name: N/A  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Physical Property Details**

Physical Address: 923 GARDNERS LANE Shepherdstown  
 City: SHEPHERDSTOWN State: WV Zip Code: 25443  
 Tax District: 09 Map No: 17 Parcel No: 0001  
 Parcel Size: 2.5 ACRES Deed Book: 1146 Page No: 38

**Zoning District (please check one)**

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential- Light Industrial- Commercial (R-LI-C)	Village (V)	Neighborhood Commercial (NC)	General Commercial (GC)	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>RECEIVED</b>			Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/Commercial Mixed-Use (OC)
<b>MAY 25 2017</b>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEFFERSON COUNTY PLANNING, ZONING & ENGINEERING <small>Place Received Date Stamp Here</small>							

On a separate sheet of paper, provide a sketch showing the shape and location of the lot indicating all roads, rights of way, and easements. Show the location of the intended construction or land use indicating building setbacks (i.e. the distance of the structure from all property lines), size, and height. Identify all existing buildings, structures, or land uses on the property. The sketch should show the full extent of the property. Sign and date the sketch.

Is there a Code Enforcement action pending in relation to this property?  Yes  No

Reference the section of the Zoning Ordinance pertaining to this request: Sec. 9.7 05/31/17

Briefly describe the nature of the variance request:  
To reduce the setback variance due to existing house, storage shed, well, driveway and different elevation of land due to rock brakes and fill.

If this request is for a setback variance, please check one of the following:  
Front Setback  Side Setback  Rear Setback  Reduction From 50 ft to 30 ft.

Please explain why granting the variance will NOT adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents:

Placement of building will not alter natural flow of water. There will still be 30 feet of open ground to existing property line. Adjacent property is wooded.

In what way does this request arise from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance?

As you can see from your aerial photos this area is locked on all sides from existing street & utilities to have a future driveway to this area. This is the only place to build.

How will granting this variance eliminate an unnecessary hardship and permit a reasonable use of the land?

4. Driveway is sitting on existing rock ledges, if building is placed any different the existing structure will not allow ample turning radius or not allow egress to back of driveway.

How will granting this variance allow the intent of the Zoning Ordinance to be observed and substantial justice to be done?

5. See attached sheet.

Original signature is required. If additional signatures are necessary, please attach a separate piece of paper.

By signing this application, I give permission for the Office of Planning and Zoning staff to walk onto the subject property, if necessary, in order to take photos for the Board of Zoning Appeals staff reports. The information given is correct to the best of my knowledge.

Patricia L. Sumner 5-23-17  
Signature of Property Owner Date

\_\_\_\_\_  
Signature of Property Owner Date

Notification Requirements (to be completed by staff)

Notice of a public hearing for an appeal shall be advertised in a newspaper having general circulation in the County at least 15 days before the hearing. The subject property shall be posted conspicuously by a zoning notice no less than 28" x 22" in size, at least 15 days before the hearing (pursuant to the Zoning and Land Development Ordinance Section 3.4A(3)(b)).

06/22/17  
Date of Public Hearing

06/07/17  
Advertising Date

06/07/17  
Placard Posting Date

To: Planning Commission

Page Two

Continuance of:

4. After carefully studying all angles, the only place that is feasible to place building with existing structures in place is where I have planned it. If building is moved 25 feet south it will not allow ample room to turn around in driveway. Which would create a safety hazard by having to back off of or onto a busy state road with large trucks using this road due to bypass coming around Shepherdstown. By turning the west end on a 45 degree to get distance desired by county it would eliminate any turn radius at top of driveway due to well, house, and rock brake on east side of drive and on the west side of drive has rock brake with drop off. This would again require the safety hazard of backing into the state road. By turning the building the opposite 45 degree angle would eliminate breezeway and would lose all turning radius at top of driveway due to rock brakes and drop off. This again would create the problem of turning around on a busy state road. By turning the building a 90 degree angle would not allow any vehicles up the drive to get into the building which would also eliminate breezeway and defeat the purpose of a garage due to the fact there would be no way to access the garage doors.

Access from eastside of house would require driving over septic lines which is not acceptable and placing the building behind the house does not give more than 20 feet set back. There this is only solution that we can arrive at to place the garage.

5. This building is being erected to accommodate a future breezeway between house and garage and to keep my car out of snow and ice. I have had a heart attack and lost a portion of my hearts function. This would allow me to go from the house to the garage without having to shovel snow and clearing off my car of ice and snow which could possibly cause another heart attack.

Since purchasing this property, everything that has been done has increased the value of the property. Flower beds have been added, covered front porch has been added, fence line cleared, graded and mulched. Lower portion of property has been kept mowed and large tree on south side of property has been removed to eliminate branches from falling on state road. This also makes the whole area more desirable to live in. Many neighbors have complimented us on the new look since we moved in three years ago and we hope to continue to improve in the future.

Therefore, we hope the commission will see its way clear to grant the variance as requested.

Sincerely,

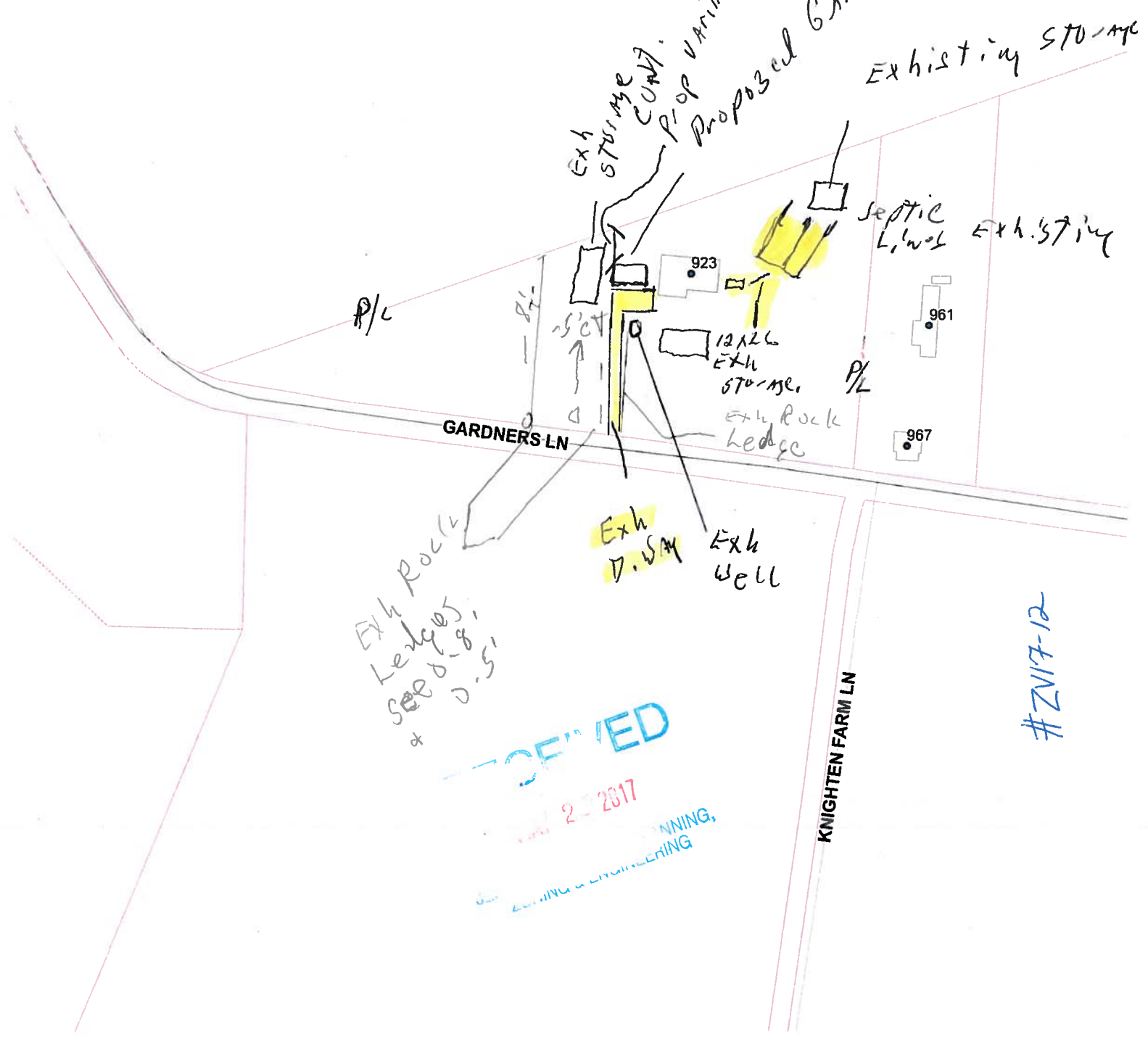
*Patricia I. Dunn, 5/23/17*

Patricia I. Dunn  
923 Gardners Lane.  
Shepherdstown, WV 25443

Purposed Bldg w. 2L be

30' x 45' x 10' T Roof Appx 2 1/2'

D L H Rise = 12 1/2 TO P/CL  
ALL of Prof CONST & Prof erected.



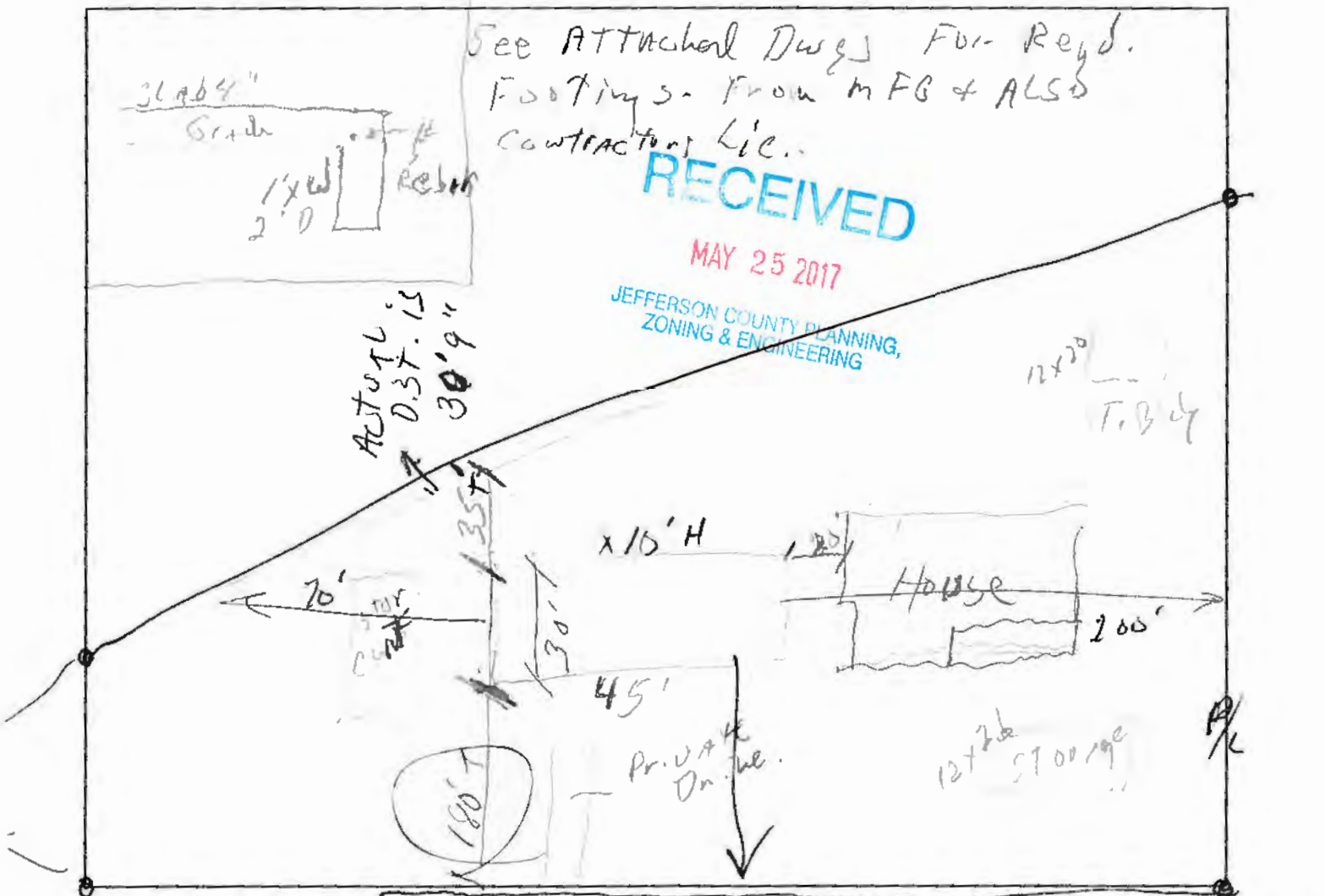
#ZV1712

### PROPERTY SKETCH SHEET

Sketch the shape and location of the lot and show the following:

1. All existing roads with names and/or route numbers.
2. All rights-of-way and/or easements.
3. Septic reserve areas.
4. Location of the intended construction or land use; and show the building setback lines and the distances from the property line to the setback lines; and the distance from the property line to the structure.
5. Show the size and height of the structure.
6. Show all existing buildings/structures on the parcel/property.
7. On Renovation's and Addition; Please indicate number of bedrooms and if adding a kitchen

Note: The sketch may be on a separate sheet; however, it shall be signed and dated by the applicant.



Property Owner/Applicant's Signature Patricia J. Suen Date: 05/08/17

Road Gardner's Lane



GARDNERS LN

KNIGHTEN FARM LN

Existing  
ROCK  
ledges

8-14 5'

a well

967

968

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#2V1712

MAY 25 2017

JEFFERSON COUNTY PLANNING,



Staff Report  
Jefferson County Board of Zoning Appeals Meeting  
June 22, 2017  
**Reenactment of the Battle of Smithfield Crossing  
Seasonal Use Permit (#SU17-01)**

RELEVANT INFORMATION:

1. Overview of Request

A request by The Middleway Conservancy on behalf of the following property owners for a Seasonal Use Permit for The Reenactment of the Battle of Smithfield Crossing. The event is scheduled to take place from September 8 - 10, 2017 and will consist of a reenactment of civil war camp life, drills and other educational activities on various parcels within the Middleway Historic District.

The following is a list of the property owners, locations and type of event being proposed for each site:

William & Linda Chappell (SU17-01A)

175 East St., Kearneysville; D: 07; M: 22B; P: 28; Size: .89 ac; Z: R & V

Military drills & educational activities, reenactment

Daniel & Anne Bowers (SU17-01B)

272 Mason Farm Dr., Kearneysville; D: 07; M: 22; P: 12.9; Size: 7.75 ac; Z: R

Reenactor Parking; encampment of 20 cavalry reenactors with horses, and educational activities;

Dorothea DeHart (SU17-01C)

207 East St., Kearneysville; D: 07; M: 22B; P: 29 & 20; Size: 2.17 ac & .53 ac; Z: R & V

Military drills & educational activities; reenactment of the battle

Grace Episcopal Church (SU17-01D)

112 East St., Kearneysville; D: 07; M: 22A; P: 70; Size: .33 ac; Z: V

information center; living history exhibits; educational activities

Carmen Quinones (SU17-01E)

7513 Queen St., Kearneysville; D: 07; M: 22A; P: 18; Size: 2.45 ac; Z: V

Encampment of 150 reenactors; military drills & equipment; civil war camp life & reenactment

James Stickles (SU17-01F)

7316 Queen St., Kearneysville; D: 07; M: 22A; P: 61; Size: 2.6 ac; Z: V

Reenactor (50 cavalry) encampment with horses; military drills & equipment; civil war camp life

Timothy Johnson (SU17-01G)

7279 Queen St., Kearneysville; D: 07; M: 22A; P: 33; Size: .266 ac; Z: V

Exhibition of Middleway/Smithfield records & artifacts

Middleway United Methodist Church Trustees (SU17-01H)

328 King St., Kearneysville; D: 07; M: 22A; P: 19; Size: .67 ac; Z: V

Living history interpretations; educational activities

Middleway United Methodist Church Trustees (SU17-01I)

7437 Queen St. Kearneysville; D: 07; M: 22A; P: 44; Size: .33 ac; Z: V

Spectator parking

Staff Report  
Jefferson County Board of Zoning Appeals Meeting  
June 22, 2017  
**Reenactment of the Battle of Smithfield Crossing  
Seasonal Use Permit (#SU17-01)**

2. Previous Case History

On July 16, 2015 the Board of Zoning Appeals unanimously approved issuance of a Seasonal Use Permit for the Battle of Smithfield Reenactment to take place on August 28 – 30, 2015, with the following conditions:

- a) The applicant must have an approved Zoning Certificate.
- b) The applicant must obtain either approval by, or documentation stating services are not required by, the Health Department, the Department of Highways, and the Sheriff's Department.
- c) Provide a copy of the Proof of Liability Insurance.
- d) The applicant is bound by their testimony.

On August 26, 2015 the Department issued a Zoning Certificate after receiving the above noted documentation.

On May 26, 2016 the Board of Zoning Appeals unanimously approved issuance of a Seasonal Use Permit for the Battle of Smithfield Reenactment to take place on August 12 - 14, 2016. As part of their 2016 application the Conservancy had received written confirmation from the Division of Highways, Health Department, and the Sheriff stating that the proposed event is acceptable and/or exempt from additional processing; therefore, the Board did not place any conditions of approval on the event.

On June 7, 2016 the Department issued a Zoning Certificate for the event.

It should be noted that the Department did not receive any complaints during or at the conclusion of either event.

3. Staff Evaluation of Request

a. Source and purpose of ordinance requirements

- i. Section 6.4 of the Zoning Ordinance requires that all Seasonal Uses be approved by the Board of Zoning Appeals pursuant to a public hearing and limits the approval to one year at a time. This requirement allows for short term (not more than three days), occasional (no more than once each solar season) uses to be proposed and reviewed by the neighborhood in which it will be located. It also allows the Board of Zoning Appeals to outline conditions of approval based on the public input in order to reduce the impact on the area in which it is located; however the Ordinance does not provide much guidance to the Board of Zoning Appeals regarding criteria for approval.
- ii. On August 1, 2005, the Jefferson County Commission adopted a Noise Ordinance that is separate from local land use regulations. This ordinance falls under the purview of the County Sheriff. The proposed event may cause brief periods of disturbance to local residents while the re-enactment of civil war living is being conducted. These types of activities, and the noise generated by them, are to be anticipated.

iii. Health Department Requirements for Mass Gathering

The County Health Department has Legislative Regulations related to Mass Gatherings promulgated under Section 16-1 of the West Virginia Code. They define a Mass Gathering as 250 people assembled for a meeting, festival, concert, social gathering, or similar purpose. The applicant submitted documentation from the Health Department indicating a Mass gathering permit for the event would not be necessary provided attendance did not exceed 250 people.

Staff Report  
Jefferson County Board of Zoning Appeals Meeting  
June 22, 2017  
**Reenactment of the Battle of Smithfield Crossing  
Seasonal Use Permit (#SU17-01)**

iv. Division of Highways

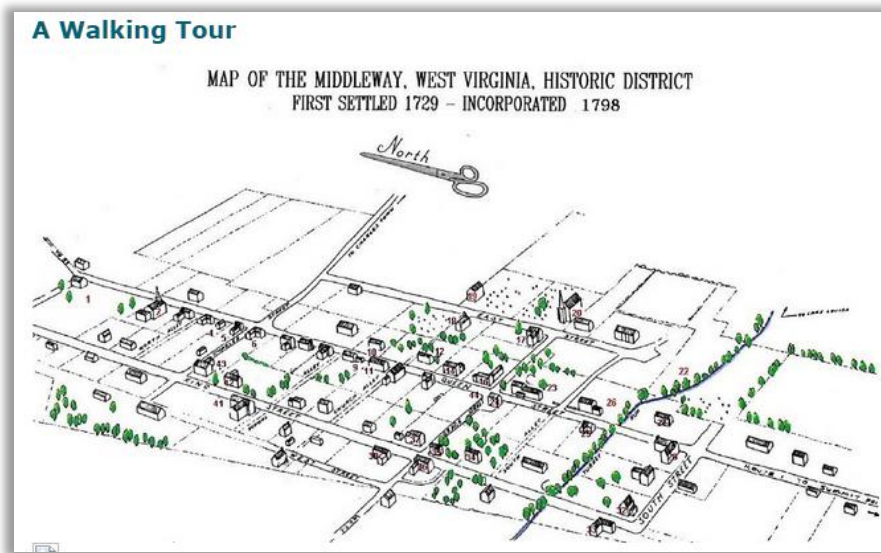
The Division of Highways has a process for approving Special Events that require traffic control plans. It is unlikely an event of this size will require a traffic control plan. The applicant contacted the WVDOH to see what requirements may be in effect.

v. Sheriff's Department

The Sheriff's Department was notified of the proposed event to determine if additional staff will be needed during the date of the Re-enactment.

4. Unique characteristics of property

The Village of Middleway is a Historic District that was added to the National Register of Historic Places in 1980. The Battle of Smithfield Crossing re-enactment will occur on several parcels in Middleway.



5. Impact on adjacent properties

The re-enactment event will occur on several parcels in Middleway; therefore, the potential impact on adjacent properties exists. This Office has not received any complaints in the past regarding this event. The Middleway Conservancy works with the various County agencies to ensure compliance with County regulations. Past events appear to have been well executed.

6. Possible Conditions of Approval

a) No conditions of approval have been identified.

SECTION OF ORDINANCE TO BE CONSIDERED:

**Section 6.4 Seasonal Uses<sup>5, 7, 32</sup>**

Seasonal uses must be approved by the Board of Zoning Appeals pursuant to a public hearing according to the requirements of Section 6.1C. Newspaper notification requirements of Section 6.1B apply. Seasonal uses cannot be approved for longer than one year at a time.<sup>17, 21, 23</sup>



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338
Charles Town, WV 25414

File Number:

Staff Initials: CFC

Fees Paid: \$100.00

http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: zoningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

planningdepartment@jeffersoncountywv.org

Fax: (304) 728-8126

Application for Seasonal Use/Special Exception

Seasonal uses and special exceptions must be approved by the Board of Zoning Appeals pursuant to a public hearing. Seasonal uses cannot be approved for longer than one year at a time, and are limited to a single three-day consecutive period in each of the four solar seasons. For outdoor advertising signs, include (1) a full-color rendering of each sign proposed, including all dimensions of the sign and total square footage, (2) a sketch plan of the property, indicating the location of the sign and setbacks.

Type of Request

Seasonal Use: [checked]

Special Exception: [ ]

Property Owner Information

Name: Property owners and address information attached
Mailing Address:
City: Middleway State: WV Zip Code: 25430
Phone Number: Email:

Applicant Contact Information

Applicant Name: Middleway Conservancy Association, Inc.
Mailing Address: 175 East Street
City: Middleway State: WV Zip Code: 25430
Phone Number: 301-219-3566 Email: wchapp@msn.com

Engineer(s), Surveyor(s), Consultant(s) Information

Name:
Mailing Address:
City: State: Zip Code:
Phone Number: Email:

Physical property details

Physical Address: Locations attached
City: Middleway State: WV Zip Code: 25430
Tax District: Middleway-07 Map No.: Parcel No.:
Parcel Size: Deed Book: Page No.:

Zoning District (please check one)

Grid of zoning districts with checkboxes. Residential Growth (RG) [ ], Industrial Commercial (IC) [ ], Rural (R) [checked], Residential-Light Industrial-Commercial (RLIC) [ ], Village (V) [checked], Neighborhood Commercial (NC) [ ], General Commercial (GC) [ ], Highway Commercial (HC) [ ], Light Industrial (LI) [ ], Major Industrial (MI) [ ], Planned Neighborhood Development (PND) [ ], Office/Commercial Mixed-Use (OC) [ ]

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JEFFERSON COUNTY PLANNING ZONING & ENGINEERING

**Name of Temporary Business or Event**

Re-enactment of the Battle of Smithfield Crossing

**Description of Seasonal Use**

Military drills and educational activities, re-enactment of the battle

**Name of Primary Contact/Responsible Party During Business Hours**

William (Bill) Chappell

**Primary Contact Telephone Number**

301-219-3566

**Duration of Temporary Use/Window of Authorization**

Start Date: 8 Sep 2017

End Date: 10 Sep 2017

Total Number of Days: 3

**Hours of Operation of Seasonal Use**

24 hours daily from noon 8 September until 6 p.m. 10 September

**How is the Property Currently Used?**

Private residence/property, vacant land and community buildings

**What is the Proposed Use of the Property?**

Re-enactment of Civil War military drills, educational activities and reenactment of the battle

*On a separate sheet of paper, sketch the shape and location of the lot, including property boundaries, with accurate dimensions. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property.*

*Original signature is required of all property owners (attach additional signature page if needed).  
The information given is correct to the best of my knowledge.*

[Signature] 5-19-17  
Signature of Property Owner 1      Date

[Signature] 5/19/17  
Signature of Property Owner 2      Date

**Notification Requirements**

06/22/17

Date of Public Hearing

06/07/17

Advertising Date

15-Days

Posting Requirements  
(number of days prior to  
scheduled hearing)

**Official Action of Board**

**Official Signature and Seal**

\_\_\_\_\_  
President's Signature

\_\_\_\_\_  
Date



# CERTIFICATE OF LIABILITY INSURANCE

SU17-01A-I  
MIDDLE-2 OP ID: SB

DATE (MM/DD/YYYY)  
04/11/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Arndt McBee Insurance Agency PO Box 1106 Martinsburg, WV 25402-1106 Douglas B Arndt	<b>CONTACT NAME:</b> Douglas B Arndt <b>PHONE (A/C No., Ext):</b> 304-263-6906 <b>E-MAIL ADDRESS:</b> doug@arndt-mcbee.com	<b>FAX (A/C No):</b> 304-263-3355
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> Middleway Conservancy Associat 154 East St. Middleway, WV 25430	<b>INSURER A :</b> Cincinnati Insurance	
	<b>INSURER B :</b>	
	<b>INSURER C :</b>	
	<b>INSURER D :</b>	
	<b>INSURER E :</b>	
	<b>INSURER F :</b>	

**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			ENP 0103205	10/07/2016	10/07/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

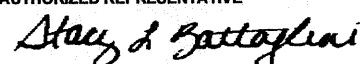
Certificate holders/additional insureds are as follows: WV Division of Highways, Daniel B & Anne L Bowers 272 Mason Farm Drive Middleway, WV 25430, William D. & Linda Chappell 175 East St. Middleway, WV 25430, Dorothea DeHart 207 East Street Middleway, WV 25430....ctd see next page

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PLANNING, ZONING AND ENGINEERING

**CERTIFICATE HOLDER**                      **CANCELLATION**

see below for certificate holders and additional insured	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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**NOTEPAD:**

HOLDER CODE

INSURED'S NAME **Middleway Conservancy Associat**

**MDDL-2**

**OP ID: SB**

PAGE 2

Date **04/11/2017**

Grace Episcopal Church 112 East St. Middleway, WV 25430, Carmen A Quinones  
7513 Queen St. Middleway, WV 25430, Dorothy Stickles 7316 Queen St.  
Middleway, WV 25430, Trustees, Middleway United Methodist Church 328 King  
St Middleway, WV 25430, Trustees, Middleway United Methodist Church 7437  
Queen St. Middleway, WV 25430

2017 Re-enactment of the Battle of Smithfield Crossing

List of Property Owners, Property Address and Proposed Activity

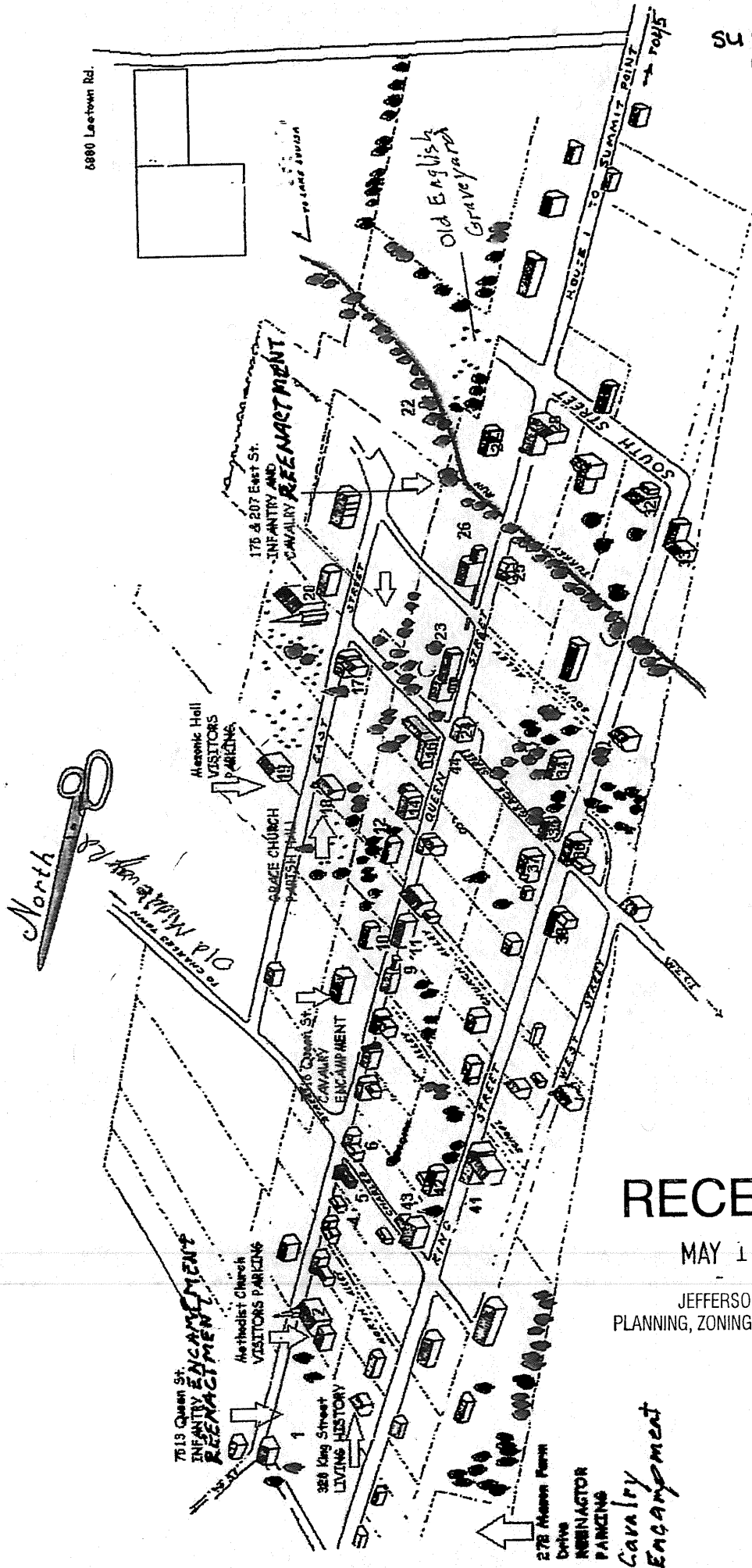
Property Owner(s)	Property Address	Proposed Activity
Bowers, Daniel B. & Anne L.	272 Mason Farm Drive Middleway, WV 25430	Re-enactor parking, reenactor encampment of 20 cavalry re-enactors with horses, educational activities
Chappell, William D. & Linda	175 East Street Middleway, WV 25430	Military drills, educational activities, battle re-enactments
DeHart, Dorothea	207 East Street Middleway, WV 25430	Military drills, educational activities, battle re-enactments
Senior Warden, Grace Episcopal Church	112 East Street Middleway, WV 25430	Information & exhibit center; educational activities; public parking
Johnson, Timothy <sup>7292</sup>	<del>2729</del> Queen Street Middleway, WV 25430	Exhibition of Middleway/Smithfield records and artifacts associated with the battle
Quinones, Carmen A.	7513 Queen Street Middleway, WV 25430	Civil War-style encampment of 150 re-enactors; military drills; firearms demonstrations; educational activities, battle reenactments
Stickles, Dorothy	7316 Queen Street Middleway, WV 25430	Encampment of 50 cavalry re-enactors with horses; living history, educational activities
Trustees, Middleway United Methodist Church	328 King Street Middleway, WV 25430	Living history presentations; educational activities
Trustees, Middleway United Methodist Church	7437 Queen Street Middleway, WV 25430	Public parking

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MAP OF THE MIDDLEWAY, WEST VIRGINIA, HISTORIC DISTRICT  
 FIRST SETTLED 1729 - INCORPORATED 1798



6880 Leetown Rd.

SU17-01  
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7619 Queen St  
 INFANTRY ENCAMPMENT  
 REENACTMENT

Methodist Church  
 VISITORS PARKING

369 King Street  
 LIVING HISTORY

278 Mason Farm  
 Drive  
 REENACTOR  
 PARKING

Cavalry  
 Encampment

SU17-01  
A-I

# Middleway Conservancy Association, Inc.

154 East Street  
Middleway, WV 25430

15 May 2016

Peter Dougherty, Sheriff  
Jefferson County Sheriff's Office  
102 Industrial Boulevard  
Kearneysville, WV 25430

Dear Sheriff Dougherty:

This note is to request your help.

The Middleway Conservancy is proposing a "living history" re-enactment to commemorate the 153rd anniversary of the Battle of Smithfield on September 9-10, 2017. This would involve some 249 re-enactors (soldiers and camp followers) conducting drills, mock battles, and providing other educational activities in the Middleway National Register Historic District.

These activities would include a Civil War-style infantry encampment at 7513 Queen Street, which also borders King and North Streets, and a cavalry encampment on 7316 Queen Street, which borders on Old Middleway Road and East Street. Re-enactor parking and an additional cavalry camp would be at 272 Mason Farm Drive.

The main re-enactment of the battle would be Saturday and Sunday afternoons. It would begin with a cavalry skirmish in the front lawns of 175 and 207 East Streets, across Grace and Charles Streets, and extending through the village along King and East Streets, ending in the field of 7513 Queen Street. This would be followed by an infantry battle that would push the Union cavalry back to the South, conducting a fighting withdrawal through the village and back to the front lawns of 175 and 207 East Street.

The event information center and exhibits will be at the infantry encampment, 7513, Queen Street and in the Grace Church Parish Hall, 112 East Street. The parish hall will also be the site of several living history interpretations and exhibits. Off-street parking for the re-enactors will be at 272 Mason Farm Drive and 7316 Queen Street, and for spectators in the parking lots of the Methodist Church (7437 Queen Street), the Masonic Hall (105 East Street) and Grace Church Parish Hall (112 East Street).

In order for our proposal to go ahead, the Conservancy is applying for a seasonal-use permit from Jefferson County. One requirement is that we notify you of the sites where drills, encampments, and educational activities will take place. The Board of Zoning Appeals will hold a public hearing on the Conservancy's proposal on a date and time to be set.

If you have any questions or suggestions, please contact me, Bill Chappell at 301-219-3566 mobile.

Sincerely,



William (Bill) D. Chappell  
Vice President

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JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING

Attachments (2): Map and Draft Schedule

SU17-01  
A-I

# Middleway Conservancy Association, Inc.

154 East Street  
Middleway, WV 25430

19 May 2017

J. Lee Thorne, District Engineer  
WV Division of Highways  
P.O. Box 99 (Route 50)  
Burlington, WV 26710

Dear Mr. Thorne:

This note is to request your help.

The Middleway Conservancy is proposing a "living history" re-enactment to commemorate the 153<sup>rd</sup> anniversary of the Battle of Smithfield on September 8-10, 2017. This would involve some 249 re-enactors (soldiers and camp followers) conducting drills, mock battles, and providing other educational activities in the Middleway National Register Historic District.

These activities would include a Civil War-style infantry encampment at 7513 Queen Street, which also borders King and North Streets, and a cavalry encampment on 7316 Queen Street, which borders on Old Middleway Road and East Street. Re-enactor parking and an additional cavalry camp would be at 272 Mason Farm Drive.

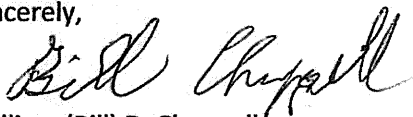
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If you have any questions or suggestions, please contact me, Bill Chappell at 301-219-3566 mobile.

Sincerely,



William (Bill) D. Chappell  
Vice President

Cc: Kenneth L. Clohan, Jr.

Attachments (2)

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PLANNING, ZONING AND ENGINEERING

S417-01  
A-I

**Middleway Conservancy Association, Inc.**

154 East Street  
Middleway, WV 25430

19 May 2017

Bill Zaleski, Sanitarian Supervisor  
Jefferson County Health Department  
1948 Wiltshire Road  
Kearneysville, WV 25430

Dear Mr. Zaleski:

The Middleway Conservancy is proposing a "living history" re-enactment to commemorate the 153<sup>rd</sup> anniversary of the Battle of Smithfield on September 8-10, 2017. This would involve some 249 re-enactors (soldiers and camp followers) conducting drills, mock battles, and providing other educational activities in the Middleway National Register Historic District. Last year you noted that permits were not needed for events with less than 250 participants. We expect this year's event will fall in that same category.

These activities would include a Civil War-style infantry encampment at 7513 Queen Street, which also borders King and North Streets, and a cavalry encampment on 7316 Queen Street, which borders on Old Middleway Road and East Street. Re-enactor parking and an additional cavalry camp would be at 272 Mason Farm Drive.

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If you have any questions or suggestions, please contact me, Bill Chappell at 301-219-3566 mobile.

Sincerely,



William (Bill) D. Chappell  
Vice President

Attachments (2)

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MAY 19 2017

JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING

Zoning

SUI6-01A-I

**From:** Peter Fricke <peterfricke01@gmail.com>  
**Sent:** Tuesday, May 03, 2016 11:42 AM  
**To:** Zoning  
**Subject:** Department of Health re Battle of Smithfield Re-enactment  
**Attachments:** DOC050216-05022016074739.pdf

S417-01  
A-I

-----Original Message-----

**From:** Zaleski, Bill H [mailto:Bill.H.Zaleski@wv.gov]  
**Sent:** Monday, May 2, 2016 7:54 AM  
**To:** Peter Fricke (peterfricke01@gmail.com) <peterfricke01@gmail.com>  
**Subject:** FW: \*\*\*\*\*DO NOT REPLY\*\*\*\*\* 05/02/2016 07:47

Good Morning,

Attached are two excerpts for you:

1. permits not needed for public restrooms, this includes port a johns  
2. Mass Gathering by our State Code 2.14 (250 or more persons)

Hope this assists you.

I can send you the entire code (its lengthy) if needed

Have a good event

billz

-----Original Message-----

**From:** Administrator [mailto:DoNotReply@wv.gov]  
**Sent:** Monday, May 02, 2016 10:48 AM  
**To:** Zaleski, Bill H  
**Subject:** \*\*\*\*\*DO NOT REPLY\*\*\*\*\* 05/02/2016 07:47

Scanned from MFP07924480  
Date:05/02/2016 07:47  
Pages:2  
Resolution:200x200 DPI  
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JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING

placement of a camping unit.

2.6. Care Facilities – Include, but are not limited to, public or private halfway houses, adult day care facilities, residential care facilities (such as juvenile group homes and work release centers), and non-disaster shelters (such as homeless shelters and family violence protection shelters). The term does not include health care facilities licensed by the Office of Health Facilities Licensure and Certification in the Office of the Inspector General.

2.7. Commissioner – The commissioner of the bureau for public health or his or her lawful designee.

2.8. Construct - To install, establish, extend, alter or modify.

2.9. Health Officer - The commissioner of the bureau for public health who is also the State Health Officer or the executive officer of the local board of health or his or her lawful representative.

2.10. Hotel - Every building where food and lodging are furnished to guests and payment is required.

2.11. Institution - A public or private facility established by an organization or corporation for the purpose of providing higher education, care, training, rehabilitation or other similar services or functions. An "institution" includes public or private correctional facilities, colleges and universities, and primary and secondary educational facilities (pre-K through grade twelve).

2.12. Labor Camp - A labor camp includes any lumber, mining, agricultural, construction, or other industrial camp where ten or more persons are employed and housed in temporary quarters, such as cars, motor homes, camper vehicles, wagons, tents, cabins, buildings, or other similar enclosures.

2.13. Lodging Facilities – Include, but are not limited to, hotels, motels, labor camps and Bed and Breakfast Inns.

2.14. Mass Gathering - Any group of two hundred fifty (250) or more persons assembled together for a meeting, festival, social gathering, concert or other similar purpose. The term shall not include assembly in any permanent buildings or permanent structures designed, equipped and intended for use by large numbers of people. For the purposes of this subsection, "equipped" means supplied with adequate sanitary facilities for the intended use.

2.15. Motel - Every building constructed, designed, maintained, offered or used to furnish lodging to automobile transient guests or the traveling public. The term motel includes auto courts, motor courts, auto lodges, motor lodges, tourist cabins, tourist cottages and tourist courts.

2.16. Nuisance - An annoyance or anything which causes injury, inconvenience, damage, or which essentially interferes with the enjoyment of life or property, and includes, but is not limited to, inadequate or unsanitary sewage, water or plumbing facilities or other unsanitary conditions.

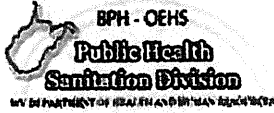
2.17. Occupant - A person utilizing a specific facility governed by this rule.

2.18. Operator - A person who has been granted a written permit, in accordance with this rule, to operate a facility governed by this rule.

2.19. Organized Camp - Any area, place, parcel or tract of land on which facilities are established or

5417-01  
A-I

WV - DHHR - BPH - OEHS - Public Health Sanitation DHHR Site Search - DHHR Site Map



## General Sanitation

### Major Programs

- Body Piercing
- Bottled Water
- Disaster Information
- Food Sanitation
- General Sanitation
- Individual Water Supply
- Infectious Medical Waste
- Milk
- Other Programs
- Recreational Water Facilities
- Sewage
- Training

### Other Items

- Environmental Health Procedures Manual
- Forms & Applications
- In-Service Meetings
- Legislative Rules
- Liaison Committee Minutes
- Links
- Search Site
- State Board of Sanitarians
- West Virginia Association of Sanitarians
- What does a Sanitarian do?

**Information on Bed Bugs can be found on our Links Tab: Click here for Bed Bug Information.**

**Local Health Departments** in West Virginia permit and inspect many of the facilities listed below, with the exception of Correctional Facilities and Work Release Centers, which are inspected by Sanitarians from the **District Offices** of the Public Health Sanitation Division.

*For questions related to these facilities, including the requirements for obtaining a permit, please contact your local health department.*

The General Sanitation Rule covers the following facilities:

**CARE FACILITIES :** Adult Day Care Centers, Emergency Shelters, Group Homes, and Work Release Centers.

**INSTITUTIONS :** Colleges and Universities, Correctional Facilities: Detention Centers, Jails, and Prisons.

**LODGING FACILITIES :** Bed & Breakfast Inns, Hotels and Motels, Labor Camps, and Tourist Cabins.

**PUBLIC RESTROOMS :** (No permit required; inspected on complaint basis only, unless they are under a current local health department facility permit)

**RECREATIONAL FACILITIES :** Campgrounds, Fairs & Festivals, Mass Gatherings, Organized Camps, Parks, and Playgrounds.

**SCHOOLS :** Primary and Secondary (K-12)

For a listing of all of the Legislative Rules, click here.

### General Sanitation Forms:

- SG-49 Application for Permit to Operate

### Additional Information:

**West Virginia Bureau for Public Health Website**

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JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338
Charles Town, WV 25414

File Number: 3117-01A
Staff Initials: CFC
Fees Paid: \$

http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: zoningdepartment@jeffersoncountywv.org
planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Application for Seasonal Use/Special Exception

Seasonal uses and special exceptions must be approved by the Board of Zoning Appeals pursuant to a public hearing. Seasonal uses cannot be approved for longer than one year at a time, and are limited to a single three-day consecutive period in each of the four solar seasons. For outdoor advertising signs, include (1) a full-color rendering of each sign proposed, including all dimensions of the sign and total square footage, (2) a sketch plan of the property, indicating the location of the sign and setbacks.

Type of Request

Seasonal Use: [checked] Special Exception: [ ]

Property Owner Information

Name: William & Linda Chappell
Mailing Address: 175 East Street
City: Middleway State: WV Zip Code: 25430
Phone Number: Email:

Applicant Contact Information

Applicant Name: Middleway Conservancy Association, Inc.
Mailing Address: 175 East Street
City: Middleway State: WV Zip Code: 25430
Phone Number: 301-219-3566 Email:

Engineer(s), Surveyor(s), Consultant(s) Information

Name:
Mailing Address:
City: State: Zip Code:
Phone Number: Email:

Physical property details

Physical Address: 175 East Street
City: Middleway State: WV Zip Code: 25430
Tax District: 07 Map No.: 22B Parcel No.: 0028
Parcel Size: 0.94 ac - 89 ac (AS) Deed Book: 966 Page No.: 319

Zoning District (please check one)

- Residential Growth (RG) [ ]
Industrial Commercial (IC) [ ]
Rural (R) [ ]
Residential-Light Industrial-Commercial (RLIC) [ ]
Village (V) [checked]
Neighborhood Commercial (NC) [ ]
General Commercial (GC) [ ]
Highway Commercial (HC) [ ]
Light Industrial (LI) [ ]
Major Industrial (MI) [ ]
Planned Neighborhood Development (PND) [ ]
Office/Commercial Mixed-Use (OC) [ ]

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PLANNING, ZONING AND ENGINEERING

**Name of Temporary Business or Event**

Re-enactment of the Battle of Smithfield Crossing

**Description of Seasonal Use**

Military drills and educational activities, re-enactment of the battle

**Name of Primary Contact/Responsible Party During Business Hours**

William (Bill) Chappell

**Primary Contact Telephone Number**

301-219-3566

**Duration of Temporary Use/Window of Authorization**

Start Date: 8 Sep 2017

End Date: 10 Sep 2017

Total Number of Days: 3

**Hours of Operation of Seasonal Use**

24 hours daily from noon 8 September until 6 p.m. 10 September

**How is the Property Currently Used?**

Grass lawn/front yard

**What is the Proposed Use of the Property?**

Re-enactment of Civil War military drills, educational activities and reenactment of the battle

*On a separate sheet of paper, sketch the shape and location of the lot, including property boundaries, with accurate dimensions. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property.*

*Original signature is required of all property owners (attach additional signature page if needed).*

*The information given is correct to the best of my knowledge.*

William D. Chappell 5/12/17

Signature of Property Owner 1      Date

Linda A. Chappell 5/12/17

Signature of Property Owner 2      Date

**Notification Requirements**

06/22/17

Date of Public Hearing

06/07/17

Advertising Date

15 - Days.

Posting Requirements  
(number of days prior to  
scheduled hearing)

**Official Action of Board**

**Official Signature and Seal**

\_\_\_\_\_  
President's Signature

\_\_\_\_\_  
Date

Middleway Conservancy Association  
175 East Street  
Middleway, WV 25430

To whom it may concern:

We, being the owners of 175 East Street, Middleway, WV have no objection to the proposal of the Middleway Conservancy Association for a "living history" re-enactment of the Battle of Smithfield Crossing to be held on September 8-10, 2017. It is understood that military drills, educational activities and battle re-enactments are proposed for this property.

We also understand that associated encampments, living history events and re-enactments of battles and skirmishes are proposed elsewhere within the village on September 9 and 10 and have no objection to the proposal.

(Signature)

(Date)

*William D. Chappell* 5/12/17

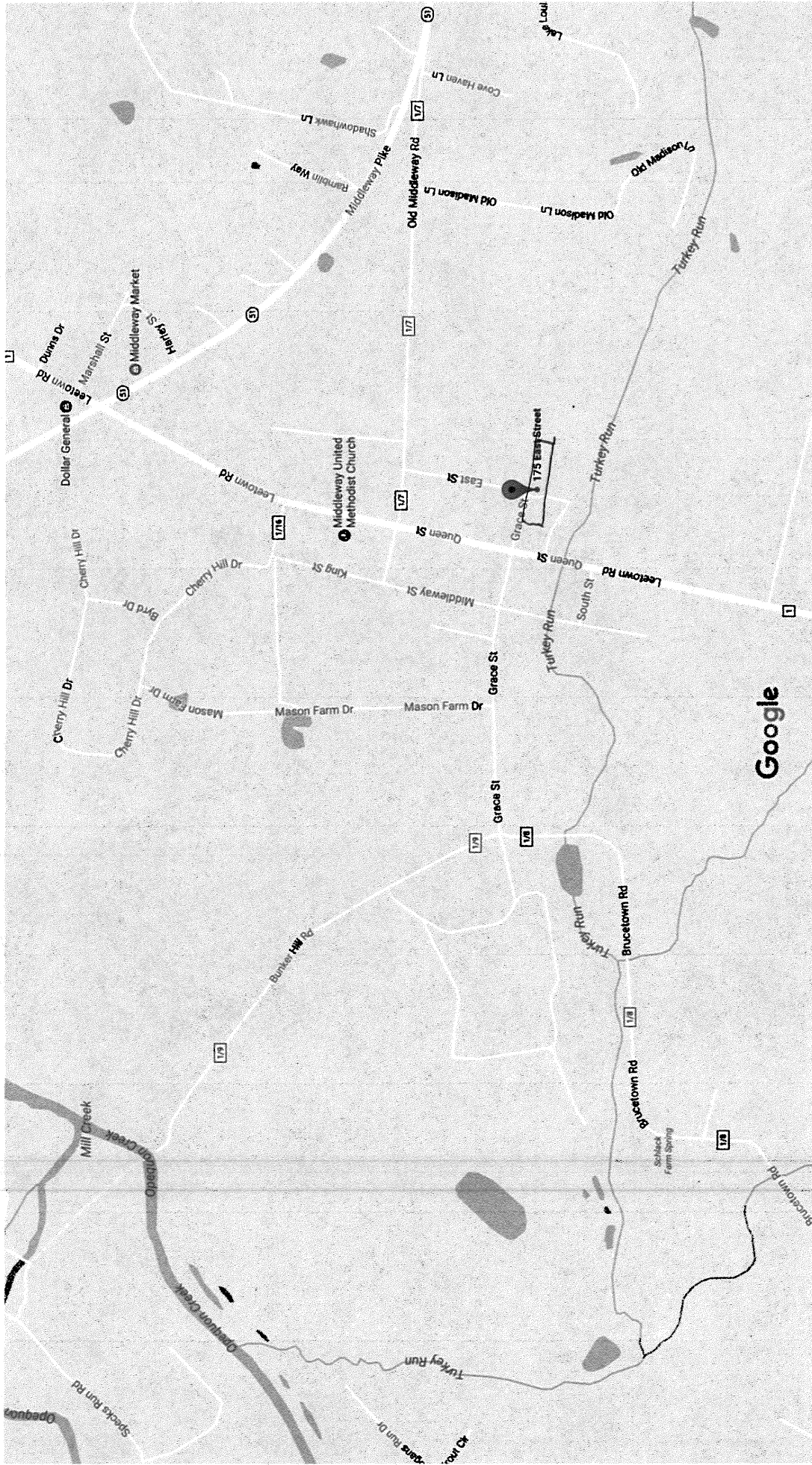
(Signature)

(Date)

*Linda A. Chappell* 5/12/17

William and Linda Chappell  
175 East Street  
Middleway, WV 25430

**Google Maps**  
**175 East St**  
 William and Linda Chappell



Map data ©2017 Google 500 ft



**JEFFERSON COUNTY, WEST VIRGINIA**  
**Departments of Planning and Zoning**  
 116 East Washington Street, 2<sup>nd</sup> Floor, P.O. Box 338  
 Charles Town, WV 25414

File Number: #5117-01B  
 Staff Initials: clc  
 Fees Paid: \$ ✓

<http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html>

Email: [zoningdepartment@jeffersoncountywv.org](mailto:zoningdepartment@jeffersoncountywv.org)  
[planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)

Phone: (304) 728-3228  
 Fax: (304) 728-8126

**Application for Seasonal Use/Special Exception**

Seasonal uses and special exceptions must be approved by the Board of Zoning Appeals pursuant to a public hearing. Seasonal uses cannot be approved for longer than one year at a time, and are limited to a single three-day consecutive period in each of the four solar seasons. For outdoor advertising signs, include (1) a full-color rendering of each sign proposed, including all dimensions of the sign and total square footage, (2) a sketch plan of the property, indicating the location of the sign and setbacks.

*Type of Request*

Seasonal Use:  Special Exception:

*Property Owner Information*

Name: Daniel B. and Anne L. Bowers  
 Mailing Address: 272 Mason Farm Drive  
 City: Middleway State: WV Zip Code: 25430  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

*Applicant Contact Information*

Applicant Name: Middleway Conservancy Association, Inc.  
 Mailing Address: 175 East Street  
 City: Middleway State: WV Zip Code: 25430  
 Phone Number: 301-219-3566 Email: \_\_\_\_\_

*Engineer(s), Surveyor(s), Consultant(s) Information*

Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

*Physical property details*

Physical Address: 272 Mason Farm Drive  
 City: Middleway State: WV Zip Code: 25430  
 Tax District: 07 Map No.: 22 Parcel No.: 00120009  
 Parcel Size: 7.75 ac Deed Book: 544 Page No.: 342

*Zoning District (please check one)*

Residential Growth (RG) <input type="checkbox"/>	Industrial Commercial (IC) <input type="checkbox"/>	Rural (R) <input checked="" type="checkbox"/>	Residential-Light Industrial-Commercial (RLIC) <input type="checkbox"/>	Village (V) <input type="checkbox"/>	Neighborhood Commercial (NC) <input type="checkbox"/>
General Commercial (GC) <input type="checkbox"/>	Highway Commercial (HC) <input type="checkbox"/>	Light Industrial (LI) <input type="checkbox"/>	Major Industrial (MI) <input type="checkbox"/>	Planned Neighborhood Development (PND) <input type="checkbox"/>	Office/Commercial Mixed-Use (OC) <input type="checkbox"/>

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Middleway Conservancy Association  
175 East Street  
Middleway, WV 25430

To whom it may concern:

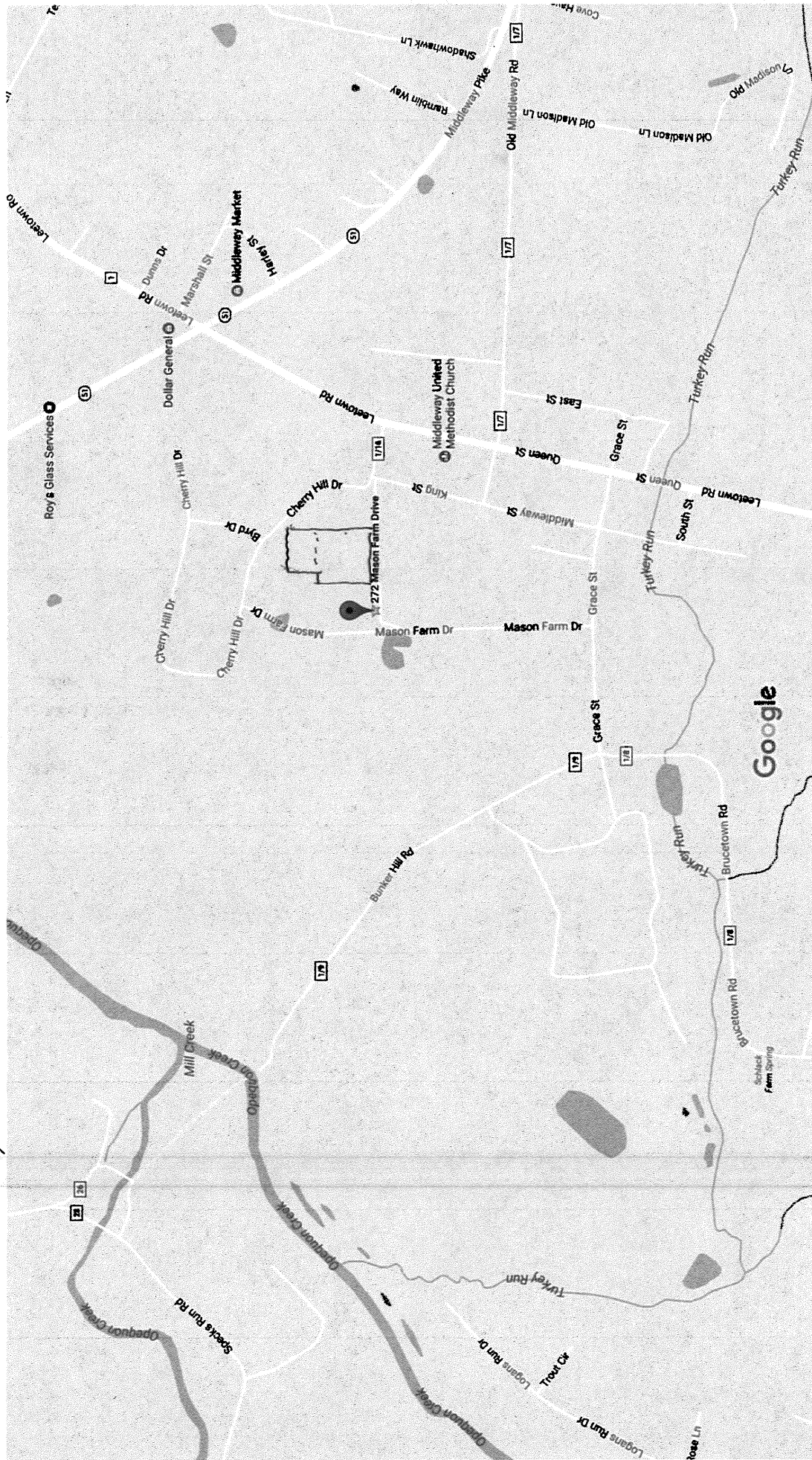
We, being the owners of 272 Mason Farm Drive, Middleway, WV have no objection to the proposal of the Middleway Conservancy Association for a "living history" re-enactment of the Battle of Smithfield Crossing to be held on September 8-10, 2017. It is understood that re-enactor parking, a Civil War-style encampment, and living history events are proposed for this property.

We also understand that associated encampments, living history events and re-enactments of battles and skirmishes are proposed elsewhere within the village on September 9 and 10 and have no objection to the proposal.

(Signature)	(Date)	(Signature)	(Date)
<i>Daniel B. Bowers</i>	<i>5/11/2017</i>	<i>Anne Bowers</i>	<i>5-11-17</i>

Daniel and Anne Bowers  
272 Mason Farm Drive  
Middleway, WV 25430

# Google Maps 272 Mason Farm Dr *Larry and Anne Bowers*



Map data ©2017 Google 500 ft



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338
Charles Town, WV 25414

File Number: #SU14-01C
Staff Initials: cfc
Fees Paid: \$

http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: zoningdepartment@jeffersoncountywv.org
planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Application for Seasonal Use/Special Exception

Seasonal uses and special exceptions must be approved by the Board of Zoning Appeals pursuant to a public hearing. Seasonal uses cannot be approved for longer than one year at a time, and are limited to a single three-day consecutive period in each of the four solar seasons. For outdoor advertising signs, include (1) a full-color rendering of each sign proposed, including all dimensions of the sign and total square footage, (2) a sketch plan of the property, indicating the location of the sign and setbacks.

Type of Request

Seasonal Use: [checked] Special Exception: [ ]

Property Owner Information

Name: Dorothea DeHart
Mailing Address: 207 East Street
City: Middleway State: WV Zip Code: 25430
Phone Number: Email:

Applicant Contact Information

Applicant Name: Middleway Conservancy Association, Inc.
Mailing Address: 175 East Street
City: Middleway State: WV Zip Code: 25430
Phone Number: 301-219-3566 Email:

Engineer(s), Surveyor(s), Consultant(s) Information

Name:
Mailing Address:
City: State: Zip Code:
Phone Number: Email:

Physical property details

Physical Address: 207 East Street
City: Middleway State: WV Zip Code: 25430
Tax District: 07 Map No.: 22B Parcel No.: 0029 & 0020
Parcel Size: 2.75 ac Deed Book: 930 Page No.: 391

Zoning District (please check one)

- Residential Growth (RG) [ ]
Industrial Commercial (IC) [ ]
Rural (R) [ ]
Residential-Light Industrial-Commercial (RLIC) [ ]
Village (V) [checked]
Neighborhood Commercial (NC) [ ]
General Commercial (GC) [ ]
Highway Commercial (HC) [ ]
Light Industrial (LI) [ ]
Major Industrial (MI) [ ]
Planned Neighborhood Development (PND) [ ]
Office/Commercial Mixed-Use (OC) [ ]

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PLANNING, ZONING AND ENGINEERING

*Name of Temporary Business or Event*

Re-enactment of the Battle of Smithfield Crossing

*Description of Seasonal Use*

Military drills and educational activities, re-enactment of the battle

*Name of Primary Contact/Responsible Party During Business Hours*

William (Bill) Chappell

*Primary Contact Telephone Number*

301-219-3566

*Duration of Temporary Use/Window of Authorization*

Start Date: 8 Sep 2017

End Date: 10 Sep 2017

Total Number of Days: 3

*Hours of Operation of Seasonal Use*

24 hours daily from noon 8 September until 6 p.m. 10 September

*How is the Property Currently Used?*

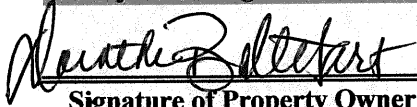
Grass lawn/front yard

*What is the Proposed Use of the Property?*

Re-enactment of Civil War military drills, educational activities and reenactment of the battle

*On a separate sheet of paper, sketch the shape and location of the lot, including property boundaries, with accurate dimensions. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property.*

*Original signature is required of all property owners (attach additional signature page if needed).  
The information given is correct to the best of my knowledge.*

 5-17-2017  
Signature of Property Owner 1      Date

\_\_\_\_\_  
Signature of Property Owner 2      Date

*Notification Requirements*

06/22/17  
Date of Public Hearing

06/07/17  
Advertising Date

15 Days  
Posting Requirements  
(number of days prior to  
scheduled hearing)

*Official Action of Board*

*Official Signature and Seal*

\_\_\_\_\_  
President's Signature

\_\_\_\_\_  
Date

Middleway Conservancy Association  
175 East Street  
Middleway, WV 25430

To whom it may concern:

I, being the owner of 207 East Street, Middleway, WV have no objection to the proposal of the Middleway Conservancy Association for a "living history" re-enactment of the Battle of Smithfield Crossing to be held on September 8-10, 2017. It is understood that military drills, educational activities and battle re-enactments are proposed for this property.

I also understand that associated encampments, living history events and re-enactments of battles and skirmishes are proposed elsewhere within the village on September 9 and 10 and have no objection to the proposal.

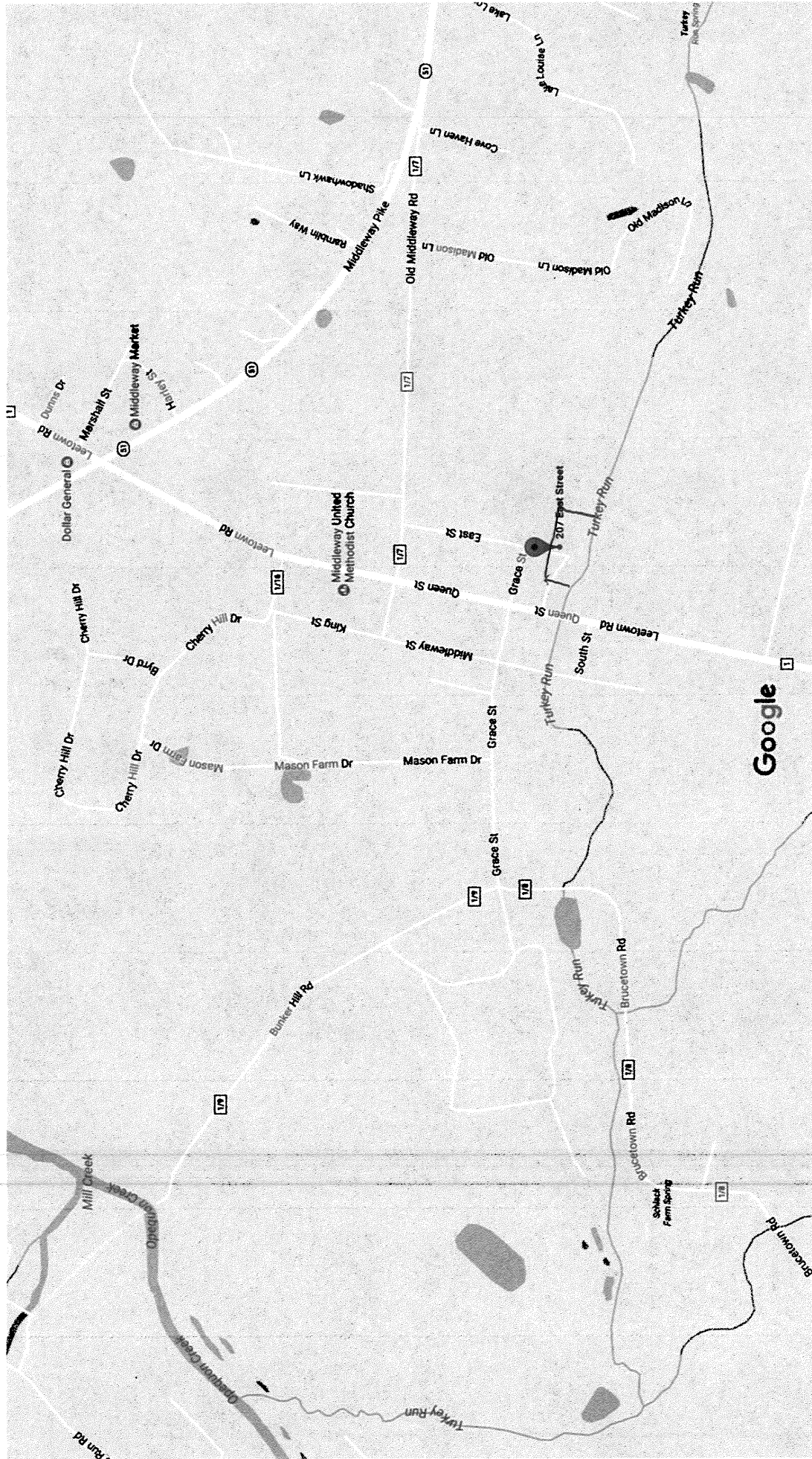
(Signature)

(Date)

 5-17-2017

Dorothea DeHart  
207 East Street  
Middleway, WV 25430

Google Maps 207 East St  
*Dorothea DeHart*



Map data ©2017 Google 500 ft





JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338
Charles Town, WV 25414

File Number: #SU17-01D

Staff Initials: CFC

Fees Paid: \$ [check]

http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: zoningdepartment@jeffersoncountywv.org
planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Application for Seasonal Use/Special Exception

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Type of Request

Seasonal Use: [checked] Special Exception: [ ]

Property Owner Information

Name: Grace Episcopal Church
Mailing Address: 159 East Street
City: Middleway State: WV Zip Code: 25430
Phone Number: Email:

Applicant Contact Information

Applicant Name: Middleway Conservancy Association, Inc.
Mailing Address: 175 East Street
City: Middleway State: WV Zip Code: 25430
Phone Number: 301-219-3566 Email:

Engineer(s), Surveyor(s), Consultant(s) Information

Name:
Mailing Address:
City: State: Zip Code:
Phone Number: Email:

Physical property details

Physical Address: 112 East Street
City: Middleway State: WV Zip Code: 25430
Tax District: 07 Map No.: 22A Parcel No.: 0070
Parcel Size: 0.33 ac Deed Book: Page No.:

Zoning District (please check one)

- Residential Growth (RG) [ ]
Industrial Commercial (IC) [ ]
Rural (R) [ ]
Residential-Light Industrial-Commercial (RLIC) [ ]
Village (V) [checked]
Neighborhood Commercial (NC) [ ]
General Commercial (GC) [ ]
Highway Commercial (HC) [ ]
Light Industrial (LI) [ ]
Major Industrial (MI) [ ]
Planned Neighborhood Development (PND) [ ]
Office/Commercial Mixed-Use (OC) [ ]

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JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

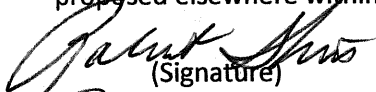


Middleway Conservancy Association  
175 East Street  
Middleway, WV 25430

To whom it may concern:

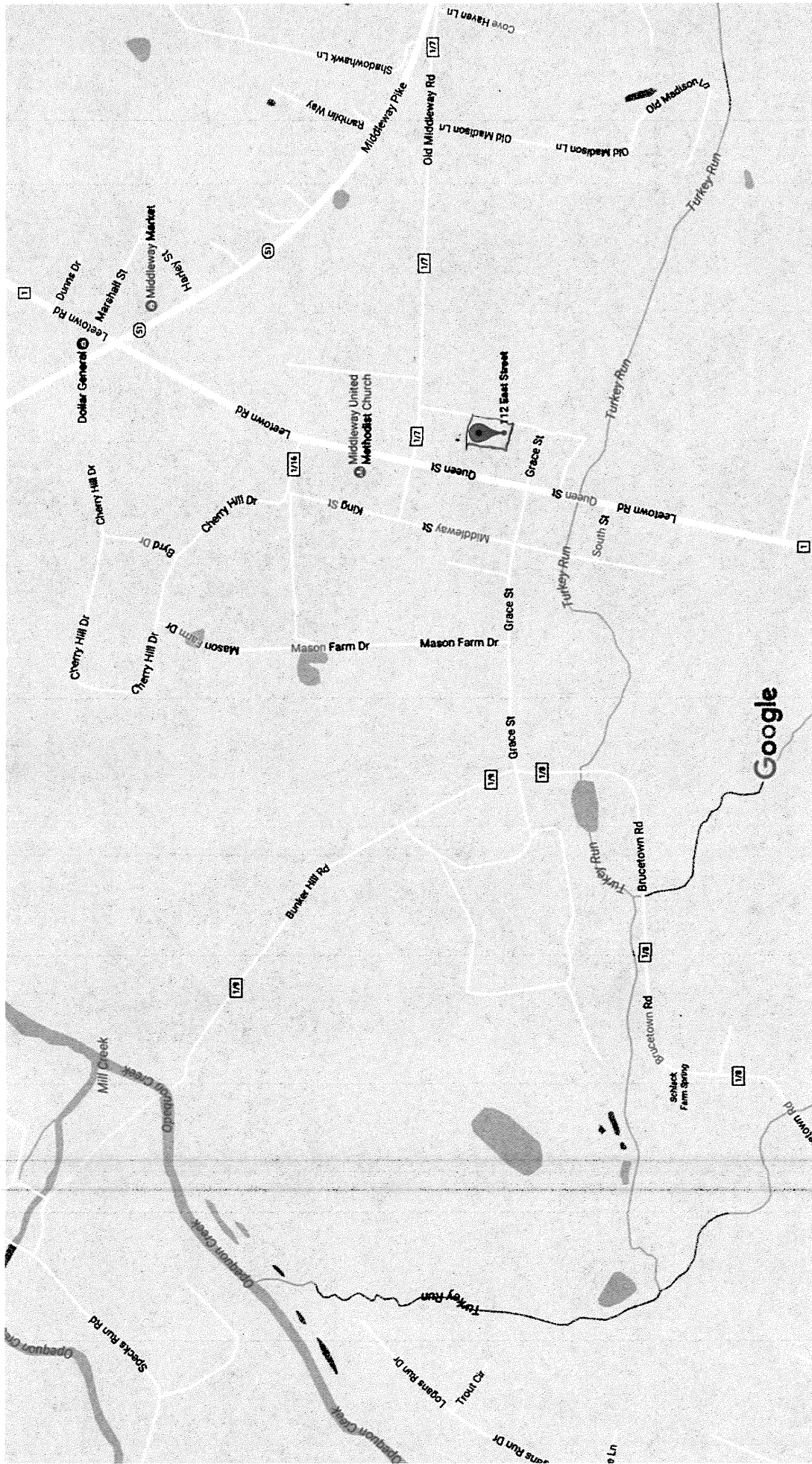
I, being a representative of the owners of 159 East Street, Middleway, WV have no objection to the proposal of the Middleway Conservancy Association for a "living history" re-enactment of the Battle of Smithfield Crossing to be held on September 8-10, 2017. It is understood that military drills, educational activities and battle re-enactments are proposed for this property.

I also understand that associated encampments, living history events and re-enactments of battles and skirmishes are proposed elsewhere within the village on September 9 and 10 and have no objection to the proposal.

  
(Signature)      23 Apr 17  
(Date)  
Robert Shives

Senior Warden  
Grace Episcopal Church  
159 East Street  
Middleway, WV 25430

**Google Maps**  
**112 East St**  
 Grace Episcopal Church Parish Hall



Map data ©2017 Google 500 ft



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338

Charles Town, WV 25414

File Number: #SUI7-01E
Staff Initials: etc
Fees Paid: \$ [check]

http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: zoningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

planningdepartment@jeffersoncountywv.org

Fax: (304) 728-8126

Application for Seasonal Use/Special Exception

Seasonal uses and special exceptions must be approved by the Board of Zoning Appeals pursuant to a public hearing. Seasonal uses cannot be approved for longer than one year at a time, and are limited to a single three-day consecutive period in each of the four solar seasons. For outdoor advertising signs, include (1) a full-color rendering of each sign proposed, including all dimensions of the sign and total square footage, (2) a sketch plan of the property, indicating the location of the sign and setbacks.

Type of Request

Seasonal Use: [checked]

Special Exception: [ ]

Property Owner Information

Name: Carmen Quinones
Mailing Address: 7513 Queen Street
City: Middleway State: WV Zip Code: 25430
Phone Number: Email:

Applicant Contact Information

Applicant Name: Middleway Conservancy Association, Inc.
Mailing Address: 175 East Street
City: Middleway State: WV Zip Code: 25430
Phone Number: 301-219-3566 Email:

Engineer(s), Surveyor(s), Consultant(s) Information

Name:
Mailing Address:
City: State: Zip Code:
Phone Number: Email:

Physical property details

Physical Address: 7513 Queen Street
City: Middleway State: WV Zip Code: 25430
Tax District: 07 Map No.: 22A Parcel No.: 0018
Parcel Size: 2.45 ac Deed Book: 1115 Page No.: 731

Zoning District (please check one)

Grid of zoning districts with checkboxes: Residential Growth (RG), Industrial Commercial (IC), Rural (R), Residential-Light Industrial-Commercial (RLIC), Village (V), Neighborhood Commercial (NC), General Commercial (GC), Highway Commercial (HC), Light Industrial (LI), Major Industrial (MI), Planned Neighborhood Development (PND), Office/Commercial Mixed-Use (OC). Village (V) is checked.

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**Name of Temporary Business or Event**

Re-enactment of the Battle of Smithfield Crossing

**Description of Seasonal Use**

Encampment of 150 re-enactors, demonstrations of military drills and equipment, Civil War camp life, and re-enactment of the battle

**Name of Primary Contact/Responsible Party During Business Hours**

William (Bill) Chappell

**Primary Contact Telephone Number**

301-219-3566

**Duration of Temporary Use/Window of Authorization**

Start Date: 8 Sep 2017

End Date: 10 Sep 2017

Total Number of Days: 3

**Hours of Operation of Seasonal Use**

24 hours daily from noon 8 September until 6 p.m. 10 September

**How is the Property Currently Used?**

Residential/hay/pasture

**What is the Proposed Use of the Property?**

Re-enactment of Civil War encampment and battle field

*On a separate sheet of paper, sketch the shape and location of the lot, including property boundaries, with accurate dimensions. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property.*

*Original signature is required of all property owners (attach additional signature page if needed).  
The information given is correct to the best of my knowledge.*

*Armen A. Quintana*      05-19-2017

Signature of Property Owner 1

Date

Signature of Property Owner 2

Date

**Notification Requirements**

06/22/17

Date of Public Hearing

06/07/17

Advertising Date

15-Days

Posting Requirements  
(number of days prior to  
scheduled hearing)

**Official Action of Board**

**Official Signature and Seal**

\_\_\_\_\_  
President's Signature

\_\_\_\_\_  
Date

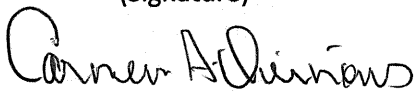
Middleway Conservancy Association  
175 East Street  
Middleway, WV 25430

To whom it may concern:

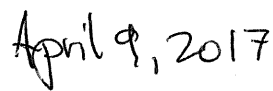
I, being the owner of 7513 Queen Street, Middleway, WV have no objection to the proposal of the Middleway Conservancy Association for a "living history" re-enactment of the Battle of Smithfield Crossing to be held on September 8-10, 2017. It is understood that a Civil War-style encampment, and living history events are proposed for this property.

I also understand that associated encampments, living history events and re-enactments of battles and skirmishes are proposed elsewhere within the village on September 9 and 10 and have no objection to the proposal.

(Signature)



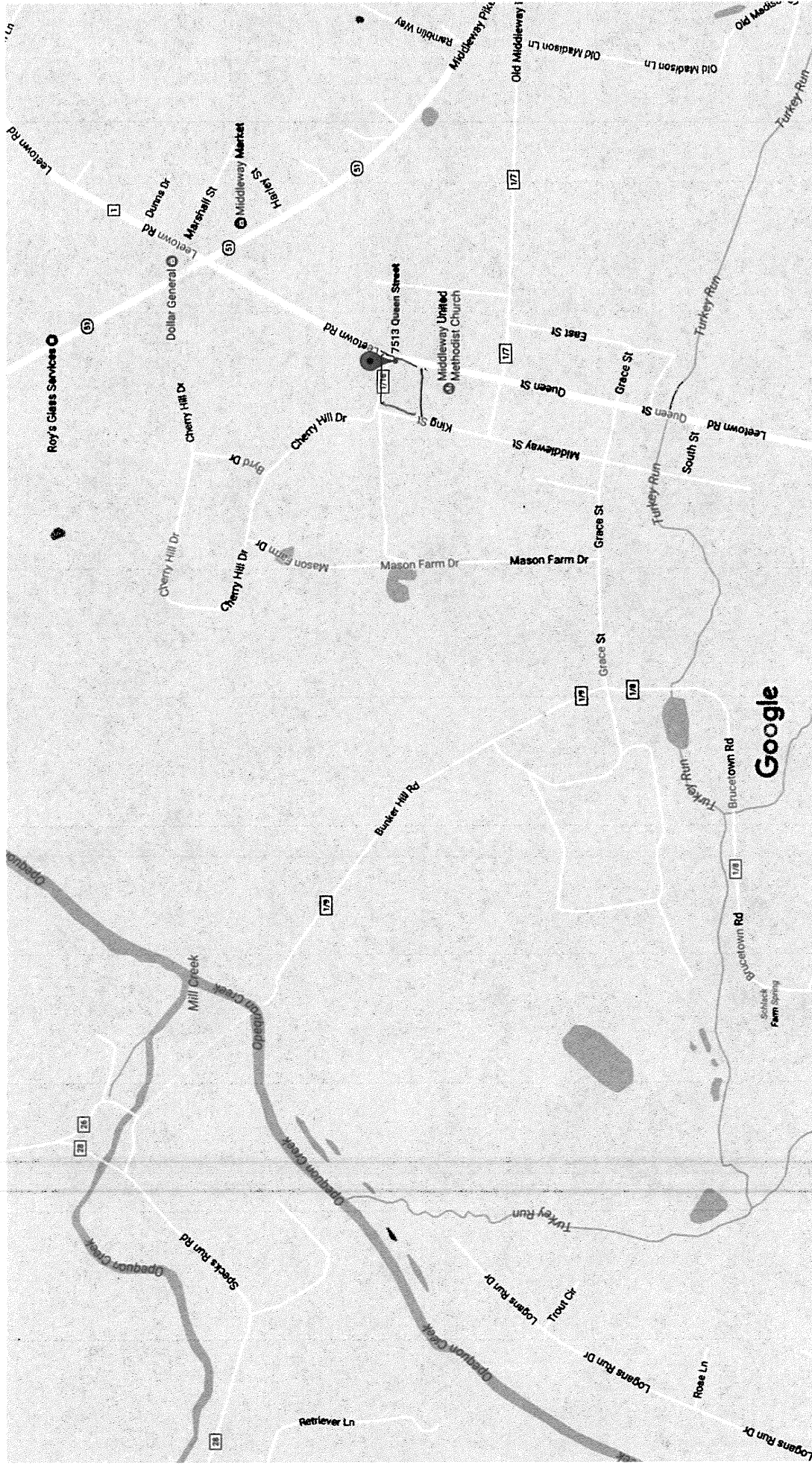
(Date)



Ms. Carmen Quinones  
7513 Queen Street  
Middleway, WV 25430

# Google Maps

7513 Queen St  
Carmen Quinones



Map data ©2017 Google 500 ft



**JEFFERSON COUNTY, WEST VIRGINIA**  
**Departments of Planning and Zoning**  
 116 East Washington Street, 2<sup>nd</sup> Floor, P.O. Box 338  
 Charles Town, WV 25414

File Number: #S11701F  
 Staff Initials: Cle  
 Fees Paid: \$

<http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html>

Email: [zoningdepartment@jeffersoncountywv.org](mailto:zoningdepartment@jeffersoncountywv.org)  
[planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)

Phone: (304) 728-3228  
 Fax: (304) 728-8126

**Application for Seasonal Use/Special Exception**

Seasonal uses and special exceptions must be approved by the Board of Zoning Appeals pursuant to a public hearing. Seasonal uses cannot be approved for longer than one year at a time, and are limited to a single three-day consecutive period in each of the four solar seasons. For outdoor advertising signs, include (1) a full-color rendering of each sign proposed, including all dimensions of the sign and total square footage, (2) a sketch plan of the property, indicating the location of the sign and setbacks.

**Type of Request**

Seasonal Use:  Special Exception:

**Property Owner Information**

Name: Dorothy Stickle  
 Mailing Address: 7316 Queen Street  
 City: Middleway State: WV Zip Code: 25430  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Applicant Contact Information**

Applicant Name: Middleway Conservancy Association, Inc.  
 Mailing Address: 175 East Street  
 City: Middleway State: WV Zip Code: 25430  
 Phone Number: 301-219-3566 Email: \_\_\_\_\_

**Engineer(s), Surveyor(s), Consultant(s) Information**

Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Physical property details**

Physical Address: 7316 Queen Street  
 City: Middleway State: WV Zip Code: 25430  
 Tax District: 07 Map No.: 22A Parcel No.: 0061  
 Parcel Size: 2.57 ac Deed Book: 938 Page No.: 189

**Zoning District (please check one)**

Residential Growth (RG) <input type="checkbox"/>	Industrial Commercial (IC) <input type="checkbox"/>	Rural (R) <input type="checkbox"/>	Residential-Light Industrial-Commercial (RLIC) <input type="checkbox"/>	Village (V) <input checked="" type="checkbox"/>	Neighborhood Commercial (NC) <input type="checkbox"/>
General Commercial (GC) <input type="checkbox"/>	Highway Commercial (HC) <input type="checkbox"/>	Light Industrial (LI) <input type="checkbox"/>	Major Industrial (MI) <input type="checkbox"/>	Planned Neighborhood Development (PND) <input type="checkbox"/>	Office/Commercial Mixed-Use (OC) <input type="checkbox"/>

**RECEIVED**  
 MAY 19 2017

*Name of Temporary Business or Event*

Re-enactment of the Battle of Smithfield Crossing

*Description of Seasonal Use*

Encampment of up to 50 cavalry re-enactors and their horses, demonstrations of military drills and equipment, and Civil War camp life

*Name of Primary Contact/Responsible Party During Business Hours*

William (Bill) Chappell

*Primary Contact Telephone Number*

301-219-3566

*Duration of Temporary Use/Window of Authorization*

Start Date: 8 Sep 2017

End Date: 10 Sep 2017

Total Number of Days: 3

*Hours of Operation of Seasonal Use*

24 hours daily from noon 8 September until 6 p.m. 10 September

*How is the Property Currently Used?*

Pasture/hayfield

*What is the Proposed Use of the Property?*

Encampment of Civil War Cavalry reenactors with up to 50 horses

*On a separate sheet of paper, sketch the shape and location of the lot, including property boundaries, with accurate dimensions. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property.*

*Original signature is required of all property owners (attach additional signature page if needed).*

*The information given is correct to the best of my knowledge.*

*Dorothy Stukled* 5/14/17

Signature of Property Owner 1

Date

Signature of Property Owner 2

Date

*Notification Requirements*

06/22/17

Date of Public Hearing

06/07/17

Advertising Date

15-Days

Posting Requirements  
(number of days prior to  
scheduled hearing)

*Official Action of Board*

*Official Signature and Seal*

\_\_\_\_\_  
President's Signature

\_\_\_\_\_  
Date

Middleway Conservancy Association  
175 East Street  
Middleway, WV 25430

To whom it may concern:

I, being a the owner of 7316 Queen Street have no objection to the proposal of the Middleway Conservancy Association for a "living history" re-enactment of the Battle of Smithfield Crossing to be held on September 8-10, 2017. It is understood that an encampment, living history and educational activities are proposed for this property.

I also understand that associated encampments, living history events and re-enactments of battles and skirmishes are proposed elsewhere within the village on September 9 and 10 and have no objection to the proposal.

(Signature)

(Date)

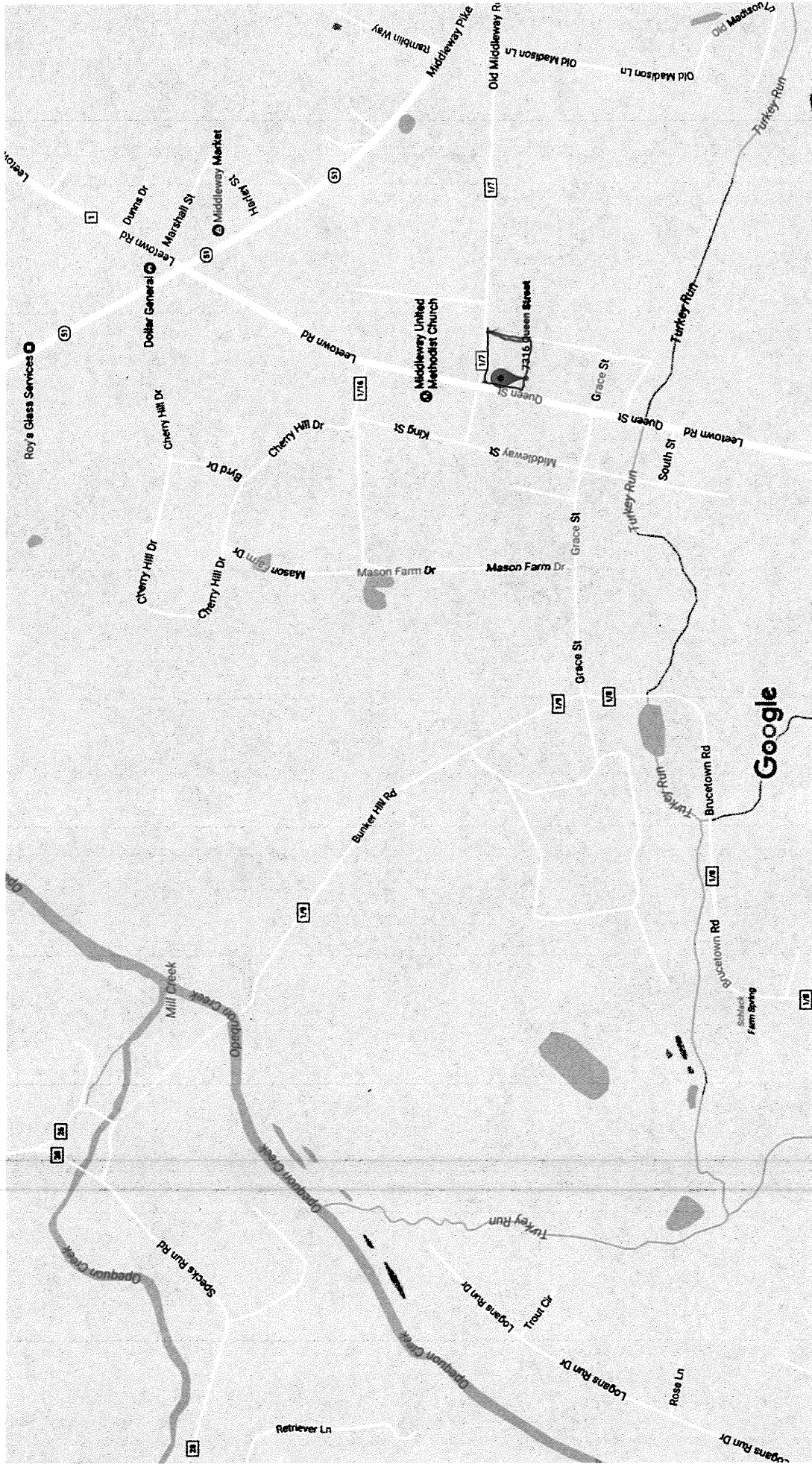
*Dorothy Stickles - 5/14/17*

Mrs. Dorothy Stickles  
7316 Queen Street  
Middleway, WV 25430

C. 304-707-4447

H. 304-728-2928

Google Maps  
7316 Queen St  
Dorothy Stickle



Map data ©2017 Google 500 ft



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338
Charles Town, WV 25414

File Number: # SU 17-01 G
Staff Initials: etc
Fees Paid: \$ [check]

http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: zoningdepartment@jeffersoncountywv.org
planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Application for Seasonal Use/Special Exception

Seasonal uses and special exceptions must be approved by the Board of Zoning Appeals pursuant to a public hearing. Seasonal uses cannot be approved for longer than one year at a time, and are limited to a single three-day consecutive period in each of the four solar seasons. For outdoor advertising signs, include (1) a full-color rendering of each sign proposed, including all dimensions of the sign and total square footage, (2) a sketch plan of the property, indicating the location of the sign and setbacks.

Type of Request

Seasonal Use: [check] Special Exception: [ ]

Property Owner Information

Name: Timothy Johnson
Mailing Address: 501 Whispering Echos Dr.
City: Kearneysville State: WV Zip Code: 25430
Phone Number: 304-725-3072 Email: cherokee.builderwv@gmail.com

Applicant Contact Information

Applicant Name: Middleway Conservancy Association, Inc.
Mailing Address: 175 East Street
City: Middleway State: WV Zip Code: 25430
Phone Number: 304-724-2242 Email: wchapp@msn.com

Engineer(s), Surveyor(s), Consultant(s) Information

Name:
Mailing Address:
City: State: Zip Code:
Phone Number: Email:

Physical property details

Physical Address: 2729 Queen Street 1279 Queen St. gH 06/02/17
City: Middleway State: WV Zip Code: 25430
Tax District: Middleway Map No.: 22A Parcel No.: 33
Parcel Size: .2659 (67' x 180') Deed Book: 1118 Page No.: 570

Zoning District (please check one)

Grid of zoning districts with checkboxes: Residential Growth (RG), Industrial Commercial (IC), Rural (R), Residential-Light Industrial-Commercial (RLIC), Village (V), Neighborhood Commercial (NC), General Commercial (GC), Highway Commercial (HC), Light Industrial (LI), Major Industrial (MI), Planned Neighborhood Development (PND), Office/Commercial Mixed-Use (OC). Village (V) is checked.

RECEIVED
MAY 19 2017
JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

**Name of Temporary Business or Event**

Re-enactment of the Battle of Smithfield Crossing

**Description of Seasonal Use**

Exhibition of Middleway/Smithfield records and artifacts associated with the village and the battle

**Name of Primary Contact/Responsible Party During Business Hours**

William (Bill) Chappell

**Primary Contact Telephone Number**

301-219-3566

**Duration of Temporary Use/Window of Authorization**

Start Date: 8 Sep 2017

End Date: 10 Sep 2017

Total Number of Days: 3

**Hours of Operation of Seasonal Use**

9 a.m. - 5 p.m. Saturday, 9 Sep 2017 and 1 - 5 p.m., Sunday, 10 Sep 2017

**How is the Property Currently Used?**

Commercial

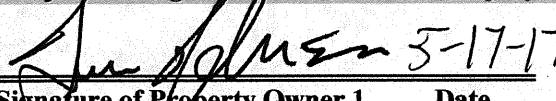
**What is the Proposed Use of the Property?**

Exhibition and and demonstration of artifacts and records

*On a separate sheet of paper, sketch the shape and location of the lot, including property boundaries, with accurate dimensions. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property.*

*Original signature is required of all property owners (attach additional signature page if needed).*

*The information given is correct to the best of my knowledge.*

 5-17-17  
Signature of Property Owner 1      Date

\_\_\_\_\_  
Signature of Property Owner 2      Date

**Notification Requirements**

06/22/17  
Date of Public Hearing

06/07/17  
Advertising Date

15 Days  
Posting Requirements  
(number of days prior to  
scheduled hearing)

**Official Action of Board**

**Official Signature and Seal**

\_\_\_\_\_  
President's Signature

\_\_\_\_\_  
Date

Middleway Conservancy Association  
175 East Street  
Middleway, WV 25430

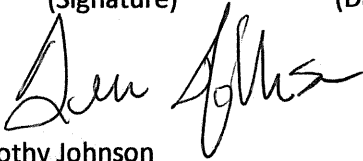
To whom it may concern:

I, being the owner of 2729 Queen Street, Middleway, WV have no objection to the proposal of the Middleway Conservancy Association for a "living history" re-enactment of the Battle of Smithfield Crossing to be held on September 8-10, 2017. It is understood that military drills, educational activities and battle re-enactments are proposed for this property.

I also understand that associated encampments, living history events and re-enactments of battles and skirmishes are proposed elsewhere within the village on September 9 and 10 and have no objection to the proposal.

(Signature)

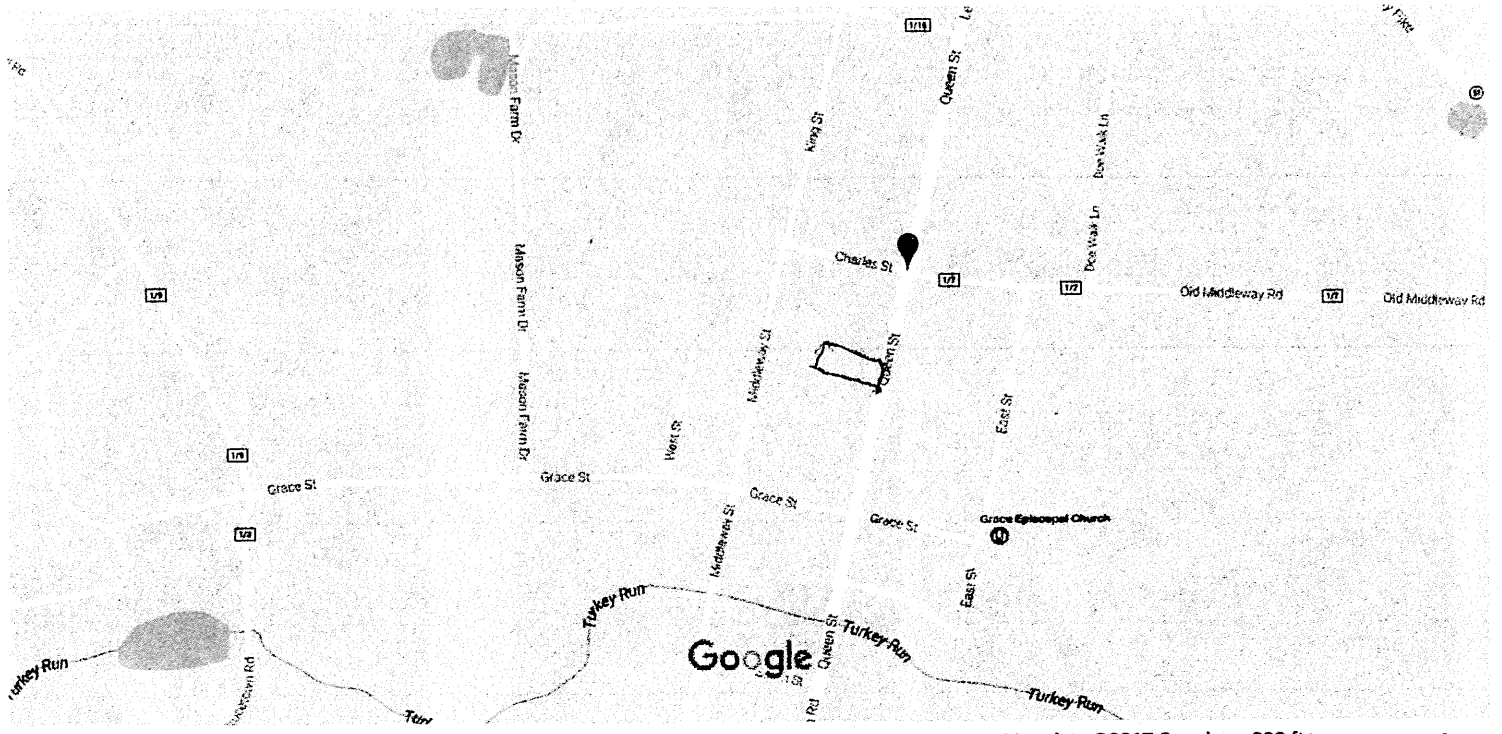
(Date)



5-17-17

Timothy Johnson  
501 Whispering Echos Dr.  
Kearneysville, WV 25430

# Google Maps Queen St - 2729



Map data ©2017 Google 200 ft



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338
Charles Town, WV 25414

File Number: #S117-01H
Staff Initials: Cle
Fees Paid: \$ [check]

http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: zoningdepartment@jeffersoncountywv.org
planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Application for Seasonal Use/Special Exception

Seasonal uses and special exceptions must be approved by the Board of Zoning Appeals pursuant to a public hearing. Seasonal uses cannot be approved for longer than one year at a time, and are limited to a single three-day consecutive period in each of the four solar seasons. For outdoor advertising signs, include (1) a full-color rendering of each sign proposed, including all dimensions of the sign and total square footage, (2) a sketch plan of the property, indicating the location of the sign and setbacks.

Type of Request

Seasonal Use: [check] Special Exception: [ ]

Property Owner Information

Name: Trustees, Middleway United Methodist Church
Mailing Address: P.O, Box 580
City: Kearneysville State: WV Zip Code: 25430
Phone Number: 304 725 3979 Email: bbrown721@comcast.net

Applicant Contact Information

Applicant Name: Middleway Conservancy Association, Inc.
Mailing Address: 175 East Street
City: Middleway State: WV Zip Code: 25430
Phone Number: 301-219-3566 Email:

Engineer(s), Surveyor(s), Consultant(s) Information

Name:
Mailing Address:
City: State: Zip Code:
Phone Number: Email:

Physical property details

Physical Address: 328 King Street
City: Middleway State: WV Zip Code: 25430
Tax District: 07 Map No.: 22A Parcel No.: 0019
Parcel Size: 0.67 ac Deed Book: 1031 Page No.: 491

Zoning District (please check one)

Residential Growth (RG) [ ] Industrial Commercial (IC) [ ] Rural (R) [ ] Residential-Light Industrial-Commercial (RLIC) [ ] Village (V) [check] Neighborhood Commercial (NC) [ ]
General Commercial (GC) [ ] Highway Commercial (HC) [ ] Light Industrial (LI) [ ] Major Industrial (MI) [ ] Planned Neighborhood Development (PND) [ ] Office/Commercial Mixed-Use (OC) [ ]

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MAY 19 2017
JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

**Name of Temporary Business or Event**

Re-enactment of the Battle of Smithfield Crossing

**Description of Seasonal Use**

Living history interpretations and educational activities

**Name of Primary Contact/Responsible Party During Business Hours**

William (Bill) Chappell

**Primary Contact Telephone Number**

301-219-3566

**Duration of Temporary Use/Window of Authorization**

Start Date: 8 Sep 2017 End Date: 10 Sep 2017

Total Number of Days: 3

**Hours of Operation of Seasonal Use**

9 Sep: 9 a.m. -- 10 p.m.; 10 Sep: 12 noon -- 5 p.m.

**How is the Property Currently Used?**

Grass lawn/back yard

**What is the Proposed Use of the Property?**

Living history interpretations and educational activities

*On a separate sheet of paper, sketch the shape and location of the lot, including property boundaries, with accurate dimensions. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property.*

*Original signature is required of all property owners (attach additional signature page if needed). The information given is correct to the best of my knowledge.*

Robert J. Brown, Trustee Chair May 9, 2017

Signature of Property Owner 1      Date

Signature of Property Owner 2      Date

**Notification Requirements**

06/22/17

Date of Public Hearing

06/07/17

Advertising Date

15-Days

Posting Requirements  
(number of days prior to  
scheduled hearing)

**Official Action of Board**

**Official Signature and Seal**

\_\_\_\_\_  
President's Signature      Date

Middleway Conservancy Association  
175 East Street  
Middleway, WV 25430

To whom it may concern:

I, being a trustee of the Middleway United Methodist Church, the owner of 328 King Street, Middleway, WV have no objection to the proposal of the Middleway Conservancy Association for a "living history" re-enactment of the Battle of Smithfield Crossing to be held on September 8-10, 2017. It is understood that living history presentations and educational activities are proposed for this property.

I also understand that associated encampments, living history events and re-enactments of battles and skirmishes are proposed elsewhere within the village on September 9 and 10 and have no objection to the proposal.

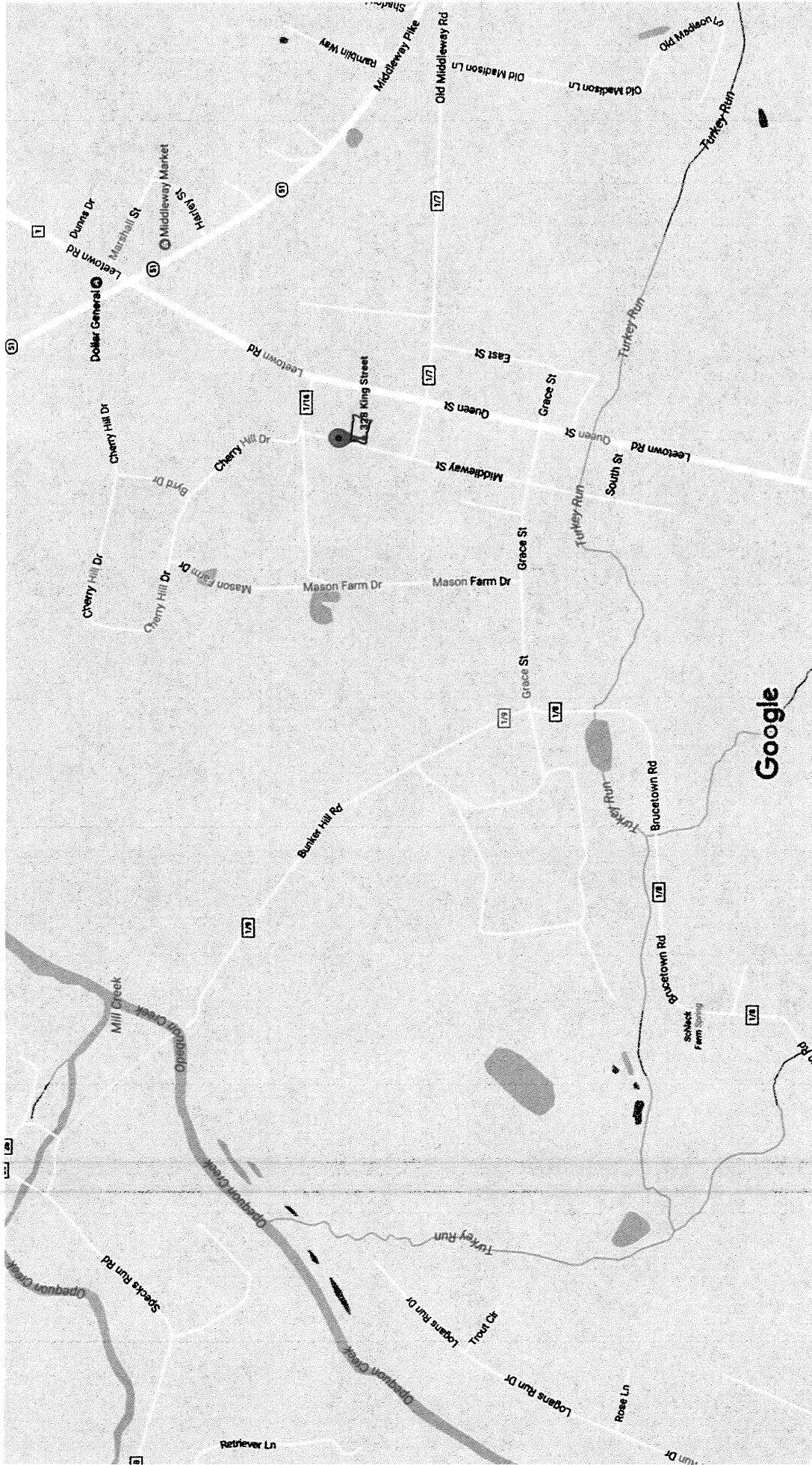
(Signature)

(Date)

*Robert J. Brown*     *May 9, 2017*  
*Chair of Trustees*

Trustees  
Middleway United Methodist Church  
7437 Queen Street  
Middleway, WV 25430

**Google Maps**  
**328 King St**  
 Middleway United Methodist Church



Map data ©2017 Google 500 ft



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 338

Charles Town, WV 25414

File Number: #SUI7-01 I
Staff Initials: Cpe
Fees Paid: \$ [check]

http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: zoningdepartment@jeffersoncountywv.org
planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Application for Seasonal Use/Special Exception

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Type of Request

Seasonal Use: [check] Special Exception: [ ]

Property Owner Information

Name: Trustees, Middleway United Methodist Church
Mailing Address: P.O, Box 580
City: Kearneysville State: WV Zip Code: 25430
Phone Number: 304-725-3979 Email: btrown@le.comerest.net

Applicant Contact Information

Applicant Name: Middleway Conservancy Association, Inc.
Mailing Address: 175 East Street
City: Middleway State: WV Zip Code: 25430
Phone Number: 301-219-3566 Email:

Engineer(s), Surveyor(s), Consultant(s) Information

Name:
Mailing Address:
City: State: Zip Code:
Phone Number: Email:

Physical property details

Physical Address: 7437 Queen Street
City: Middleway State: WV Zip Code: 25430
Tax District: 07 Map No.: 22A Parcel No.: 0044
Parcel Size: 0.33 Deed Book: 590 Page No.: 653

Zoning District (please check one)

Grid of zoning districts with checkboxes: Residential Growth (RG), Industrial Commercial (IC), Rural (R), Residential-Light Industrial-Commercial (RLIC), Village (V), Neighborhood Commercial (NC), General Commercial (GC), Highway Commercial (HC), Light Industrial (LI), Major Industrial (MI), Planned Neighborhood Development (PND), Office/Commercial Mixed-Use (OC). Village (V) is checked.

RECEIVED
MAY 19 2017
JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

**Name of Temporary Business or Event**

Re-enactment of the Battle of Smithfield Crossing

**Description of Seasonal Use**

Spectator parking

**Name of Primary Contact/Responsible Party During Business Hours**

William (Bill) Chappell

**Primary Contact Telephone Number**

301-219-3566

**Duration of Temporary Use/Window of Authorization**

Start Date: 8 Sep 2017

End Date: 10 Sep 2017

Total Number of Days: 3

**Hours of Operation of Seasonal Use**

9 Sep: 8 a.m. -- 10 p.m.; 10 Sep: 1 p.m. -- 5 p.m.

**How is the Property Currently Used?**

Parking lot

**What is the Proposed Use of the Property?**

Parking lot

*On a separate sheet of paper, sketch the shape and location of the lot, including property boundaries, with accurate dimensions. Show the location of the intended construction or land use indicating building setbacks, size and height. Identify existing buildings, structures or land uses on the property.*

*Original signature is required of all property owners (attach additional signature page if needed). The information given is correct to the best of my knowledge.*

*Robert J. Brown, Trustee Chair May 12, 2017*

Signature of Property Owner 1      Date

Signature of Property Owner 2      Date

**Notification Requirements**

06/22/17

Date of Public Hearing

06/07/17

Advertising Date

15-Days

Posting Requirements  
(number of days prior to  
scheduled hearing)

**Official Action of Board**

**Official Signature and Seal**

\_\_\_\_\_  
President's Signature

\_\_\_\_\_  
Date

Middleway Conservancy Association  
175 East Street  
Middleway, WV 25430

To whom it may concern:

I, being a trustee of the Middleway United Methodist Church located at 7437 Queen Street, Middleway, WV have no objection to the proposal of the Middleway Conservancy Association for a "living history" re-enactment of the Battle of Smithfield Crossing to be held on September 8-10, 2017. It is understood that living history presentations and educational activities are proposed for this property.

I also understand that associated encampments, living history events and re-enactments of battles and skirmishes are proposed elsewhere within the village on September 9 and 10 and have no objection to the proposal.

(Signature)

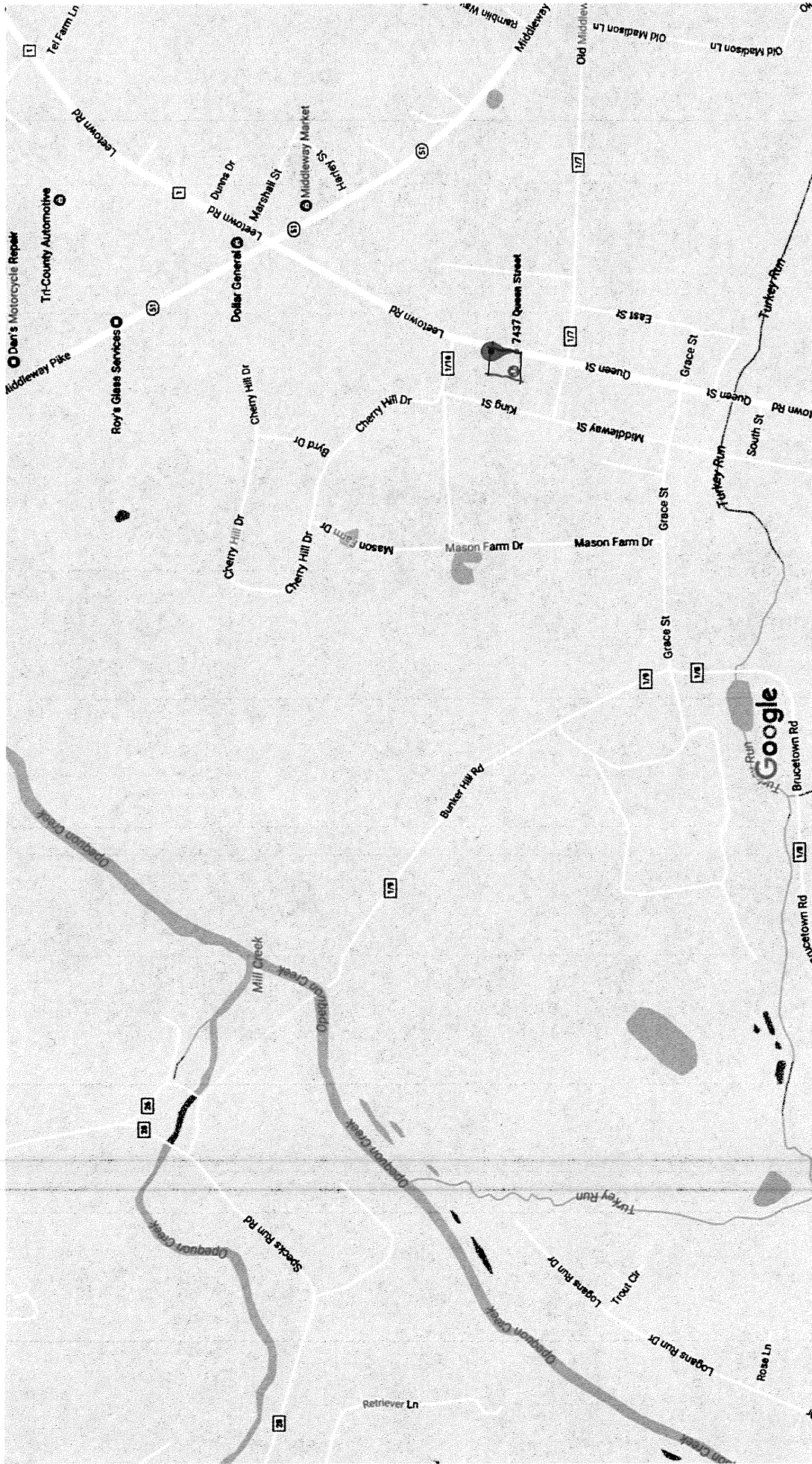
(Date)

*Robert S. Brown*  
*Trustee Chair*

*May 12, 2017*

Trustees  
Middleway United Methodist Church  
7437 Queen Street  
Middleway, WV 25430

**Google Maps**  
 7437 Queen St  
 Middleway United Methodist Church



Map data ©2017 Google 500 ft



# Jefferson County, West Virginia

Department of Engineering, Planning, and Zoning

Office of Planning and Zoning

116 East Washington Street, 2<sup>nd</sup> Floor

Charles Town, WV 25414

Email: [zoning@jeffersoncountyvzw.org](mailto:zoning@jeffersoncountyvzw.org)

Phone: (304) 728-3228

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---

**Zoning Administrator's Report  
Board of Zoning Appeals Meeting  
June 22, 2017**

**1) Pending Zoning Ordinance and Subdivision Regulation Amendments**

- **Mass Events Ordinance (#ZTA 14-02):**
  - a) The County Commission stated that they would revisit the Mass Event amendment after the current text amendment pertaining to LESA/CUP and cluster provisions has been approved.
- **Pending amendments:**
  - a) Historic Resource Demolition and Adaptive Reuse
    - i. HLC Board initiating draft text amendment. Staff has been working with Martin Burke to review and discuss the amendment. The Planning Commission will hold a Public Hearing on July 11, 2017.
  - b) Parking Standards
    - i. Staff has begun drafting an amendment and intends to submit to the Planning Commission this summer.
  - c) Landscape Standards
    - i. Staff will begin drafting an amendment to submit to the Planning Commission this summer.
  - d) Signage
    - i. Staff will begin drafting an amendment to submit to the Planning Commission this summer.

**3) Upcoming BZA meeting**

- Next Regular Meeting: **July 27, 2017** (deadline for submissions: Friday, June 30, 2017)



# JEFFERSON COUNTY, WEST VIRGINIA

## Office of Planning and Zoning

116 East Washington Street, 2<sup>nd</sup> Floor

P.O. Box 716

Charles Town, West Virginia 25414

Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Phone: (304) 728-3228

Fax: (304) 728-8126

### MEMORANDUM

TO: Board of Zoning Appeals Members  
CC: Engineering & Building Permits Offices  
FROM: Alexandra Beaulieu, Zoning Administrator  
DATE: June 16, 2017  
SUBJECT: June Zoning Certificate Activity Report

#### ISSUED ZONING CERTIFICATES

#ZC17-18 LOUIS F. (SR.) & ELLEN M. RUFFNER – OWNERS  
SUPER NOVELTY, LLC / CONTACT: GREG THROCKMORTON – APPLICANT  
Issued: May 19, 2017  
Proposal: Temporary sale of legal fireworks in a 30' x 40' tent with 30' sales trailer and 18' storage trailer.  
Dates: 06/18/17-09/06/17; Time: 9:00 am-10:00 pm; Removal: 07/09/17  
Location: 155 Berryville Pike; Rippon, West Virginia 25441  
Zone: Industrial-Commercial

#### PENDING ZONING CERTIFICATES

#ZC17-05 WV 340 LLC – MICHAEL COLLIER / CONTACT: LINDA LYONS– OWNER  
BPIZZA OF WEST VIRGINIA / CONTACT: LEE GARVIN – APPLICANT  
Issued: TBD  
Proposal: Change in Tenant. Pizza Restaurant to include indoor and outdoor (patio) dining and carry-out.  
Location: 71 Jefferson Crossing Way, Suite F Charles Town, WV 25414  
Zone: Residential- Light Industrial-Commercial

#ZC17-06 PETER S. CORUM – OWNER / CORE MORTGAGE SERVICES, LLC – APPLICANT  
Issued: TBD  
Proposal: Mortgage Services Office  
Location: 3988 Kearneysville Pike; Shepherdstown, WV 25443  
Zone: Neighborhood Commercial

#ZC17-17 SHENANDOAH PROFESSIONAL CENTER, LLC / CONTACT: DAVID LEONARD  
OWNER / JITTISAK PHAKAM– APPLICANT  
Issued: TBD  
Proposal: Change in Tenant. BBQ Stand.  
Location: 36 Bakerton Road; Harpers Ferry, West Virginia 25425  
Zone: Industrial-Commercial

#ZC17-21 SUSO 2 ALABAMA, LP / CONTACT: PAUL WELLS – OWNER  
WHOLESALE FIREWORKS / CONTACT: LYNETTE WHITE – APPLICANT  
Issued: TBD  
Proposal: Temporary sale of legal fireworks in a 30' x 50' tent.  
Dates: 06/18/17 – 07/04/17; Time: 9:00 am-10:00 pm; Removal: 07/09/17  
Location: 96 Patrick Henry Way; Charles Town, West Virginia 25414  
Zone: Residential-Light Industrial-Commercial