



Jefferson County
Board of Zoning Appeals
Thursday, December 14, 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 on Samuel Street, in Charles Town, West Virginia.

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

1. Approval of the minutes from the November 9, 2017 meeting.
2. Swearing in of members of the public intending to provide testimony.
3. Request for a Special Exception to allow an outdoor advertising sign for Grace Episcopal Church. The dimensions of the sign are as follows: a 24" x 36" sign hanging from an 11.5' tall post. Property Owner: Karen Ashby-Bowers and Larry V. Bowers. Applicant: Bill Grantham, Trustee for Grace Episcopal Church. Property Location: 112 King Street, at the intersection of Grace Street and Queen Street in Middleway. Tax District: Middleway (07); Tax Map: 22A; Parcel: 29; Size: .76 ac; Zone: Village; File: SE17-01.
4. Variance from Section 10.4F to allow an outdoor advertising sign to be located closer than 100' to an intersection; and, from Section 10.4G to reduce the required front yard setback for an outdoor advertising sign from 25' to 3'. Property Owner: Karen Ashby-Bowers and Larry V. Bowers. Applicant: Bill Grantham, Trustee for Grace Episcopal Church. Property Location: 112 King Street, at the intersection of Grace Street and Queen Street in Middleway. Tax District: Middleway (07); Tax Map: 22A; Parcel: 29; Size: .76 ac; Zone: Village; File: ZV17-18.
5. Variance from Section 5.7(b) to reduce the front setback from 40' to 23' for a proposed 24' x 26' detached garage; and from Section 9.6(c) to allow an accessory structure in the required front yard. Property Owner: Brian and Angela Wilt. Property Location: 38 John Brown Farm Road, Harpers Ferry, WV 25425. Tax District: Kabletown (06); Tax Map: 7; Parcel: 4.24; Size: 2.96 ac; Zone: Rural; File: ZV17-19.
6. Variance from Section 4.11A.1 & Appendix B of the current Zoning Ordinance; and Sec. 4.16 of the 2009 Zoning Ordinance (setbacks) to allow a 50' unscreened buffer along the south & west boundary lines; and to reduce the building setbacks and buffer to 0' along the north boundary line between the properties commonly owned by SPARC LLC (Parcels 2, 3, and 3.1) for the purpose of extending the existing shooting ranges as part of the approved Vocational and/or Training Facility for Adults. Property Owner: SPARC LLC. Applicant: Ryan Perks with Gordon. Property Location: 201 Motorsports Park Circle, Summit Point, WV. Tax District: Kabletown (06); Tax Map: 17; Parcels: 2, 3, 3.1; Size: ~430 ac; Zone: Rural; File: ZV17-20.
7. Variance from Section 9.7 to reduce the side setback from 12' to 3' for a 44' x 16' greenhouse. Property Owner: Alicia McCormick. Property Location: 2659 Engle Molers Road, Harpers Ferry, WV. Tax District: Shepherdstown (09); Tax Map: 18; Parcel: 15; Size: ~1.2 ac; Zone: Rural; File: ZV17-21.
8. Request for a Conditional Use Permit for a dine-in and drive through coffee shop (Starbucks) with parking and signage. Proposed use as defined by Article 2: Restaurant, Fast Food, Drive Through. Property Owner: Kentland Foundation, Inc. Applicant: Ryan Perks with Gordon. Property Location: Somerset Village Shopping Center, 58 Somerset Blvd, Charles Town. Tax District: Charles Town (02); Tax Map: 9; Parcel: 8.9; Proposed site: ~1 ac; Total Site: 15 ac; Zone: Residential- Light Industrial- Commercial; File: CUP17-06.
9. Zoning Administrator's Report
 - a. Monthly Zoning Certificate Activity Report
 - b. Approval of the 2018 Board of Zoning Appeals Meeting Schedule.

10. 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 November 9, 2017

- i. Postponed from 10/26/17. A CUP for Blossman Gas. Owner: JCDA. File: CUP17-05.
- ii. Variance from Appendix B. Owner: Middleway United Methodist Church. File: ZV17-17.

Minutes
Jefferson County Board of Zoning Appeals

- 1 Meeting Date: November 9, 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, and Deirdre
5 Catterton, Alternate
- 6 Absent members: Jeff Bresee and Ted Schiltz (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. Bannon moved to call the meeting to order at 2:00 PM. The motion carried unanimously.
- 11 1. Approval of the October 26, 2017 meeting minutes.
- 12 Ms. Beaulieu stated for the record that Mr. Greg Mason, who provided Public Comment during the
13 October 26 public hearing, requested that his comment requesting Blossman Gas locate to another
14 vacant lot in the Park be included in the minutes.
- 15 Mr. Bannon moved to approve the October 26, 2017 minutes with Staff's recommended revision.
16 Mr. Quynn called for a vote, which carried unanimously.
- 17 2. Ms. Hartman swore in members of the public who indicated they would be providing testimony.
- 18 The Board agreed to hear Item #4 Middleway United Methodist Church (ZV17-17) prior to item
19 #3 Blossman Gas Conditional Use Permit (CUP17-05).
- 20 3. Postponed from the October 26, 2017 meeting. Action on the request for a Conditional Use
21 Permit to allow for a propane distribution facility to consist of two (2) 30,000 gallon propane
22 storage tanks for distribution to residential, commercial, and industrial properties; a 2,500
23 square foot structure to house an office, a warehouse and retail sales area; vehicle tank storage
24 area; and associated customer/employee parking. Blossman Gas intends to employ
25 approximately 20 people. Owner: Jefferson County Development Authority. Applicant:
26 Blossman Gas. Location: Burr Industrial Park, Lot 12, fronts along War Admiral Blvd.,
27 Kearneysville, WV 25430. District: Charles Town (02); Map: 1; Parcel: 65; Size: 2.31 acres;
28 Zone: Industrial-Commercial. File: CUP17-05.
- 29 Mr. Bannon made a motion to go into executive session at 2:12 PM, which carried unanimously.
- 30 Mr. Knott made a motion to come out of deliberative session at 2:26 PM, which carried
31 unanimously.
- 32 Mr. Quynn recused himself from this portion of the meeting due to being absent during the
33 October 26, 2017 presentation and public hearing.
- 34 Mr. Bannon presided over the remainder of the meeting.
- 35 Mr. John Reisenweber, representative for the Jefferson County Development Authority, property
36 owner; Mr. Ellis Chapman; Mr. Scott Weatherford, Director of Safety; Mr. Steve McCoy,
37 Regional Manager, and Mr. Gary Frye, Director of Technical Services, representatives for
38 Blossman Gas, LLC, were present to address the Board. Ms. Beaulieu presented supplemental
39 documentation in response to public comment made on October 26, 2017 including the required
40 landscaping standards if the variance to reduce the standards had not been granted in 2016; a

1 merger plat reflecting the current boundaries for Children First Child Development Center; and
2 aerial imagery depicting the distance of the AMS building and daycare center from the proposed
3 Blossman Gas property and the 200 foot distance requirement for Blossman Gas from the
4 daycare center.

5 Mr. McCoy and Mr. Weatherford presented an overview of the requested information from the
6 Board for information pertaining to State and Federal Regulations for propane storage tanks; the
7 blast radius for propane storage tanks; and other relevant safety information. Mr. McCoy and
8 Mr. Weatherford addressed questions from the Board. Mr. Bannon invited Ms. Melissa Hynes
9 and Mr. Greg Mason to make comment based on the information provided.

10 Ms. Tasha Demco, Director of Children First Child Development Center, and Ms. Melissa Hynes,
11 President of the Parent Committee for Children First Child Development Center provided the
12 following comments:

- 13 • Most incidents occur during delivery. Is it feasible for Blossman Gas to receive deliveries
14 at night?
- 15 • How often are tanks inspected in West Virginia?
- 16 • Can Blossman provide educational materials for the daycare to distribute to parents?
17 Would Blossman be willing to meet with parents during the construction phase?
- 18 • Will architectural design be a condition of approval?
- 19 • Will there be security cameras monitoring the facility? If so, will there be cameras pointed
20 in the direction of the propane tanks?
- 21 • Can people steal propane?
- 22 • When do the controlled releases occur? Can the controlled releases be conducted after
23 hours for the Child Care Center when the children are not on the property?
- 24 • Maintaining a buffer of existing vegetation is very important to the center.

25 Mr. Weatherford and Mr. McCoy addressed the daycare's concerns:

- 26 • It is not feasible to restrict deliveries to nighttime. Transport trucks are subject to similar
27 safety measures as the bulk facilities and are equipped with the same safety devices as
28 bulk facilities. Transport trucks are regulated by the Department of Transportation (DOT).
- 29 • Inspections are required on an annual basis. Blossman conducts daily inspections, a record
30 of which is submitted to the Department of DOT on a monthly basis. Blossman is also
31 subject to no-notice inspections by both the DOT and the Department of Energy (DOE) at
32 any time.
- 33 • Blossman Gas is more than happy to provide safety information to surrounding
34 businesses.
- 35 • Security camera monitor the property 24-hours with surveillance of the storage lots and
36 parking lots. Additionally, the storage tanks are surrounded by a 6' chain link fence with
37 barbed wire along the top.
- 38 • Controlled releases occur as infrequently as possible. When a controlled release is
39 scheduled, they are required to notify local authorities.
- 40 • It is feasible to retain a 50' buffer of existing vegetation.

41

1 Mr. Greg Mason with Automated Merchandising Systems stated that he believed the size of the
2 tanks in the pictures distributed by Mr. Reisenweber were exaggerated. He expressed concerns for
3 the proximity of the storage tanks to the neighboring businesses and requested the applicant
4 consider another location in the Park. Mr. Mason also expressed concerns for asphyxiation should
5 a leak occur.

6 Mr. McCoy stated that propane can displace oxygen if in a confined space. He stated that
7 asphyxiation is not possible in an open area.

8 Mr. Knott made a motion to go into executive session at 3:25 PM, which carried unanimously.

9 Mr. Knott made a motion to come out of deliberative session at 3:33 PM, which carried
10 unanimously.

11 Ms. Catterton made a motion to approve the Conditional Use Permit for Blossman Gas, LLC
12 with the following conditions:

13 Blossman Gas shall

- 14 1. Comply with all Federal, State, and Local Fire Regulations;
- 15 2. Retain a 50' natural buffer between the daycare and Blossman Gas comprised of existing,
16 mature vegetation; and
- 17 3. Educate neighboring businesses.

18 Mr. Bannon seconded the motion, which carried unanimously.

19 4. Variance from Appendix B to reduce the side and rear setback from 50' to 6' to replace an
20 existing 8' x 16' accessory structure with a 12' x 20' accessory structure. Owner: Middleway
21 United Methodist Church. Applicant: Robert Brown, Trustee. Location: 7435 Queen Street,
22 Kearneysville, WV 25430. District: Middleway (07); Map: 22A; Parcel: 43 & 44; Size: ~.78 ac
23 (combined); Zone: Village; File: ZV17-17.

24 Mr. Robert Brown, Trustee for Middleway United Methodist Church, was present to address the
25 Board. Ms. Beaulieu presented the staff report, noting that a similar request was granted by the
26 BZA in 2002 for an accessory structure in the same location. She also noted that the reason the
27 applicant was requesting a variance today was because the structure replacing the current
28 accessory structure is slightly larger than what was approved in the original request. Mr. Brown
29 answered questions from the Board. Mr. Quynn opened the public hearing. There was no public
30 comment. Mr. Quynn closed the public hearing.

31 Mr. Knott moved to approve the variance as requested. The motion carried unanimously.

32 5. Zoning Administrator's Report

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

35 Ms. Beaulieu reported on the status of pending text amendments and stated the next BZA
36 meeting would be December 14, 2017. She pointed out the 2018 BZA meeting schedule and
37 noted that it would be in the December packet for action.

38 6. Legal Update.


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

- 1 b. Discussion with possible deliberative session and signing of draft findings/decisions.
- 2 Meeting November 9, 2017
- 3 i. Postponed from 09/28/17. Variance from Sec. 5.4(b). Owner: Beallair Homes, LLC.
- 4 File: ZV17-14
- 5 ii. Postponed from 09/28/17. Variance from Sec. 5.4(b). Owner: Beallair Homes, LLC.
- 6 Files: ZV17-15
- 7 iii. Postponed from 09/28/17. Request for a CUP for Dollar General. Owner: SAGA
- 8 Holdings, LLC. Applicant: Dolgencorp, LLC. File: CUP17-04.
- 9
- 10 Ms. Catterton moved to adjourn the meeting at 3:37 p.m., which carried unanimously.

Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 December 14, 2017

Grace Church Variance Request (#ZV17-18)

- Item #3 Request for a Special Exception to allow an outdoor advertising sign for Grace Episcopal Church. The dimensions of the sign are as follows: a 24” x 36” sign hanging from an 11.5’ tall post.
- Item #4 Variance request from Section 10.4F to allow an outdoor advertising sign to be located closer than 100’ to an intersection; and from Section 10.4G to reduce the required front yard setback for an outdoor advertising sign from 25’ to 3’.

Applicant:	Grace Episcopal Church
Owner:	Karen Ashby-Bowers and Larry Bowers
Developer:	N/A
Consultant:	N/A
Property Location:	112 King Street in Middleway
Legal Description & Zoning District:	<p style="text-align: center;">District: Middleway (07); Map: 22A; Parcel: 29 Size: ~ .76 acres; Zone: Village</p> 
Surrounding Properties:	Zoning Map Designation: <i>North:</i> Village <i>South:</i> Village <i>East:</i> Village <i>West:</i> Village
History:	None
Waivers/Variations:	None
Approved Activity:	Residential

STAFF EVALUATION OF REQUEST

Summary of Request and Purpose of Ordinance Requirements

The applicant’s request is two-fold. The first request is for a Special Exception Permit to allow an outdoor advertising sign for Grace Episcopal Church on a parcel separate from the church; and second, for a variance to reduce setback and distance requirements. Staff will address both requests together in this report, but the Board should consider each request and make separate motions for each request.

The Zoning Ordinance defines Outdoor Advertising Sign as, “A sign structure which directs attention to a business, commodity, service, or entertainment not necessarily conducted, sold, or offered upon the premises where such sign is located. This term shall include billboards.”

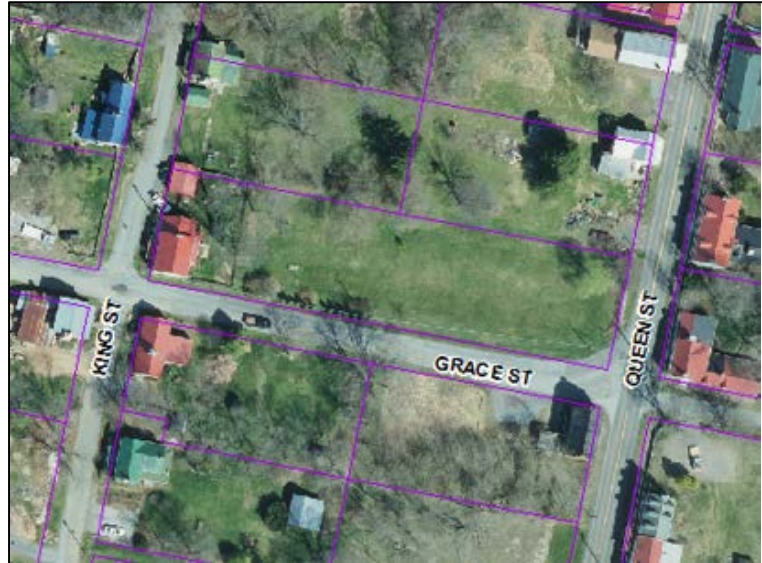
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Grace Church Variance Request (#ZV17-18)

Section 6.5 Special Exception Uses requires that outdoor advertising signs be approved as a Special Exception. The purpose for requiring a Special Exception is to determine if such a sign conforms to existing State law and does not have a negative effect on the neighborhood or intent of this Ordinance.

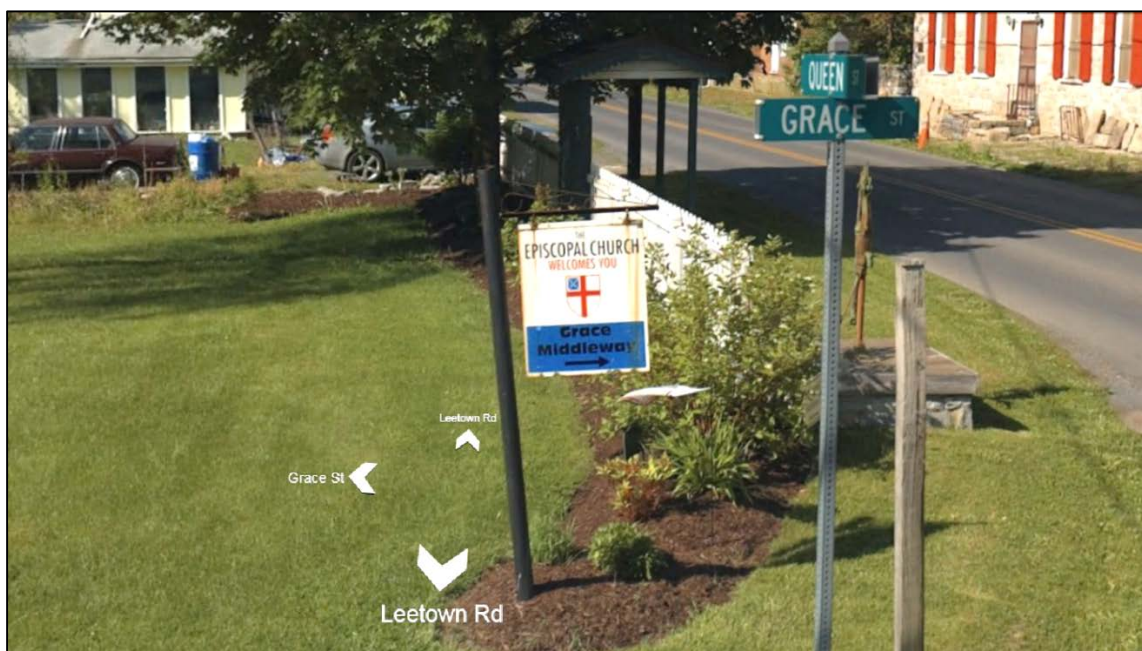
The applicant is requesting a variance from Section 10.4F, to allow the proposed sign to be located within the 100' distance requirement from an intersection; and Section 10.4G, to reduce the required front setback from 25' to 3'.

A key purpose of front yard setback requirements is to ensure that any future right-of-way expansion or future utility placement will not be obstructed by structures built too close to a road, as well as to ensure that sight visibility is not impaired for drivers along the right-of-way. Roadway expansion in the Historic Village of Middleway is unlikely as the majority of the existing structures are located almost immediately adjacent to the state roads.



Unique characteristics of property

The subject property is located in the Historic Village of Middleway and consists of Parcel 29, a residential lot, on which the southeastern corner has been utilized as a home for the Grace Episcopal Church sign.



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Grace Church Variance Request (#ZV17-18)

Impact on adjacent properties

With regard to the Special Exception, Staff did not identify any existing State law which would prohibit the proposed sign. It does not appear that the proposed location and increased height of the sign will have an adverse effect on the neighborhood. Staff concurs that the upgrade will improve the overall appearance of the sign and have a positive impact on the neighborhood.

With regard to the Variance request, there does not appear to be any negative impact on the adjacent property owners as the proposed sign is intended to replace an existing sign of similar shape and size. The current sign predates zoning and is considered a non-conforming use. The proposed improvement includes increasing the height of the sign by 3' and therefore, necessitates compliance with current zoning requirements.

The applicant has been in contact with the West Virginia Division of Highways and the proposed sign will be brought into compliance with DOH requirements. Currently, the sign is located within DOH right-of-way. The proposed location is 3' outside of the DOH right-of-way, which should improve traffic visibility and safety.

Feasibility of complying with the ordinance by other means

The existing sign is a legal non-conforming use. The proposed sign is taller and in a slightly different location than the existing sign, which would forfeit the non-conforming status. Because the sign is on a separate parcel than the church, seeking a Special Exception is complying with the Zoning Ordinance.

With regard to the Variance request, it may be feasible to comply with the ordinance, but compliance with setback and distance requirements would negatively impact the function of the sign.



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Grace Church Variance Request (#ZV17-18)

Conditions of Approval

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

1. No conditions of approval were identified.

SECTION OF ORDINANCE TO BE CONSIDERED:

Section 2.2 Terms Defined

Sign, Outdoor Advertising “A sign structure which directs attention to a business, commodity, service, or entertainment not necessarily conducted, sold, or offered, upon the premises where such sign is located. This term shall include billboards.

Section 6.5 Special Exception Uses

B. The Following uses may be approved as a Special Exception:

1. Outdoor advertising signs including billboards. The Board of Zoning Appeals shall determine if such a sign conforms to existing State law and does not have a negative effect on the neighborhood or intent of this Ordinance.

Section 10.4F: No outdoor advertising sign shall be placed closer than 300 feet to an intersection on a dual or proposed dual highway or within 100 feet of any other intersection; provided, however, that such signs may be affixed to or located adjacent to a building at such intersections in such a manner as not to materially cause any greater obstruction of vision than caused by the building itself. No business sign shall be so located to obstruct the vision of traffic using entrance ways, driveways, or any public road intersection.

Section 10.4G: All outdoor advertising, excluding billboards subject to Section 10.4H, shall comply with front yard setback provisions in the districts in which they are permitted.

Note: the setbacks for the Village District are located in Appendix B.

Appendix B: Nonresidential Site Development Standards Table

Zoning District	Development Type ^{e1}	Min Lot Area (MLA)	Min Lot Width	Max Building Height*	Imper-vious Surface Limit	Building Setbacks			Parking/ Drive Aisle Setbacks			Buffers (Sec. 4.11) (Screened / Unscreened) Adjacent Use								
						Front	Side	Rear	Front	Side	Rear	A Residential district, or any lot with a residence, school, church, or institution of human care (Distance per Sec. 4.6)		Commercial Use		Industrial Use				
												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 (RUC)	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 for commercial sites			N/A	50(U) or 15 (S)	N/A	10(S)	N/A	10(S)			
	Schools, Grades K-12	K-4: 10 ac+ 5-8: 20 ac+ 9-12: 30 ac+	500	45	N/A	100						N/A	N/A	N/A	N/A	N/A	N/A			
	Hospitals	10 ac	500	45	N/A	100						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				N/A	See I-C District for commercial or industrial use; Otherwise, N/A							
	Commercial or Industrial**	See IC District																		
Village (V)	Commercial ^v	N/A	N/A	35	N/A	25	10	40	See IC District											
	Industrial**	See IC District																		
Residential Growth (RG)	Commercial or Industrial**	See IC District																		



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: SE17-01

Staff Initials: SYH

Fees Paid: \$100.00

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: []

Special Exception: [X]

Property Owner Information

Name: Karen Ashby-Bowers Larry V. Bowers
Mailing Address: 112 King Street
City: Middleway State: W.V. Zip Code: 25430
Phone Number: 304-724-5178 Email:

Applicant Contact Information

Applicant Name: Grace Episcopal Church Bill W. Grantham
Mailing Address: 159 East Street
City: Middleway State: W.V. Zip Code: 25430
Phone Number: 304-261-2054 Email: bgrantham@frontier.net

Registered Engineer(s) or Surveyor(s) Information

Name: None Required
Mailing Address:
City: State: Zip Code:
Phone Number: Email:

Physical property details

Physical Address: 112 King Street
City: Middleway State: W.V. Zip Code: 25430
Tax District: Middleway Map No.: 22A Parcel No.: 0029
Parcel Size: .76 ac. Deed Book: 235 Page No.: 164

Zoning District (please check one)

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JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

Rural (R-A) Residential Growth (R-G) Industrial Commerical (I-C) Residential-Light Industrial-Commercial (R-L-C) Village (V)
[] [] [] [] [X]

Name of Temporary Business or Event

Description of Seasonal Use

Name of Primary Contact/Responsible Party During Business Hours

Primary Contact Telephone Number

Duration of Temporary Use/Window of Authorization

Start Date: _____ End Date: _____

Total Number of Days: _____

Hours of Operation of Seasonal Use

How is the Property Currently Used?

Property is currently used as a residential property.

What is the Proposed Use of the Property?

To continue to be used as a residential piece of property.

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.

Please specify the number and location of the existing/proposed parking spaces (if necessary).

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 of Property Owner 1: [Signature] Date: 11/5/17

Signature of Property Owner 2: [Signature] Date: 11-5-17

Notification Requirements

12/14/17

Date of Public Hearing

11/29/17

Advertising Date

11/29/17

Posting Requirements (number of days prior to scheduled hearing)



JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 716
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: 2V17-18
 Staff Initials: SH
 Meeting Date: 11/14/17
 Fees Paid (\$100 or \$150): 100.00

Email: 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

Name: Karen Ashby-Bowers Larry V. Bowers
 Mailing Address: 112 King Street Middleway, W.V. 25430
 Phone Number: 304-724-5178 Email: _____

Applicant Contact Information

Name: Grace Episcopal Church Bill W. Grantham
 Mailing Address: 159 East Street Middleway, W.V. 25430
 Phone Number: 304-261-2054 Email: bgrantham@frontier.net

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

Name: None required
 Mailing Address: _____
 Phone Number: _____ Email: _____

Physical Property Details

Physical Address: 112 King Street
 City: Middleway State: W.V. Zip Code: 25430
 Tax District: Middleway Map No: 22A Parcel No: 0029
 Parcel Size: 0.76 ac. Deed Book: 235 Page No: 164

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			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"/>

RECEIVED
 NOV 06 2017
 JEFFERSON COUNTY
 PLANNING, ZONING AND ENGINEERING
 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: Section 10.4G

Briefly describe the nature of the variance request:

To replace current pole and sign that have been in place for more than 25 years. But is on DOT right-of-way. Will move off DOT right-of-way 3 feet. Would like to install new pole & sign in County's right-of-way area.

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

Front Setback Side Setback Rear Setback Reduction From _____ to _____

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:

We will be moving current pole & sign which is currently in DOT right of way - to new location out of their right-of-way. Make us in compliance with DOT and a safer location for all residents.

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?

The current pole and sign is located on private property. Well before current zoning ordinances we would like to put up a new pole & sign off of DOT right-of-way - but need to be in compliance with current zoning laws

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

The landowner is in full agreement with the Applicant (Grace Church) to place the new pole and sign on their property. The property will continue to function as a residential piece of property.

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

We (The Applicant) will now be in compliance with the current zoning ordinances/laws of the County. We will be complying with Section 10.4G. We would to have pole & sign 3 feet into the 25 foot

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

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] 11/5/17
Signature of Property Owner (Date)

[Signature] 11-5-17
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 6.1B).

12/14/17
Date of Public Hearing

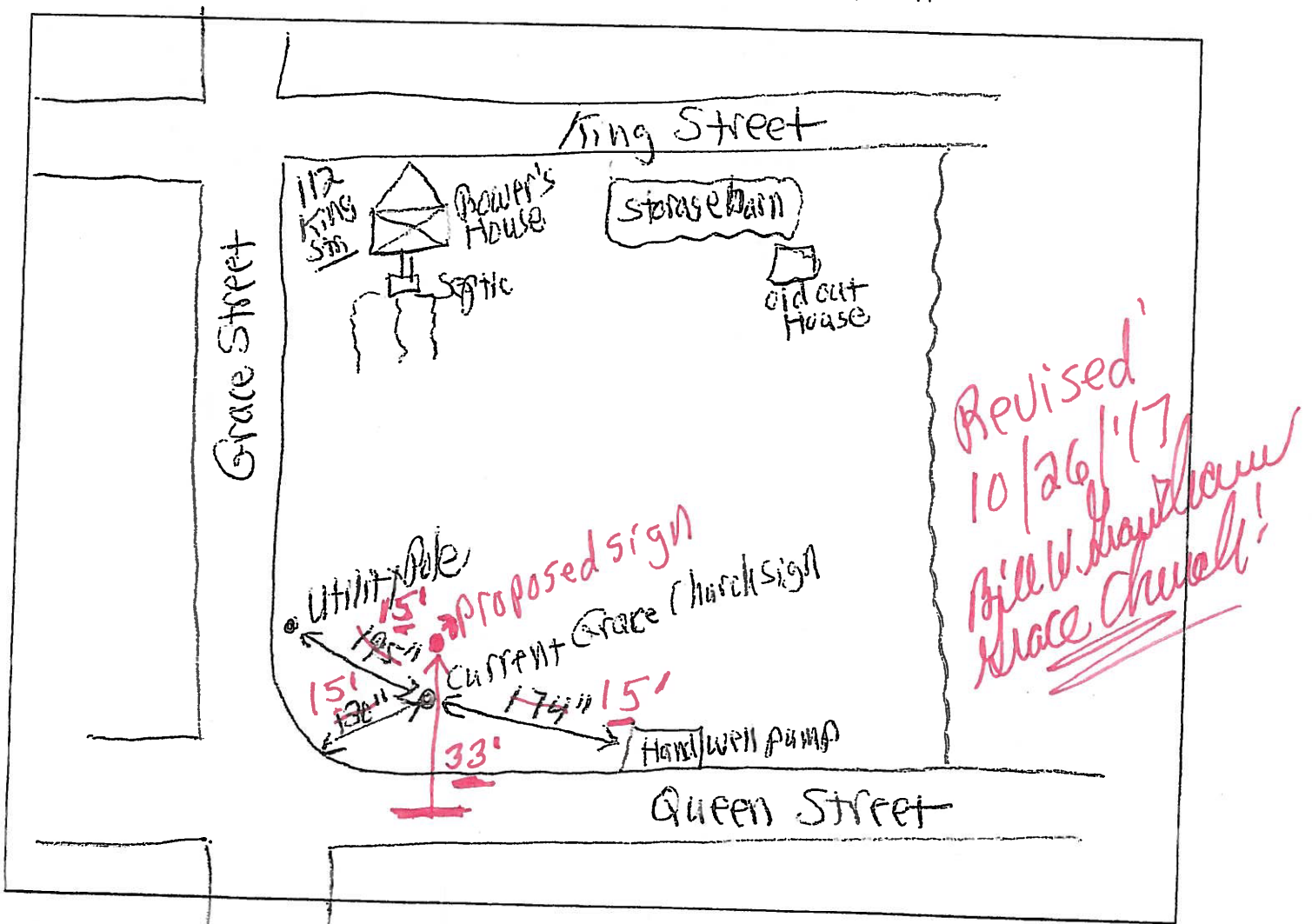
11/29/17
Advertising Date

11/29/17
Placard Posting Date

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 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 Henry L. Burt

Date: 09/25/2017



24" wide
36" tall →

corner of ~~Queen~~ St.
& Grace St.

11.5 ft



add plate mount
for plaque

30"



Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 December 14, 2017

Wilt Variance Request (#ZV17-19)

Item #5 Variance request from Section 5.7(b) to reduce the front setback from 40' to 23' for a proposed 24' x 26' detached garage; and, from Section 9.6C to allow an accessory structure in the required front yard.

Applicant:	Brian and Angela Wilt
Owner:	Same as applicant
Developer:	N/A
Consultant:	N/A
Property Location:	38 John Brown Farm Road, Harpers Ferry, WV 25425
Legal Description & Zoning District:	<p style="text-align: center;">District: Kabletown (06); Map: 7; Parcel: 4.24; Size: 2.96 ac; Zone: Rural</p> <p style="text-align: center;">State of West Virginia Bureau of Commerce ~738 acres</p> <p style="text-align: center;">Mount Mission Park</p>
Surrounding Properties:	<p>Zoning Map Designation:</p> <p>North: Rural South: Rural</p> <p>East: Rural West: Rural</p>
History:	PC File #91-11: Eleanor Chicchirichi Minor Subdivision (Recorded 07/08/92 at DB: 10; PG: 95)
Waivers/Variances:	None
Approved Activity:	Residential

Staff Report
Jefferson County Board of Zoning Appeals Meeting
December 14, 2017

Wilt Variance Request (#ZV17-19)

STAFF EVALUATION OF REQUEST

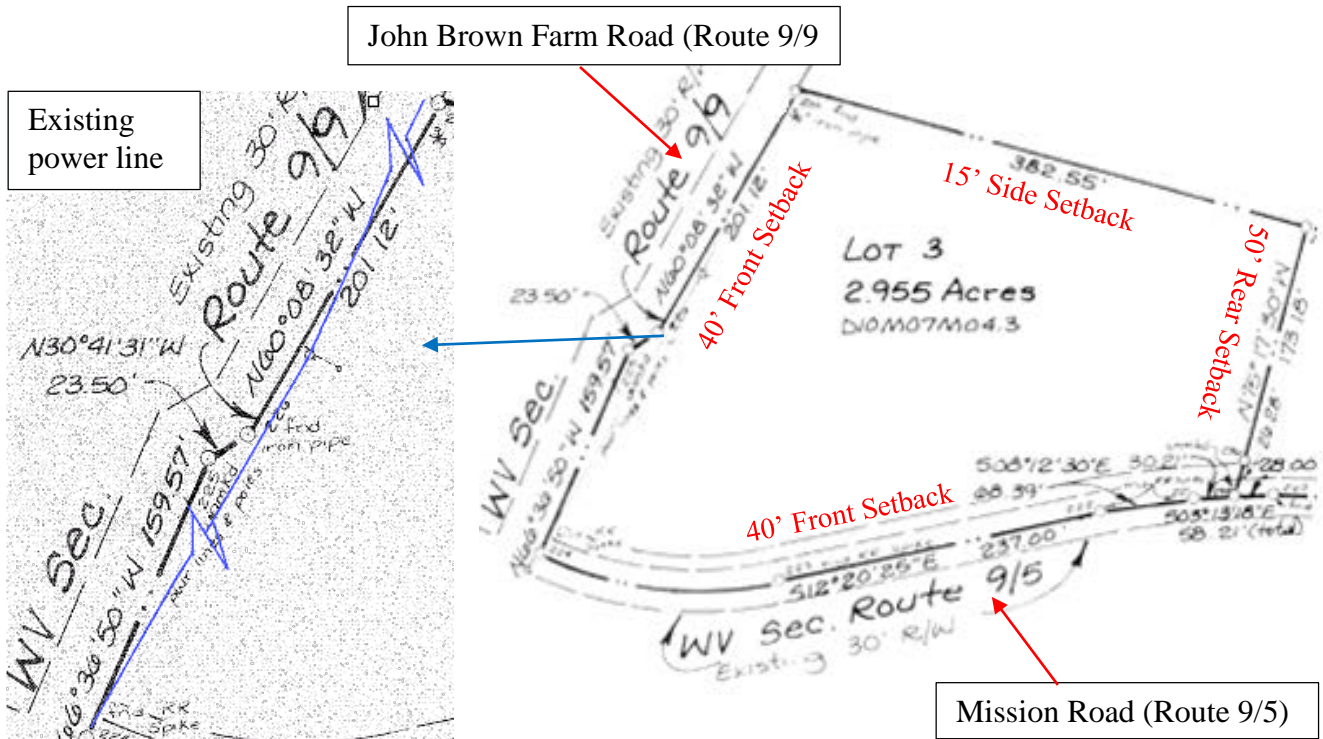
Summary of Request and Purpose of Ordinance Requirements

The applicant is requesting a variance from Section 5.7(b) to reduce the front setback from 40' to 23' along the southern property line fronting John Brown Farm Road for the purpose of constructing a 24' x 26' detached garage; and, from Section 9.6C to allow an accessory structure in the required front yard.

A key purpose of front yard setback requirements is to ensure that any future right-of-way expansion or future utility placement will not be obstructed by structures built too close to a road, as well as to ensure that sight visibility is not impaired for drivers along the right-of-way. Even with a setback reduction to 23', there is sufficient area for Right-of-way expansion, anticipating that 10' could potentially be required along either side of John Brown Farm Road to widen to 50'. The location of the proposed garage does not appear to negatively impact traffic visibility as it will be located over 200' from the intersection of John Brown Farm Road and Mission Road.

Unique characteristics of property

The subject property is located in the Eleanor Chicchirichi Minor Subdivision, which was recorded on July 8, 1992 in Plat Book 10 at Page 95. As the property fronts both Mission Road and John Brown Farm Road, this parcel was required to provide two front yard setbacks. The 15' side setback and 50' rear setback were previously determined when the applicant obtained a permit for a swimming pool.



Staff Report
Jefferson County Board of Zoning Appeals Meeting
December 14, 2017

Wilt Variance Request (#ZV17-19)

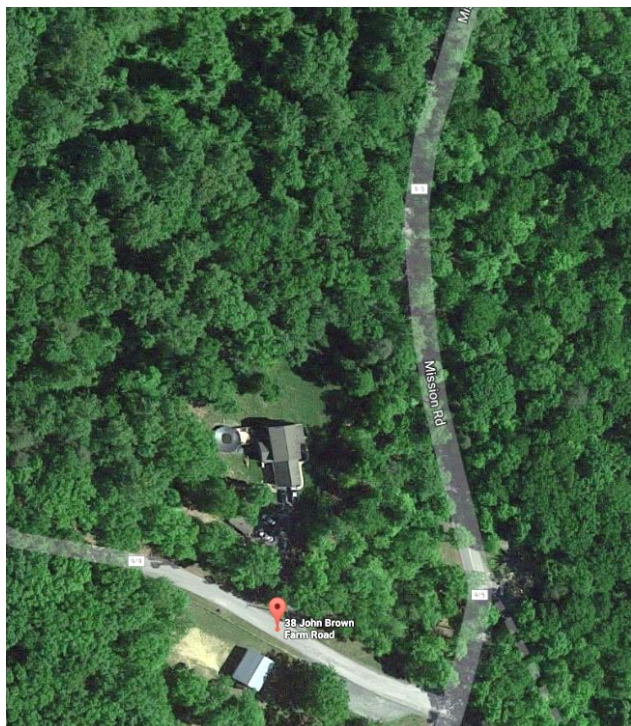
Impact on adjacent properties

The neighboring parcel located across John Brown Farm Road is Mount Mission Park, which is owned by the Jefferson County Commission and is maintained by Jefferson County Parks and Recreation. This 3.25 acre park consists of a picnic pavilion with restroom and kitchen facilities, a playground, horseshoe pits, sand volleyball, baseball diamond, basketball court, a gravel parking area (accessed from John Brown Farm Road) and an old church [<http://www.jeffersoncountywv.org/county-government/county-agencies/parks-recreation/parks-facilities/mount-mission-park>].

It appears that the existing ‘old church’, the nonconforming structure within the yellow box to the right, is located approximately 23’ to 25’ from the surface of the road.

Feasibility of complying with the ordinance by other means

It may be feasible to comply with the Ordinance as the parcel is almost 3 acres in size; however, the applicant has stated that complying with the Ordinance is difficult due to the location of the well. Additionally, based on documentation submitted to the Office of Building Permits, the location of the septic system is towards the rear of the home. Staff also noted that placing the proposed structure in an alternate location may necessitate the removal of mature trees.



Staff Report
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Wilt Variance Request (#ZV17-19)

Conditions of Approval

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

1. The proposed garage shall be located outside of the existing power line easement.

Note: While the power line is delineated on the recorded final plat, Staff has not identified the legal width of the power line easement.

SECTION OF ORDINANCE TO BE CONSIDERED:

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). [AMENDED BY ACT OF THE COUNTY COMMISSION ON SEPTEMBER 13, 1990]

Section 9.6 Accessory Structures

Accessory structures, defined by 2.2, shall be permitted in all districts where single-family and two-family dwelling units are permitted. The provisions for accessory structures are as follows.

- (c) No accessory building shall be erected within the required front yard.



JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 716
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: ZV17-19
 Staff Initials: vlg
 Meeting Date: 12/14/17
 Fees Paid (\$100 or \$150): 100.⁰⁰

Email: 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

Name: Brian + Angela R Wilt
 Mailing Address: 38 John Brown Farm Rd
 Phone Number: 304-433-5512 Email: 3bs@frontiernet.net

Applicant Contact Information

Name: Brian W. Wilt Sr
 Mailing Address: SAME
 Phone Number: _____ Email: 3bs@frontiernet.net

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

Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Physical Property Details

Physical Address: 38 John Brown Farm Rd
 City: Harpers Ferry State: WV Zip Code: 25425
 Tax District: 06-Kabletown District Map No: 7 Parcel No: 0004 0024 0000
 Parcel Size: 0004 0024 0000 2.96AC Deed Book: 950 Page No: 359

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"/>
RECEIVED			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"/>
NOV 09 2017			Office/Commercial Mixed-Use (OC) <input type="checkbox"/>	JEFFERSON COUNTY PLANNING, ZONING & ENGINEERING		
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: Sec. 5.7 (b) gH

Briefly describe the nature of the variance request:

Building requested to be installed on property is 23ft from road. Code states requirement is 40' easement. We request approval to permit building to be placed 23ft.

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

Front Setback Side Setback Rear Setback Reduction From 40 to 23

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:

All adjoining property is owned by property owner. Property across state roads is owned by Jefferson Co parks + WV State property. No impact on public.

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?

Requesting placement of a garage to have better use of property.

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

Property is requesting building to be placed close to driveway. Building cannot be moved closer to be placed at a 40ft easement because of well placement per code.

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

23 foot easement variance request does not impact any other property owners.

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.

Brian W. Whit 11/9/17
Signature of Property Owner Date

Angela R. Whit 11/9/17
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 6.1B).

12/14/17
Date of Public Hearing

11/29/17
Advertising Date

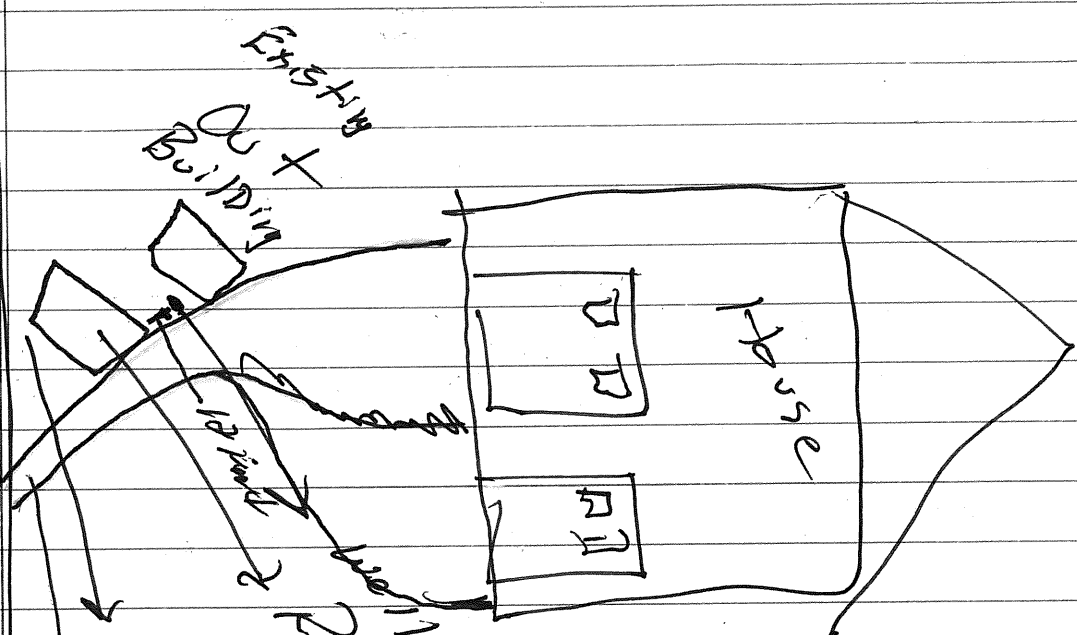
11/29/17
Placard Posting Date

13.96 Brimmer + Agie Wilt

John
Farm
RD

Property line

Pack and Rec. Property



2.96
Brimmer
+ Agie
Wilt


MISSION RD
PUBLIC LAND

Brimmer
11/2/17

Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 December 14, 2017

SPARC Variance Request File #ZV17-20

Item #6 Variance request by applicant, SPARC, LLC, represented by Gordon, from Sections 4.11A.1 (includes reference to Appendix B) and Appendix B of the current Zoning Ordinance; and Section 4.16 of the 2009 Zoning Ordinance (setbacks recorded on Final Plat in PB 25, PG 270) to allow a 50' unscreened buffer to be utilized along the southern and western boundary lines; and to reduce the building setbacks and buffer requirements to 0' along the northern boundary line between the properties commonly owned by SPACR, LLC for the purpose of extending the existing shooting ranges as part of the approved Vocational and/or Training Facility for Adults.

APPLICANT:	SPARC, LLC
OWNER:	SPARC, LLC
DEVELOPER:	N/A
SURVEYOR/ENGINEER:	Ryan Perks, Gordon.
PROPERTY LOCATION:	201 Motorsports Park Cir. Summit Point
LEGAL DESCRIPTION & ZONING DISTRICT:	<p style="text-align: center;">Tax District: Kabletown (06); Tax Map: 17; Parcels: 2, 3, and 3.1; Size: ~430 acres, (combined acreage); Zoned: Rural</p> 
HISTORY:	See Below

SUBDIVISIONS:

Approval	File #	Development	Description
04/22/08	07-14	SPARC Training Campus	PB: 25; PG 216
04/01/08	08-02	William H. Scott Inter Vivos Trust Final/Merger Plat	PB: 25; PG 13
01/21/11	10-06	William H. Scott MSD, Lots 1, 2, and 3	PB: 25; PG 270

NOTE: There have been a number of boundary line adjustments related to this property.

Staff Report
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SPARC Variance Request File #ZV17-20

05/20/14	S13-03	Summit Point Tactical Training Center, Phase 4	Bldgs: 112,381 sf Private driveway and storage areas: 924,275 sf Sidewalks: 11,034 sf Concrete aprons: 10,097 sf Gravel drives: 83,578 sf Total: 1,141,365 *Six merger areas increasing acreage from 13.55 to 138.9. Includes: 5 classrooms; 2 training bldgs; dining hall; garage; wash bay & office space; fueling station; watch tower; 3 training areas.
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SITE PLANS (including related variances & redline revisions):

Summit Point Motorsports Park (District: Kabletown; Map: 17; Parcel: 2)

Approval	File #	Development	Description
12/13/94	S94-10	Summit Point Raceway	Registration Building
08/13/96	S96-13	Summit Point Raceway Apple Chapel	Pavilion to be used for worship services
03/25/97	S97-05	Summit Point Raceway	Tech Inspection Bldg
07/14/98	S98-05	BSR Range Complex	3 Pole Bldgs/Shooting House/Range House PC approved the following variances: 12/13/94: Sec. 11.2.c.2 revised internal access widths & Sec. 11.2.b.6 for a concrete apron. 06/23/98: Sec. 11.2.j.1 for paved interior roads & Sec. 11.2.c.2.a to reduce internal drives. 03/24/98: from processing a site plan based on whole site.
04/11/00	S00-04	Summit Point Raceway	Shower/Bathroom Facility
10/23/01	S01-10	Summit Point Raceway	Storage Building: 480 sf
06/11/02	S02-01	Summit Point Raceway Shenandoah Circuit	Race Control Bldg: 6,400 sf Race Track: 362/720 sf Registration Bldg: 1,058 sf Gasoline Alley Bldg: 39,360 sf Concession Kiosk: 2,162 sf
02/08/05	S04-12	SPARC	School Vehicle Maintenance Buildings x 9600 sf
05/12/10	S10-01	SPARC	Driveway Relocation
03/22/11	S10-07	Summit Point Raceway/ Global Tower Partners	195' monopole, Colocation Telecommunications Tower 07/07/11: Redline revision to shift tower location 100'
02/11/11	S10-08	STaSiS - SPARC	Bldg 1: 11,688 sf w/ future 2,100 sf expansion. Bldg 2: 4,800 sf w/ future 3,000 sf expansion. 10/26/10: allow rough grading prior to site plan approval. 12/21/10: elimination of sidewalks.
05/10/13	S13-02	Jefferson Circuit	Expansion of existing Jefferson Circuit
Pending	S17-10	SPARC Staging Area	Summit Point Motorsports Park Staging Area
Pending	S17-11	SPARC Range Extension	Extension of an existing range

Staff Report
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SPARC Variance Request File #ZV17-20

Zoning Certificates

11/19/09	ZC09-08	SPARC	Seasonal Use Permit to hold WKA events on Washington Circuit at the Summit Point Raceway.
12/11/13	ZC13-50	Summit Point Raceway Assoc., Inc. dba BSR	Federal Firearms Licensing to include affiliated transfer of firearms and ammunitions sales, on premises, as it relates to existing Firearms Training Facility. Not a "store front" gun shop. No guns sold to the general public.
05/31/13	ZC13-14	SPARC	Vocational and /or Training Facility for adults. Extension of the Jefferson Circuit and additional skid pad for continued use as a Government, Corporate, Educational and Automotive Club Training/Testing Facility.

Staff Evaluation of the Request

Summary of Request and Purpose of Ordinance Requirements

The applicant's proposed project is to extend two of four existing training ranges (outdoor shooting ranges) to 200 yards and 300 yards. The applicant is seeking a variance to reduce buffer and setback standards in order to accomplish the proposed range extension.

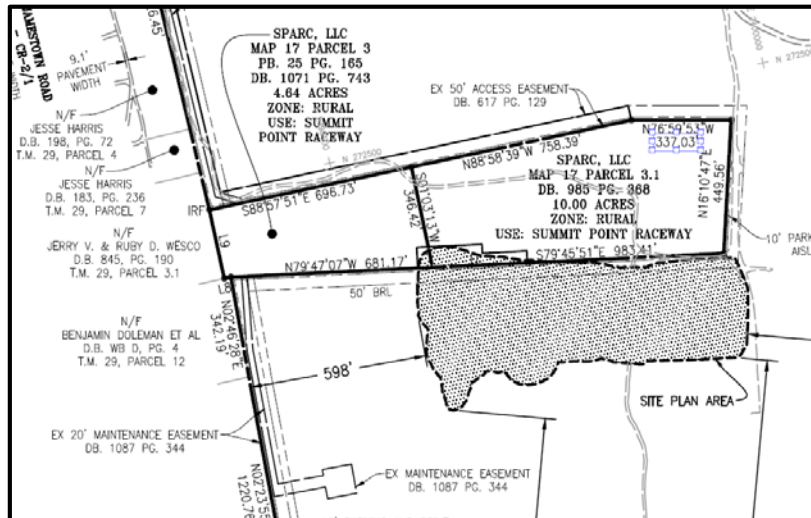
In the first part of the request, the applicant is requesting a variance from Sections 4.11A.1 and Appendix B of the current Zoning Ordinance to allow for a 50' unscreened buffer to be utilized along the southern and western boundary lines. SPARC has processed various projects through our Office and prior to a 2014 text amendment, was permitted to utilize a 50' unscreened buffer. As you can see in the applicant's sketch, there is dense vegetation along the western and southern property lines, which provides a greater buffer than the required landscaping requirement (Standard Details M-53).



Staff Report
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SPARC Variance Request File #ZV17-20

The second part of the request is to reduce the buffer and building setback requirements to 0' along the internal lot lines for properties commonly owned by SPARC, LLC. The setbacks were recorded as part of a subdivision in 2011 and state that the side setback is 50' pursuant to Section 4.16 of the 2009 Zoning Ordinance. The reason for the request is to allow the land use to cross boundary lines to accommodate the design of the berms. The BZA has approved similar requests to reduce buffer and setback requirements to 0' along internal lot lines when under the same ownership. The most recent application that processed for a similar request was for the Bavarian Inn.



The purpose of landscape buffer requirements is typically to lessen the impact between adjacent land uses, including the visual impact of parking, truck loading area, etc. Landscape buffers contribute by reducing the impact that a land use might cause to an adjacent property by serving as a barrier to visibility, airborne particles, glare, or noise.

A key purpose for building 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.

Applying setbacks to individual lots within a multi-lot development under common ownership may appear redundant; however, the purpose of this requirement is to protect future lot owners in the event that an individual lot is sold or foreclosed on in the future. For this reason, Staff is requiring that, should the variance be granted, the applicant reflect a permanent grading easement and add a note stating that should any of the parcels be sold, an easement shall be recorded in the courthouse and a copy of said recordation submitted to the Office of Planning and Zoning. Alternatively, the property owner could construct a retaining wall, which would maintain the use on a single parcel.

Unique Characteristics of the Property

Summit Point Automotive Research Center (SPARC) is an approved training facility comprised of various racetracks and driving circuits, classrooms, and shooting ranges (utilized only for government training purposes and not open to the public). The automobile racing facility is a nonconforming use with specific expansion guidelines listed in Section 4.3 of the Zoning Ordinance.

Staff Report
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SPARC Variance Request File #ZV17-20

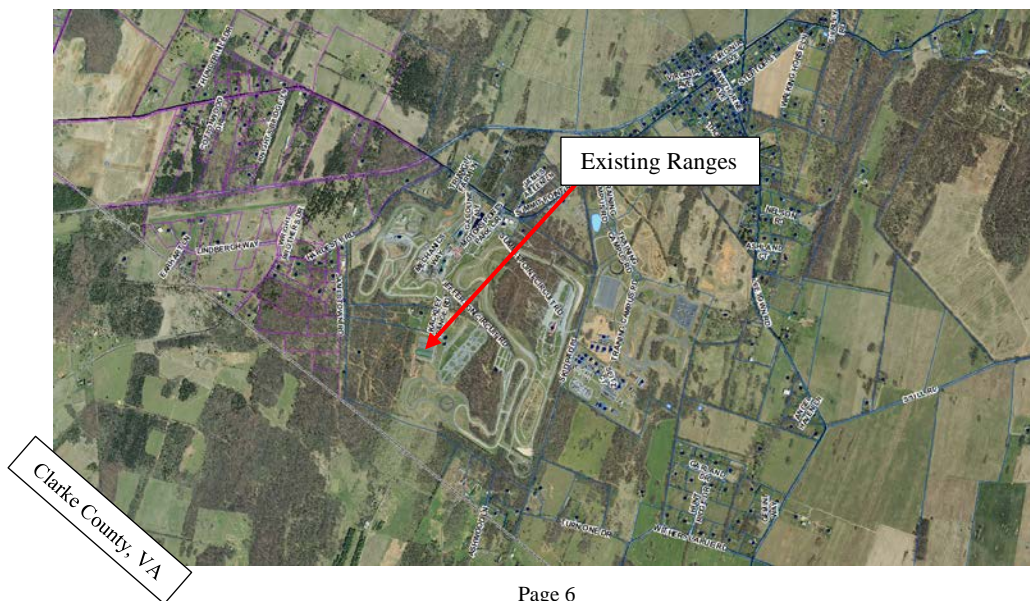
The subject shooting ranges were originally approved in 2005 as a redline revision to an approved Site Plan for the Shenandoah Circuit (PC File #S02-01). The proposed extension of two of the 100 yard ranges will comply with the setback requirements for an Outdoor Shooting Range as required by the Zoning Ordinance (150 yard [450 feet] setback for all shooting facilities; and a minimum of 150 acres under common ownership), with the exception of the variance before you to reduce the setback to 0' for internal lot lines.



Character of Area/Impact on Adjacent Properties

SPARC is located in a Rural area, surrounded by primarily large lot residential and agricultural uses. The impact on adjacent property owners to the south should be minimal because the proposed expansion is to the west and the existing ranges have been in operation for several years. The impact on adjacent properties to the west appears to be sufficiently buffered by existing, dense vegetation.

As noted previously, based on the plans submitted to our Office, the proposed expansion exceeds the 450 foot setback for shooting range facilities.



Staff Report
 Jefferson County Board of Zoning Appeals Meeting
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SPARC Variance Request File #ZV17-20

Feasibility of Complying with the Ordinance by other means

Because the proposed project is an expansion of existing ranges, in order to extend the ranges to the extent the applicant is proposing, compliance with the Zoning Ordinance would not be feasible.

1. Possible Conditions of Approval

Should the Board approve the request with conditions, possible conditions of approval include:

- a. The variance applies only to the use of the ranges as a local, state, and federal government training facility.
- b. No structures, materials, or vehicular parking shall be permitted within the 50' unscreened buffer along the western and southern property lines.

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.²⁷

A. Commercial Development²⁷

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.
2. All commercial development adjacent to all other uses must maintain ten foot side and rear yard landscape buffers.⁵

APPENDIX B: NON RESIDENTIAL SITE DEVELOPMENT STANDARDS TABLE^{27, 32}

Zoning District	Development Type ^o	Min Lot Area (MLA)	Min Lot Width	Max Building Height*	Imperious 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			Industrial 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 for commercial sites			N/A	50(U) or 15 (S)		N/A	10(S)	N/A	10(S)
	Schools, Grades K-12	K-4: 10 ac+ 5-8: 20 ac+ 9-12: 30 ac+	500	45	N/A	100						N/A	N/A		N/A	N/A	N/A	N/A
	Hospitals	10 ac	500	45	N/A	100						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				N/A	See I-C District for commercial or industrial use; Otherwise, N/A					
	Commercial or Industrial**	See IC District																

Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 December 14, 2017

SPARC Variance Request File #ZV17-20

NOTES:

1. THE PROPERTY DELINEATED ON THIS PLAT IS SHOWN ON JEFFERSON COUNTY, KABLETOWN DISTRICT TAX MAP 17 AS PARCEL 2 AND IS ZONED RURAL DISTRICT.
2. THE PROPERTY SHOWN HEREON IS CURRENTLY IN THE NAME OF WILLIAM H. SCOTT INTER VIVOS TRUST AND WAS ACQUIRED FROM WILLIAM H. SCOTT BY DEED DATED AUGUST 3, 2001, RECORDED IN DEED BOOK 950 AT PAGE 593 AND DEED BOOK 1039 AT PAGE 715, 719 AND DEED OF MERGER DATED JANUARY 26, 2009 RECORDED IN PLAT BOOK 25 AT PAGE 132 ALL AMONG THE LAND RECORDS OF JEFFERSON COUNTY, WEST VIRGINIA.
3. BOUNDARY INFORMATION IS A COMPILATION OF A BOUNDARY PLAT BY MARSH & LEGGE DATED DECEMBER 17, 2003, NOT RECORDED AND A MERGER PLAT BY WILLIAM H. GORDON ASSOCIATES, INC. DATED JANUARY 26, 2009, RECORDED IN PLAT BOOK 25 AT PAGE 132, AND A FIELD RUN VERIFICATION SURVEY BY WILLIAM H. GORDON ASSOCIATES, INC. HAVING A TRAVERSE CLOSURE GREATER THAN 1:7500.
4. THE PROPERTY SHOWN HEREON LIES WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO COMMUNITY-PANEL 54037C0225E OF THE FEMA FLOOD INSURANCE RATE MAP FOR JEFFERSON COUNTY, WEST VIRGINIA, DATED DECEMBER 18, 2009.
5. PROPERTY CORNERS TO BE SET ARE 18" x 5/8" REBAR & CAP UNLESS OTHERWISE NOTED.
6. BUILDING SETBACKS IN THE RURAL DISTRICT FOR A COMMERCIAL USE LARGER THAN 1.5 ACRES ARE AS FOLLOWS:
 FRONT: 25 FEET
 SIDE: 50 FEET
 REAR: 50 FEET
7. THE NONCONFORMING USE AUTOMOBILE RACING FACILITY LOCATED ON PROPERTY SPECIFICALLY DESCRIBED AS TAX MAP 17, PARCELS 2, 2.1, AND 5 IN THE KABLETOWN DISTRICT IS PERMITTED TO EXPAND AS HEREIN DESCRIBED:

PB 25, PG 270 Note #6

TOP VIEW OF PLANTINGS

20 TO 40 FEET

20'

TOP VIEW OF PLANTINGS

20 TO 40 FEET

20'

FRONT VIEW OF ULTIMATE GROWTH

OPTION D

FRONT VIEW OF ULTIMATE GROWTH

OPTION E

OPTION D

Planting Description - one row of evergreen shrubs with a height of two (2) feet or more when planted, likely to reach a height of six (6) feet or more at maturity, planted every five (5) linear feet; one row of medium evergreen trees with a height of six (6) feet or more when planted, likely to reach a height of twenty (20) feet or more at maturity, planted every ten (10) linear feet; one row of large evergreen trees with a height of six (6) feet or more when planted, likely to reach a height of thirty (30) feet or more at maturity, planted every twenty (20) linear feet.

OPTION E

Planting Description - one row of medium evergreen trees with a height of six (6) feet or more when planted, likely to reach a height of twenty (20) feet or more at maturity, planted every ten (10) linear feet; a solid board fence, masonry or brick wall with a height of six (6) feet; one row of large evergreen trees with a height of six (6) feet or more when planted, likely to reach a height of thirty (30) feet or more at maturity, planted every twenty (20) linear feet.

JEFFERSON COUNTY, WEST VIRGINIA	APPROVED: August 8, 1998 COUNTY ENGINEER	screen planting medium buffer	REVISIONS: 	DETAIL No. M -53
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JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 716
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: ZV17-20
 Staff Initials: rlg
 Meeting Date: 12/14/17
 Fees Paid (\$100 or \$150): \$100.00

Email: 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

Name: SPARC, LLC
 Mailing Address: PO BOX 190, Summit Point, WV 25446
 Phone Number: (304) 725-8444 Email: dallison@bsr-inc.com

Applicant Contact Information

Name: SPARC, LLC
 Mailing Address: PO BOX 190, Summit Point, WV 25446
 Phone Number: (304) 725-8444 Email: dallison@bsr-inc.com

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

Name: GORDON
 Mailing Address: 148 S Queen Street, Suite 201, Martinsburg, WV 25401
 Phone Number: (304) 725-8456 Email: rperks@gordon.us.com

Physical Property Details

Physical Address: 201 Motorsports Park Circle
 City: Summit Point State: WV Zip Code: 25446
 Tax District: Kabletown Map No: 17 Parcel No: 2, 3, 3.1
 Parcel Size: P2-415.3 ac; P3-4.6 ac; P3.1-10 ac Deed Book: 1096 Page No: 472

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"/>	
<p align="center">RECEIVED</p> <p align="center">NOV 14 2017</p> <p align="center">JEFFERSON COUNTY PLANNING ZONING & ENGINEERING</p> <p align="center">Place Received Date Stamp Here</p>			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"/>

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: Section 4.11.A.1 / Appendix B

Briefly describe the nature of the variance request:

Allow for a 50'+ unscreened buffer along the south and west boundary lines as the existing forested area already provides a buffer for the proposed site and for a 0' buffer along the north boundary line between the properties commonly owned by SPARC LLC (Parcels 2, 3, & 3.1)

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

Front Setback Side Setback Rear Setback Reduction From _____ to _____

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:

The intent of the screening/buffering requirements will be maintained as a significant distance and existing forested area lies between the property boundary and the proposed site.

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?

The area outside of the site development is in a forested condition, providing a natural vegetated buffer from the property line.

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

Enforcing the zoning ordinance as written would require an existing strip of mature trees to be cleared and then replaced by a new line of immature vegetative buffer measuring 4,000'+ in length. The effort and cost involved in this action would be unreasonable and excessive.

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

The intent of the Zoning Ordinance is to provide a vegetative buffer between commercial and residential uses. An existing vegetative buffer of 500'+ in width already exists along both property lines for this site development. Granting the variance will eliminate unneeded effort and costs.

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.

Barbara L Scott 11/14/17
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 6.1B).

12/14/17
Date of Public Hearing

11/29/17
Advertising Date

11/29/17
Placard Posting Date

Alexandra Beaulieu

From: Ryan Perks <rperks@gordon.us.com>
Sent: Monday, November 20, 2017 1:16 PM
To: Alexandra Beaulieu
Cc: Zoning; Jason Gerhart
Subject: SPARC Range Extension

Alex,

On behalf of the owner SPARC LLC, we are requesting an addendum to the recently submitted variance application for the SPARC Range Extension site plan, file number S17-11.

Please amend the variance request to also include a reduction to a zero foot (0') setback along the internal lot line between parcel 2 and parcels 3 & 3.1. This is a variance from Section 4.16 of the Zoning Ordinance amended December 3, 2009.

If there are any questions or additional information needed, please contact me.

Thanks,

Ryan Perks, PE
Project Manager



Alexandra Beaulieu

From: Alexandra Beaulieu
Sent: Monday, November 20, 2017 11:59 AM
To: 'Ryan Perks'; 'Jason Gerhart (JGerhart@whga.com)'
Cc: Jennifer Brockman; Jonathan Saunders; Zoning
Subject: RE: SPARC Range Extension

Ryan,

Thank you for calling me this morning. I have noted on the site plan the changes we discussed to address my concern regarding the berm (i.e. change the temporary construction easement label to a permanent grading easement; and add a note to page 2 reflecting that if any transfer of parcels 3 or 3.1 occur, an easement shall be recorded in the courthouse or a retaining wall constructed).

As discussed, please submit an addendum to the existing variance application requesting a setback reduction to 0' along the internal lot line for parcels 3, 3.1, and 2. The section to reference is Section 4.16 of the Zoning Ordinance amended Dec. 3, 2009 (since the setbacks noted on the Final Plat were from this version of the Ordinance and not the current version of the Zoning Ordinance – just to confuse matters more).

We will make it clear in the Staff report that the requests are for two different ordinances. In the future, this may necessitate two separate variances but I had already said you could process as an addendum, so will allow it to continue processing as such.

Thanks again,

Alex

Alexandra Beaulieu
Zoning Administrator
Jefferson County Office of Planning and Zoning
www.jeffersoncountywv.org
304-728-3228

From: Alexandra Beaulieu
Sent: Friday, November 17, 2017 4:08 PM
To: Ryan Perks; 'Jason Gerhart (JGerhart@whga.com)'
Cc: Jennifer Brockman; Jonathan Saunders; Zoning
Subject: SPARC Range Extension

Ryan,

On the first review of the site plan (S17-11), Jonathan commented that the berms were crossing property lines. The second review submitted to our office reflects a temporary construction easement, but I assume the berms will remain as part of the land use (training range). Can you explain the purpose of the temporary construction easement? Per our last meeting, I thought the temporary easement was related to SWM, but then that doesn't address the fact that the berms are crossing property lines and are presumably permanent.

Can the berms be shifted so they are located entirely on Parcel 2? Alternatively, could a boundary line adjustment be processed to increase the acreage of parcel 2 and accommodate the berms entirely on a single parcel?

I would also recommend as part of the current variance in our Office, you submit an addendum to request a setback reduction to 0' for the internal lot lines.

I'm certainly open to conversation. If you have any questions or possible suggestions, please let me know.

Thanks for your time,

Alex

Alexandra Beaulieu
Zoning Administrator
Jefferson County Office of Planning and Zoning
www.jeffersoncountywv.org
304-728-3228

SPARC RANGE EXTENSION

AERIAL IMAGE EXHIBIT

NOVEMBER 2017



SPARC, LLC
MAP 17 PARCEL 3
PB. 25 PG. 165
DB. 1071 PG. 743
4.64 ACRES
ZONE: RURAL
USE: SUMMIT
POINT RACEWAY

SPARC, LLC
MAP 17 PARCEL 3.1
DB. 985 PG. 368
10.00 ACRES
ZONE: RURAL
USE: SUMMIT POINT RACEWAY

**SITE PLAN
AREA**

SPARC, LLC
MAP 17 PARCEL 2
LOT 3-RESIDUE
PB. 25 PG. 270
DB. 1096 PG. 472
415.32 ACRES
ZONE: RURAL
USE: SUMMIT POINT RACEWAY

N/F
BENJAMIN DOLEMAN ET AL
D.B. WB D, PG. 4
T.M. 29, PARCEL 12

N/F
MARGARET M. LAWRENCE
D.B. 503, PG. 282
T.M. 29, PARCEL 15

598'

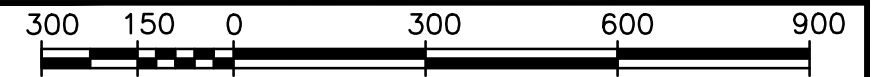
1125'



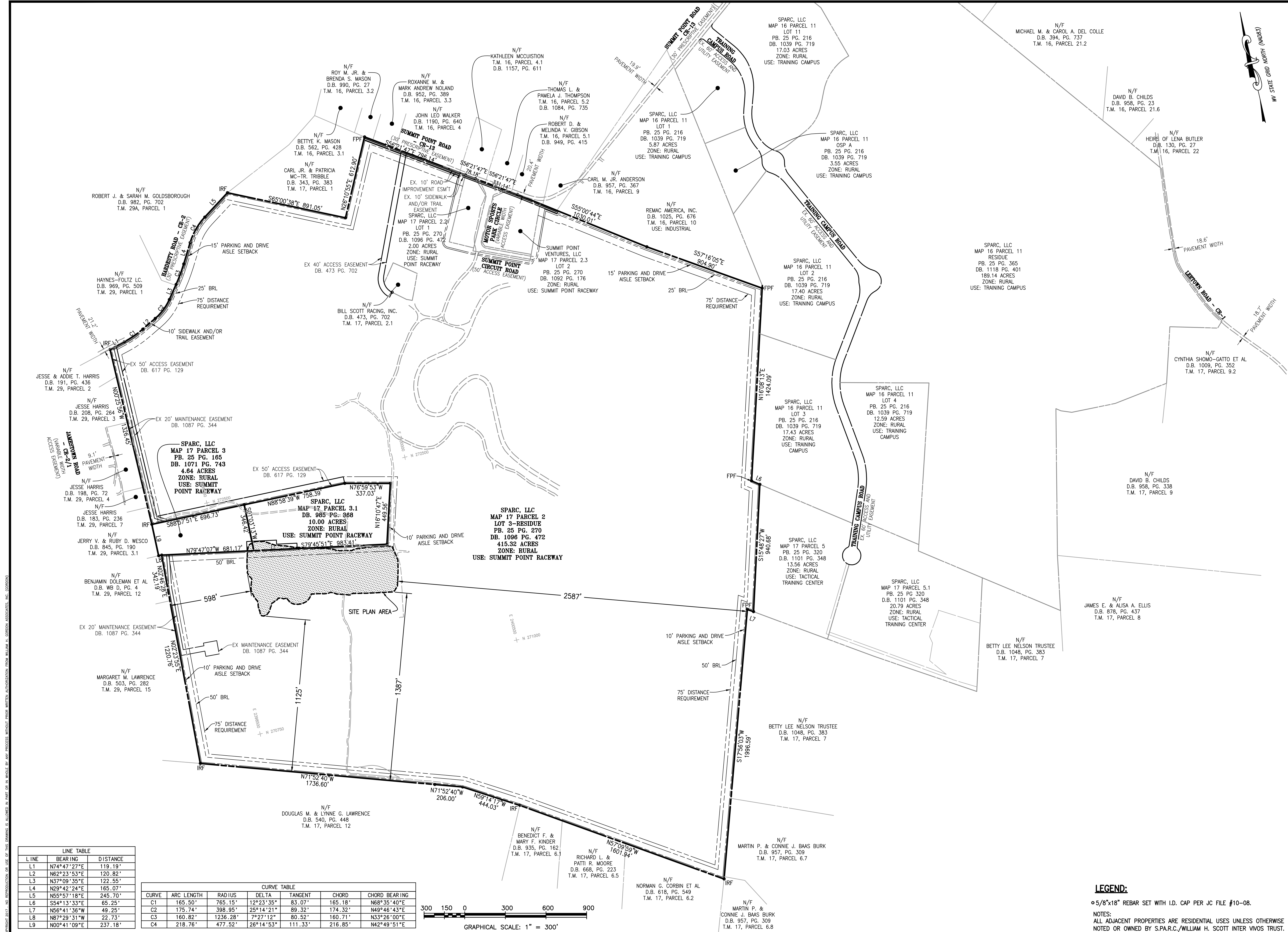
301 N. Mildred Street, Suite 1
Charles Town, WV 25414
Phone: 304-725-8456
www.gordon.us.com

PROGRAMMING AND PLANNING
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
SURVEY AND MAPPING
SECURITY CONSULTING

N/F
DOUGLAS M. & LYNNE G. LAWRENCE
D.B. 540, PG. 448
T.M. 17, PARCEL 12

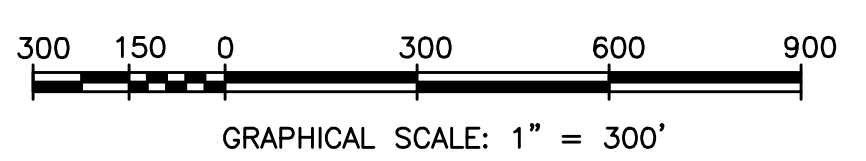


GRAPHICAL SCALE: 1" = 300'



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N74°47'27"E	119.19'
L2	N62°23'53"E	120.82'
L3	N37°09'35"E	122.35'
L4	N28°42'24"E	165.07'
L5	N58°57'18"E	245.70'
L6	S54°13'33"E	65.25'
L7	N58°41'36"W	49.25'
L8	N87°29'31"W	22.73'
L9	N00°41'09"E	237.18'

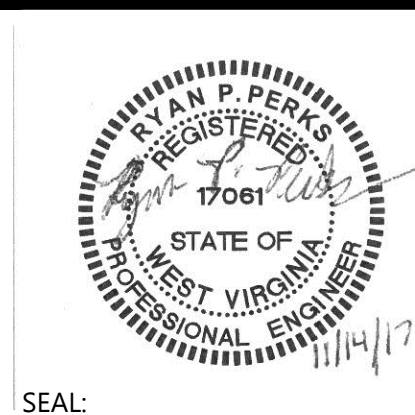
CURVE TABLE						
CURVE	ARC LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	165.50'	765.15'	12°23'35"	83.07'	165.18'	N68°35'40"E
C2	175.74'	398.95'	25°14'21"	89.32'	174.32'	N49°46'43"E
C3	160.82'	1236.28'	7°27'12"	80.52'	160.71'	N33°26'00"E
C4	218.76'	477.52'	26°14'53"	111.33'	216.85'	N42°49'51"E



PROGRAMMING AND PLANNING
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
SURVEY AND MAPPING
SECURITY CONSULTING

Gordon

301 N. Mildred Street, Suite 1
Charles Town, WV 25414
Phone: 304-725-8456
www.gordonus.com



REVISIONS	
1.	11/13/17 - JOEPEZ COMMENTS

OVERALL SITE PLAN

SPARC

RANGE EXTENSION

TAX MAP 17, PARCELS 2, 3, 3.1
KABLETOWN DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

SCALE:	HORIZ: 1"=300'
	VERT: 1"=300'
DATE:	OCTOBER 2017
JOB:	2148-2101
DRAWN:	MAC
CHECK:	JPG
CADD:	C-CS-100.DWG
NCS:	CS-100
SHEET:	04 OF 15

LEGEND:

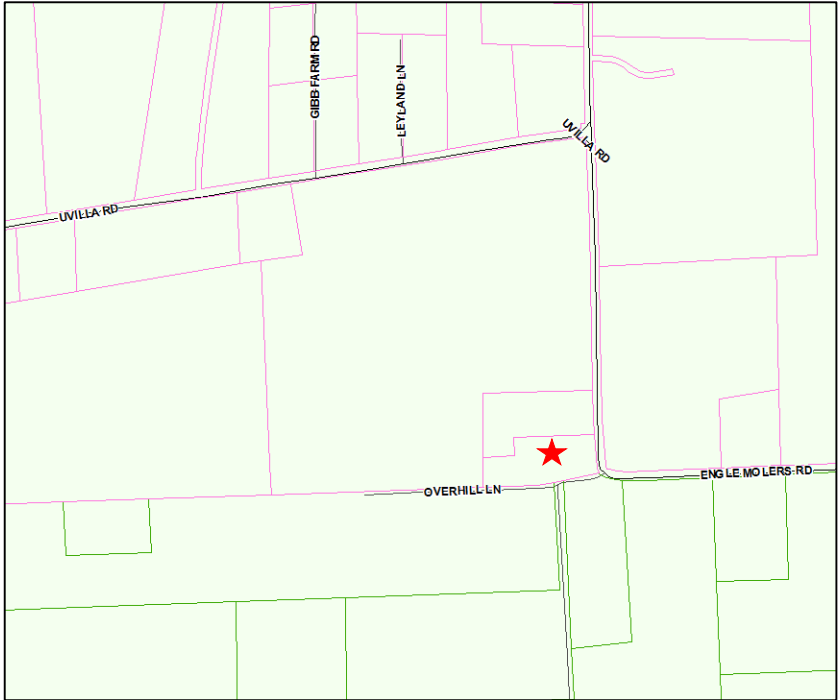
○ 5/8"x18" REBAR SET WITH I.D. CAP PER JC FILE #10-08.

NOTES:
ALL ADJACENT PROPERTIES ARE RESIDENTIAL USES UNLESS OTHERWISE NOTED OR OWNED BY S.P.A.R.C./WILLIAM H. SCOTT INTER VIVOS TRUST.

Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 December 14, 2017

McCormick Variance Request (#ZV17-21)

Item #7 Variance request from Section 9.7 to reduce the side setback from 12' to 3' for a 44' x 16' greenhouse for personal use.

Applicant:	Alicia McCormick
Owner:	Same as applicant
Developer:	N/A
Consultant:	N/A
Property Location:	2659 Engle Molers Road, Harpers Ferry, WV 25425
Legal Description & Zoning District:	<p>District: Shepherdstown (09); Map: 18; Parcel: 15; Size: ~1.2 ac; Zone: Rural</p> 
Surrounding Properties:	<p>Zoning Map Designation:</p> <p><i>North:</i> Rural <i>South:</i> Rural</p> <p><i>East:</i> Rural <i>West:</i> Rural</p>
History:	07/24/75: Boundary line adjustment recorded
Waivers/Variances:	None
Approved Activity:	Residential

STAFF EVALUATION OF REQUEST

Summary of Request and Purpose of Ordinance Requirements

The applicant is requesting a variance from Section 9.7 to reduce the side setback from 12' to 3' for the purpose of constructing a 44' by 16' greenhouse for personal use.

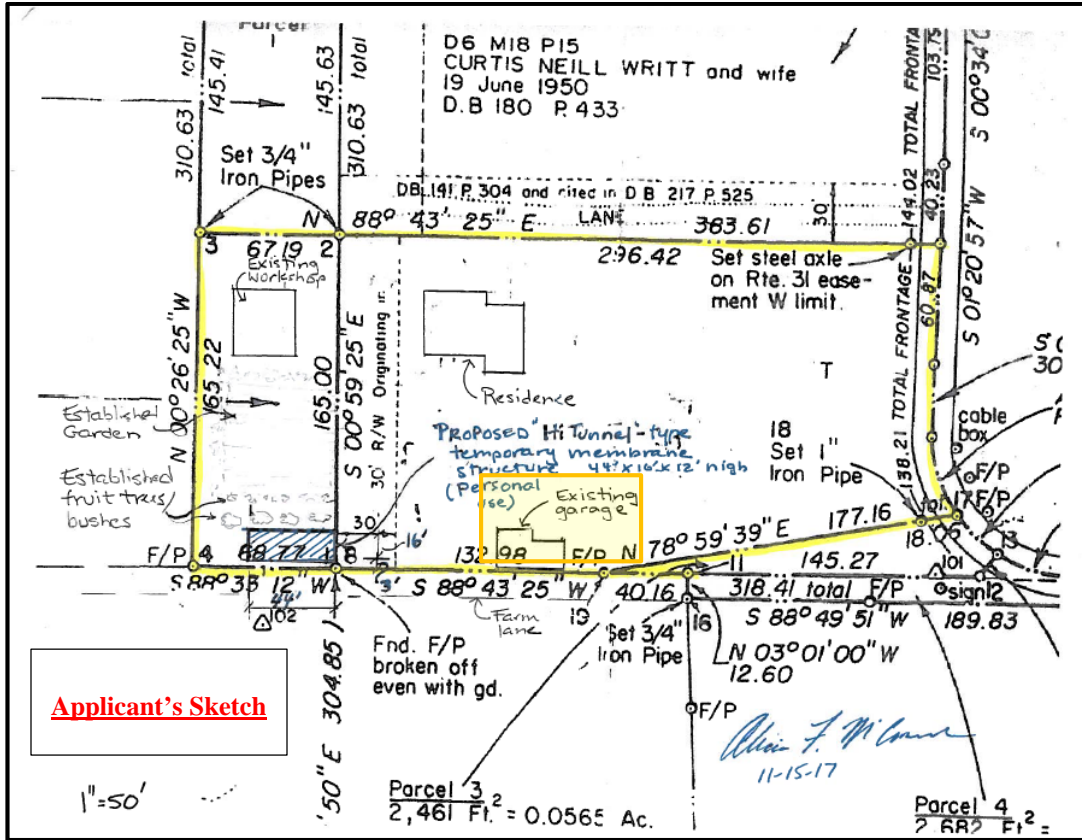
The purpose of setback requirements is to reduce the impact that a land use might have on adjacent properties, to allow adequate space between a structure and a property line so that maintenance of the structure is feasible, to maintain adequate separation between structures for fire prevention purposes,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

Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 December 14, 2017

McCormick Variance Request (#ZV17-21)

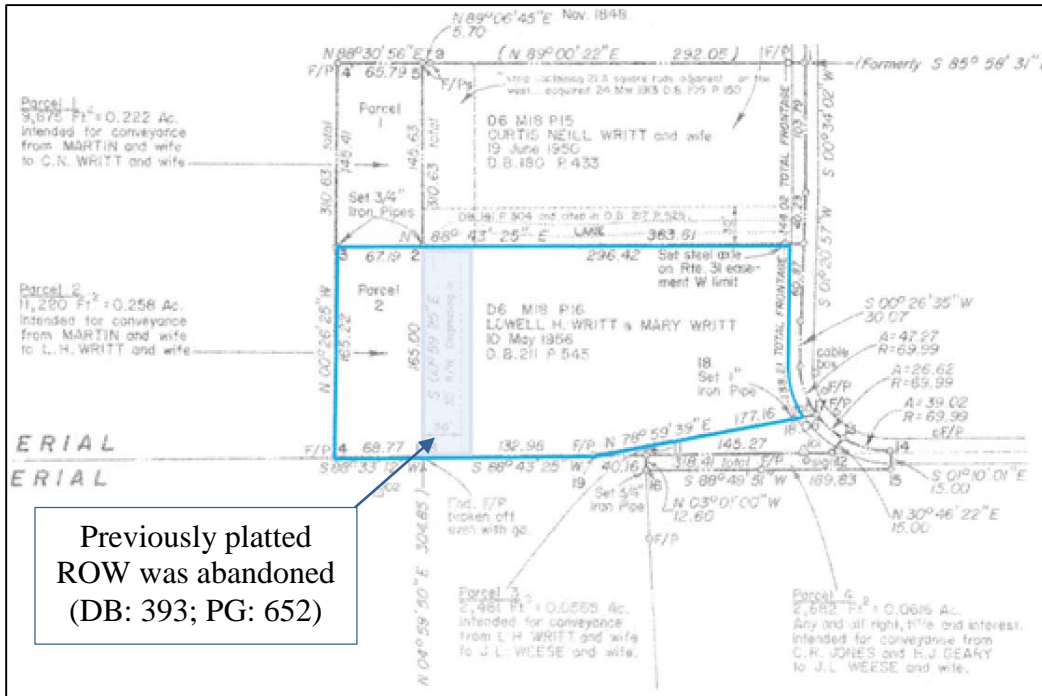
Unique characteristics of property

The subject property is located off Engle Molers Road and is surrounded by farmland and residential properties. The applicant has stated that the proposed greenhouse will not be located any closer than an existing garage along the same property line.



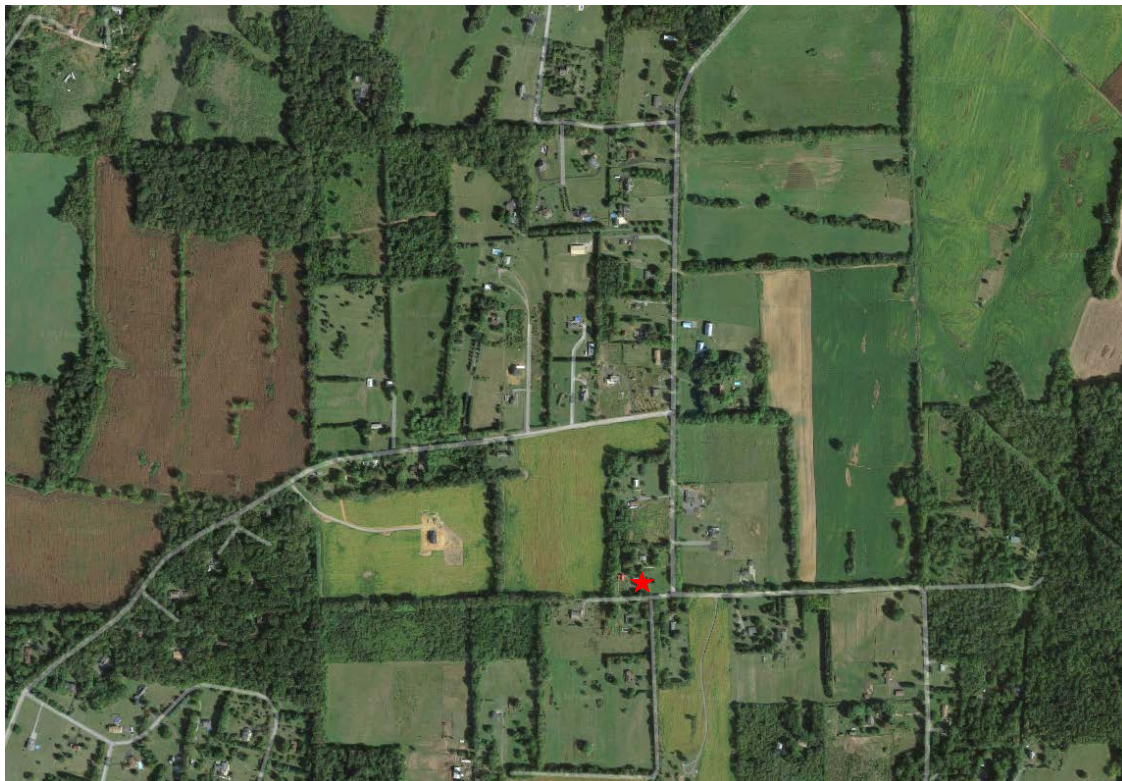
Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 December 14, 2017

McCormick Variance Request (#ZV17-21)



Impact on adjacent properties

Several of the properties surrounding the subject parcel appear to be used for farm activities; therefore, the proposed greenhouse, which would be utilized for personal use, is compatible in nature.



Staff Report
Jefferson County Board of Zoning Appeals Meeting
December 14, 2017

McCormick Variance Request (#ZV17-21)

Feasibility of complying with the ordinance by other means

As the applicant highlighted, there is an established garden with fruit trees located in the rear of the property. Due to the location of existing mature trees and the location of the septic area, it does not appear that placing the greenhouse in an alternative location is feasible.

Conditions of Approval

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

1. The variance from the side setback is conditioned upon the greenhouse being utilized for personal use only.

SECTION OF ORDINANCE TO BE CONSIDERED:

Section 9.7 Other Exceptions³

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:²³

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

For all lots under 40,000 square feet side and rear setbacks for residential accessory structures shall be 6'.



JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 716
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: ZV17-21
 Staff Initials: RG
 Meeting Date: 12/14/17
 Fees Paid (\$100 or \$150): \$ 100

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: Alicia F. McCormick
 Mailing Address: 2659 Engle Makers Rd. Harpers Ferry, WV 25425
 Phone Number: _____ Email: _____

Applicant Contact Information

Name: Alicia F. McCormick
 Mailing Address: 2659 Engle Makers Rd. Harpers Ferry, WV 25425
 Phone Number: 304-639-1899 Email: aliciafmccormick@gmail.com

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

Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Physical Property Details

Physical Address: 2659 Engle Makers Rd.
 City: Harpers Ferry State: WV Zip Code: 25425
 Tax District: Shepherdstown Map No: 18 Parcel No: 16
 Parcel Size: 1.2 acres Deed Book: 954 Page No: 124

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="text-align: center;"> <p>RECEIVED</p> <p>NOV 15 2017</p> <p>JEFFERSON COUNTY PLANNING, ZONING AND ENGINEERING</p> <p><small>Place Received Date Stamp Here</small></p> </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"/>

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: 9.6, 9.7 side setback

Briefly describe the nature of the variance request:

I'm requesting a reduction of the side setback to 3' to allow the installation of a hi-tunnel type temporary membrane structure for personal use. Well-established fruit trees and bushes prevent me from building it 12' away from property line.

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

Front Setback Side Setback Rear Setback Reduction From 12' to 3'

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:

The property is rural, with a farm lane along the side, and no residences within 100'. An existing garage is located 2' from same property line. Our closest neighbor has given us his blessing, and the structure will not be readily visible from the road or other residences.

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?

The fruit trees and garden were established years ago, before I had need of a covered growing area, greenhouse type structure.

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

Reducing the side setback will allow me to build the hi-tunnel in the garden area, without destroying established fruit trees and blueberry bushes.

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

The greenhouse/hi-tunnel will be a well-maintained improvement to the property, no closer to the side property line than existing buildings, and will be in keeping with the rural zoning and aesthetic of the area.

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.

Alvin F. Wilson 11-15-17

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 6.1B).

12/14/17

Date of Public Hearing

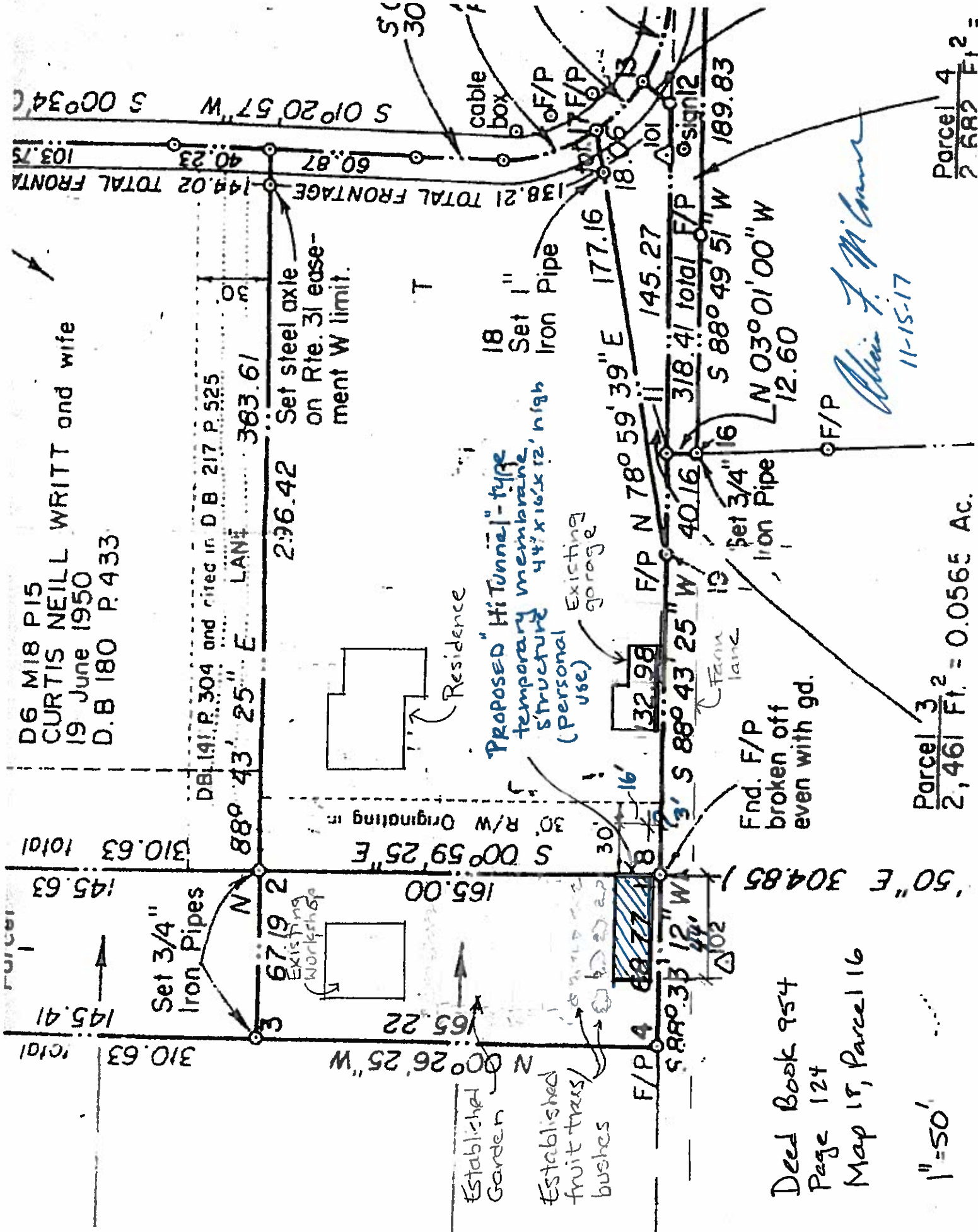
11/29/17

Advertising Date

11/29/17

Placard Posting Date

D6 M18 P15
 CURTIS NEILL WRITT and wife
 19 June 1950
 D.B 180 P.433



DB 141 P.304 and cited in DB 217 P.525

LANE 363.61

Set steel axle on Rte. 31 easement W limit.

Residence

PROPOSED "Hi Tunnel"-type temporary membrane structure 4' x 16' x 12' high (Personal use) Existing garage

30' R/W Originating in

End. F/P broken off even with gd.

Oliver J. Milner
 11-15-17

Deed Book 954
 Page 124
 Map 18, Parcel 16

1"=50'

Parcel 3
 2,461 Ft.² = 0.0565 Ac.

Parcel 4
 2,885 Ft.² =

149.02 TOTAL FRONTAGE
 40.23
 60.87
 S 01° 20' 57" W
 103.75
 S 00° 34' 0"

18 Set 1" Iron Pipe

Set 3/4" Iron Pipe
 S 88° 49' 51" W
 N 03° 01' 00" W
 12.60

F/P N 78° 59' 39" E 177.16
 145.27
 318.41 total F/P

F/P S 88° 43' 25" W 40.16
 132.98
 16'

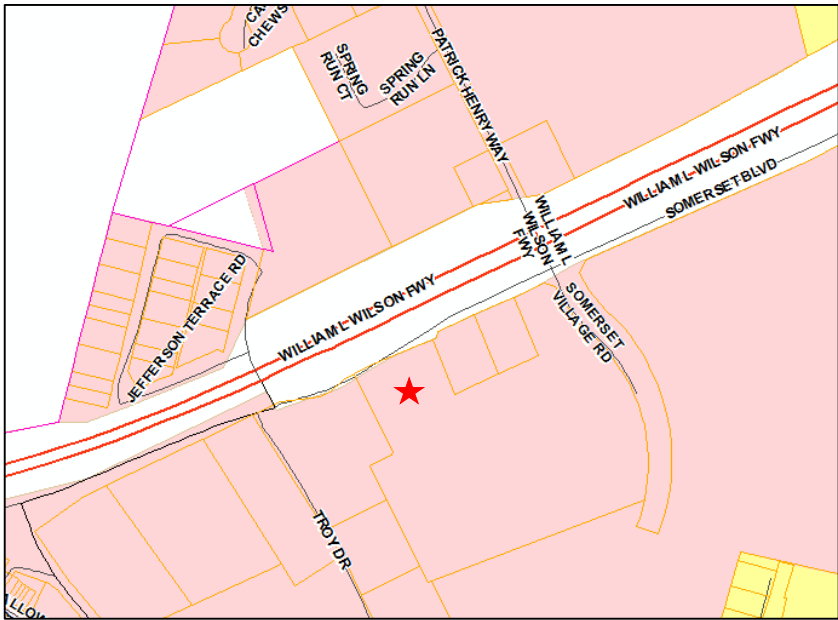
F/P S 88° 33' 12" W 48.77
 102

F/P 189.83

Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 December 14, 2017

Starbucks
Conditional Use Permit Request (#CUP17-06)

Item #8 Request for a Conditional Use Permit to allow a drive through coffee shop (Starbucks) within indoor dining. Proposed Use per Article 2: Restaurant, Fast Food, Drive Through.

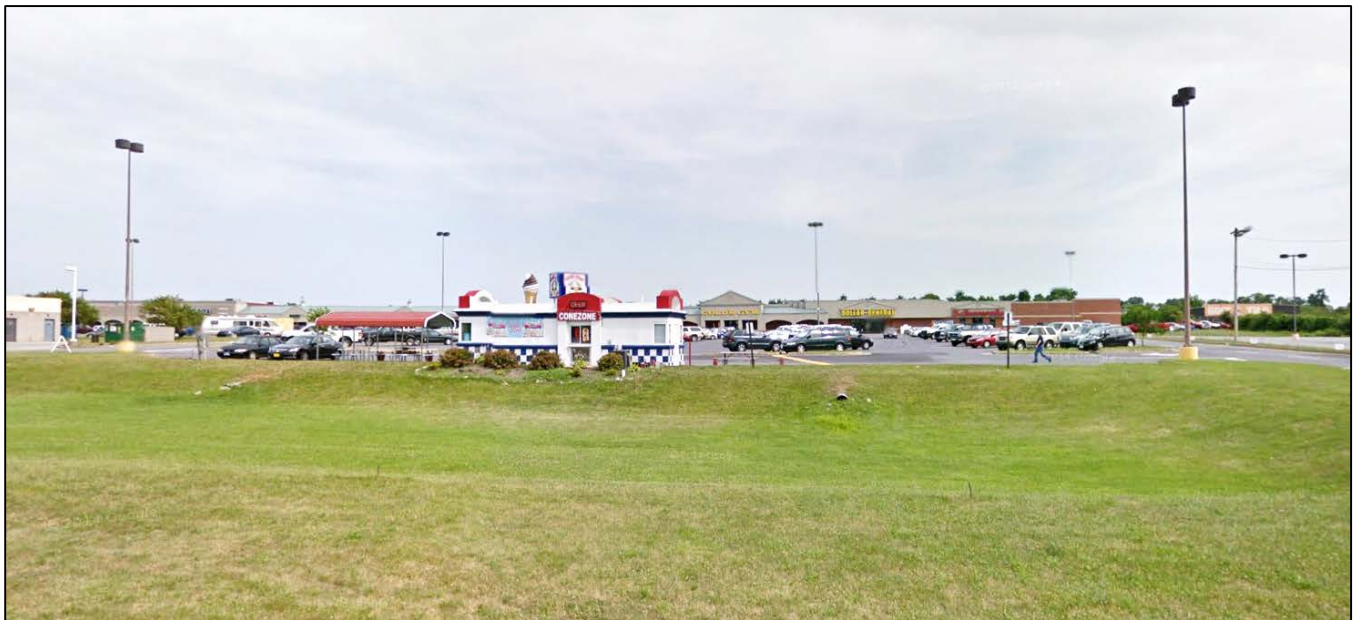
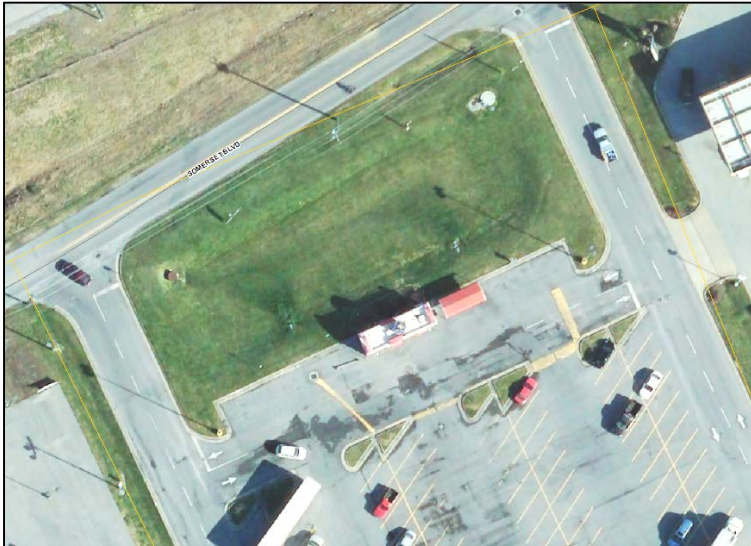
Applicant:	Starbucks
Owner:	Kentland Foundation, Inc.
Developer:	Same as applicant
Consultant:	N/A
Property Location:	Somerset Village Shopping Center, 58 Somerset Blvd, Charles Town
Legal Description & Zoning District:	<p style="text-align: center;">District: Charles Town (02); Map: 9; Parcel: 8.7 Size: 15 acres; Zone: Residential - Light Industrial - Commercial</p> 
Surrounding Properties:	<p style="text-align: center;">Zoning Map Designation: <i>North & South:</i> Residential - Light Industrial - Commercial <i>East & West:</i> Residential - Light Industrial - Commercial</p>
Approved Use:	Shopping Center
Waivers/Variances:	<p>09/12/00: PC approves a Multi-Use Variance to allow more than one use on a single parcel (MUV00-02) 09/26/00: PC approves waiver of site plan. 02/27/07: PC approves waiver of site plan (PCV07-12).</p>

Staff Report
Jefferson County Board of Zoning Appeals Meeting
December 14, 2017

Starbucks
Conditional Use Permit Request (#CUP17-06)

Summary of Request and Purpose of Ordinance Requirements

While a traditional sit-down restaurant is permitted in the RLIC zoning district, a restaurant that is primarily a pick up counter and/or contains a drive through requires a Conditional Use Permit.



Property Description

The subject parcel contains the approved Somerset Village Shopping Center which currently consists of various retail and dining facilities including Food Lion grocery store, Gold's Gym, Dollar General, and Schewels Furniture Company. Located on the same parcel is Cone Zone, where Starbuck's is proposing to locate.

The subject parcel contains four access points to Somerset Boulevard, a feeder road, which has access to Route 340 in two locations.

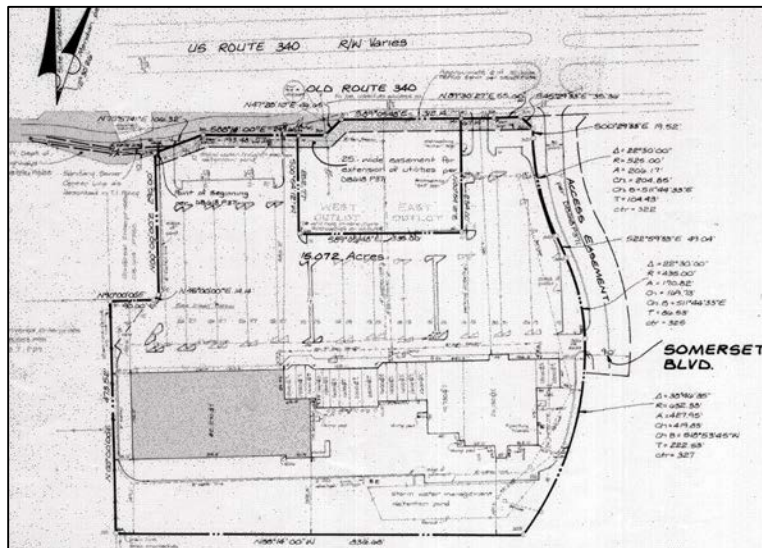
Staff Report
Jefferson County Board of Zoning Appeals Meeting
December 14, 2017

Starbucks
Conditional Use Permit Request (#CUP17-06)

Impact on adjacent properties

The surrounding area is zoned Residential-Light Industrial-Commercial. Located within close proximity to the subject parcel, is a mixture of commercial uses and high density residential developments. Many of these developments consist of small lot single family or townhome dwelling units. Route 340 is considered a limited access highway and shown as a Principal Arterial road on the Roadway Classification Map in the Envision Jefferson 2035 Comprehensive Plan.

The impact on adjacent properties is expected to be minimal. The most significant impact Staff has identified is that the proposed use will be located within an existing shopping center and may eliminate some of the existing/required parking spaces and create a shortage of available parking spaces. The applicant has been advised of this concern and is aware that parking requirements will need to be addressed during the site plan process and may necessitate additional variances. Subdivision File #87-21 reflects that 614 parking spaces were required and 614 parking spaces were provided.



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Conditional Use Permit Process

On March 16, 2017 the County Commission adopted a text amendment which eliminated the LESA/ CUP process and replaced with a new CUP Process which requires a public hearing before the Board of Zoning Appeals. Below are the general standards from Section 6.3 of the Zoning Ordinance which the BZA shall consider when reviewing a CUP Application.

“The Board of Zoning Appeals shall have the authority over the issuance or denial of a conditional use permit for uses listed as “Conditional Uses (CU)” in each zoning district. The Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed conditional use permit:”

The following General Standards shall be considered in approving or denying the CUP:

1. The proposed use is compatible with the goals of the adopted Comprehensive Plan.

The applicant has addressed this criteria in their application.

The referenced parcel is shown as “Regional Commercial” on the Envision Jefferson 2035 Comprehensive Plan’s Future Land Use Guide and is located inside of the County’s Urban Growth Area. Staff concurs that the proposed use is compatible with the goals of the adopted Comprehensive Plan.



2. The proposed use is compatible in intensity and scale with the existing and potential land uses on the adjoining and confronting properties, and poses no threat to public health, safety and welfare.

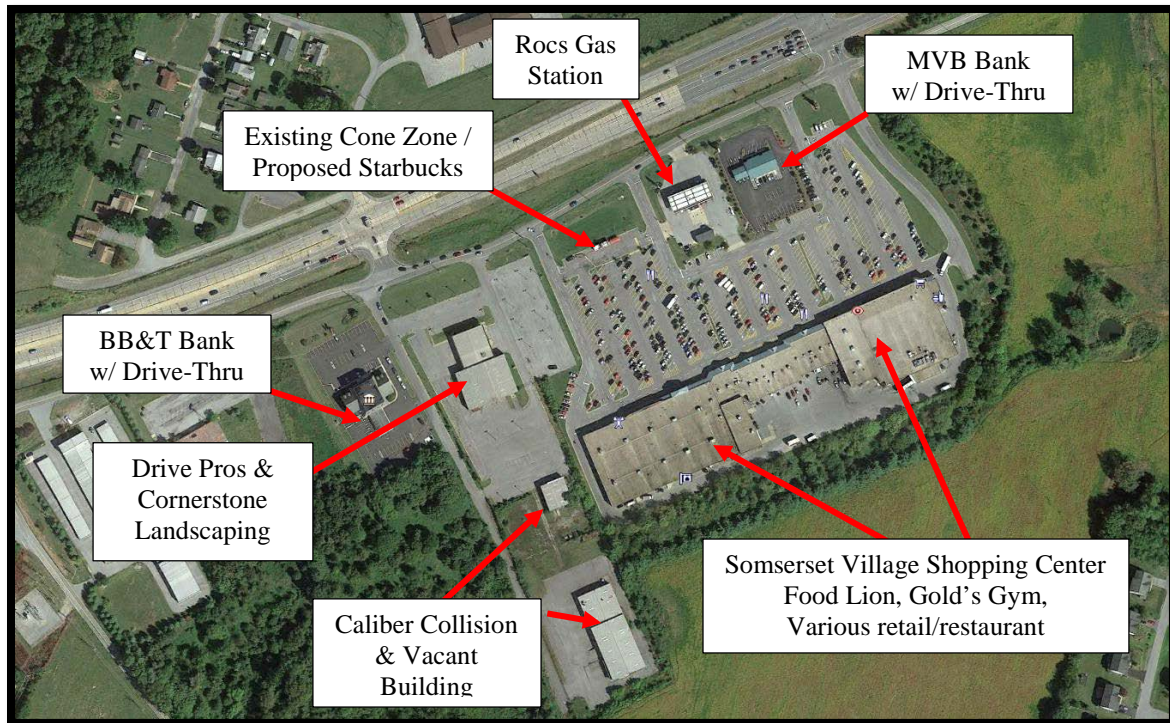
The applicant has addressed this criteria in their application.

The proposed Commercial use (Restaurant, Fast Food, Drive-Through) is listed as a conditional use in Appendix C of the Zoning Ordinance. Currently, Cone Zone is located where the drive-through

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and dine-in Starbucks Coffee Shop is proposed to locate. The existing uses surrounding the proposed Starbucks are primarily commercial in nature.



3. The proposed site development shall be such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings.

The applicant has addressed this criteria in their application.

Based on the information provided, the proposed site development will not hinder nor discourage the appropriate development and use of adjacent land and buildings. The applicant has been notified that additional parking may be required and shall be addressed during the Site Plan process. Additional variances may be required; however, the property owner has indicated that additional parking is located to the rear of the building and may be utilized.

4. Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements found in Appendix B and Section 4.11 of this Ordinance.

The applicant has addressed this criteria in their application.

Landscaping is required in accordance with Appendix B and will be subject to review and approval by the Office of Planning and Zoning during the Site Plan process.

5. Commercial and Industrial Uses shall be in conformance with Section 8.9 of this Ordinance.

As part of the Conditional Use Permit application, the applicant was informed of this criteria and shall comply with this standard.

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Section 10.4E of the Zoning Ordinance addresses signs accessory to a land use subject to the approval of a Conditional Use Permit. The Ordinance requires that as part of the application, signage shall be addressed for review and consideration by the Board at the required Public Hearing. The applicant has provided some examples of signs for this type of use; however, the exact sign details and locations have not yet been determined.

Section 10.4F of the Ordinance states,

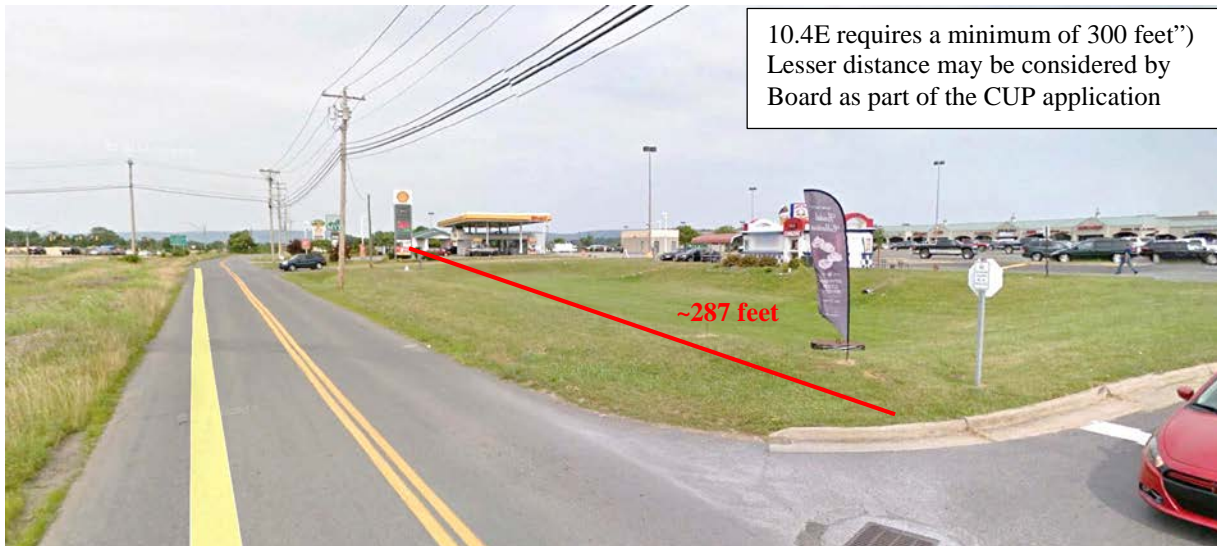
“No outdoor advertising sign shall be placed closer than 300 feet to an intersection on a dual or proposed dual highway or within 100 feet of any other intersection; provided, however, that such signs may be affixed to or located adjacent to a building at such intersections in such a manner as not to materially cause any greater obstruction of vision than caused by the building itself. No business sign shall be located to obstruct the vision of traffic using entrance ways, driveways, or any public road intersection.”

Staff has informed the applicant that an additional variance may be required to reduce the distance requirements listed in Section 10.4F. A determination will be made based on whether the Board chooses to allow a monument sign in addition to the pylon sign that serves the shopping center (as part of the conditional use permit) and the location the developer identifies for the proposed pylon sign.



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Jefferson County Board of Zoning Appeals Meeting
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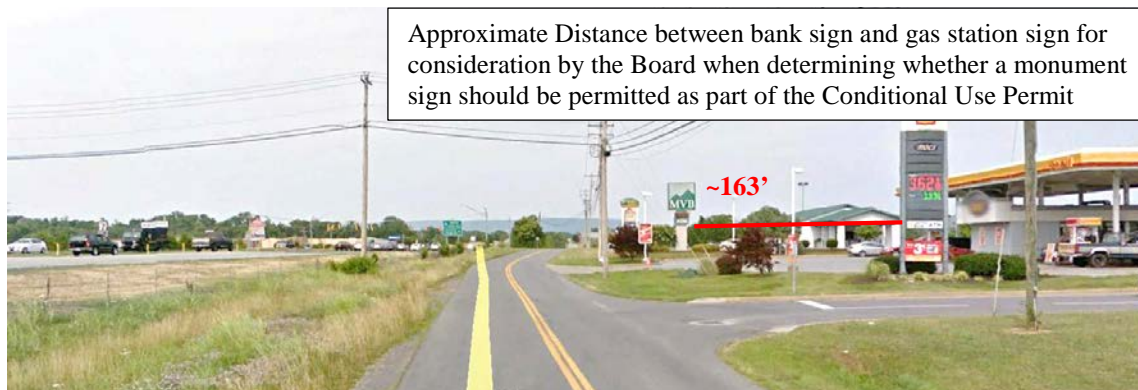


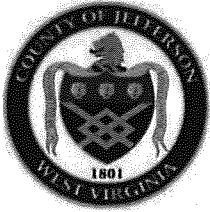
Section 10.4E states,

“All signs accessory to a land use subject to the approval of a Conditional Use Permit shall be proposed within the Conditional Use Permit application and assessed by the Board of Zoning Appeals at the required Public Hearing. Such signs shall be maintained at least 1,000 feet between signs. Consideration of the placement of such signs with less than 1,000 foot intervals shall be determined by the Commercial or Residential Uses adjacent to the subject site. Commercial uses adjacent to the subject site may allow spacing intervals of 300 feet. Any variance from this standard shall require consideration and approval by the Board of Zoning Appeals.”

If the Conditional Use Permit is approved for the drive-thru use, including the menu board and directional signs associated with a drive-thru, the Board may also approve or deny the installation of a monument sign as part of the CUP. Approval should be conditioned upon compliance with Article 10. If the applicant is unable to comply with the regulations set forth in Article 10, the applicant may seek a variance, subject to a public hearing before the Board.

The Board may also choose to grant approval conditioned upon a minimum distance between the monument sign and the existing gas station sign and/or the dimensions of the proposed monument sign.





JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 East Washington Street, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: CUP17-06
 Mtg. Date: 12/14/17
 Fee Paid: \$ 300.00 (1 ac)
 Staff Int.: JA

Email: zoning@jeffersoncountywv.org

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

Application for a Conditional Use Permit

Conditional Use Permit process is outlined in Article 6 of the Zoning Ordinance

Project Name

Starbucks at Somerset Village Shopping Center

Property Owner Information

Name: The Kentland Foundation Inc
 Business Name: _____
 Mailing Address: PO Box 879 Berryville, VA 22611 Mail Yes
 Phone Number: (540) 955-1268 Email Response: Helene.mccarron@gmail.com Response: No

Applicant Information

Name: Helene McCarron
 Business Name: The Kentland Foundation Inc
 Mailing Address: PO Box 879 Berryville VA 22611 Mail Yes
 Phone Number: (571) 218-0960 Email Response: Helene.mccarron@gmail.com Response: No

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

Name: Greenway Engineering
 Business Name: _____
 Mailing Address: 151 Windy Hill Lane Winchester VA 22602 Mail Yes
 Phone Number: (540) 662-4185 Email Response: _____ Response: No

Physical Property Details

Physical Address: Somerset Blvd Charles Town, WV 25414
 Tax District: Charles Town (02) Map No: 9 Parcel No: 8.7
 Parcel Size: approx 15 acres Deed Book: 700 Page No: 9

Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (I-C)	Rural* (R)	Residential-Light Industrial-Commercial (R-LI-C)	Village (V)	Neighborhood Commercial (NC)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General Commercial (GC)	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"/>	<input type="checkbox"/>

* For properties in the Rural Zoning District:
 Is property located on a primary or secondary road?

Yes No

RECEIVED

NOV 17 2017

Name of Road and/or Route Number: _____

Sketch Plan (see cover sheet for description)

Attached

A list of all adjacent and confronting property owners (see cover sheet for description)

Attached

Please provide any information or known history regarding this property.

Somerset Village Shopping Center is an established commercial area; we are seeking a CUP to construct a drive through Starbucks in the present location of the Cone Zone.

Please respond (in detail) to the following statements located in Section 6.3 of the Zoning Ordinance:

1. The proposed use is compatible with the goals of the adopted Comprehensive Plan. Section 6.3A.1

See attached response

2. The proposed use is compatible in intensity and scale with the existing and potential land uses on the adjoining and confronting properties, and poses no threat to public health, safety, and welfare. Section 6.3A.2

See attached response

3. The proposed site development shall be such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings. Section 6.3A.3

See attached response

4. Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements found in Appendix B and Section 4.11 of this Ordinance. Section 6.3A.4

I am aware of the landscaping buffer requirements and will adhere to them.

I am aware of the landscaping buffer requirements; however, I may be seeking a variance to modify them.

5. For properties in the Rural zoning district, roadway adequacy shall be assessed by the Comprehensive Plan's Highway Road Classification Map. If a rural parcel is not shown as commercial on the Future Land Use Guide or does not front on a Principal Arterial, Minor Arterial, or Major Collector road (as identified in the Comprehensive Plan), the applicant shall submit trip generation data, including Average Daily and Peak Hour trips, for the Board of Zoning Appeals to review in conjunction with the Highway Problem Areas Map when determining roadway adequacy for the proposed use. Section 6.3A.6

Applicable (Trip Generation Data attached)

Not Applicable

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

Property Owner

Date

Property Owner

Date

11/15/17

Les John Walker
PRESIDENT

Response to Zoning Ordinance

1. The proposed use is compatible with the goals of the adopted Comprehensive plan because it will be located in an established commercial Shopping Center. Starbucks will bring value to Jefferson County by its nationally recognized brand of quality offerings.

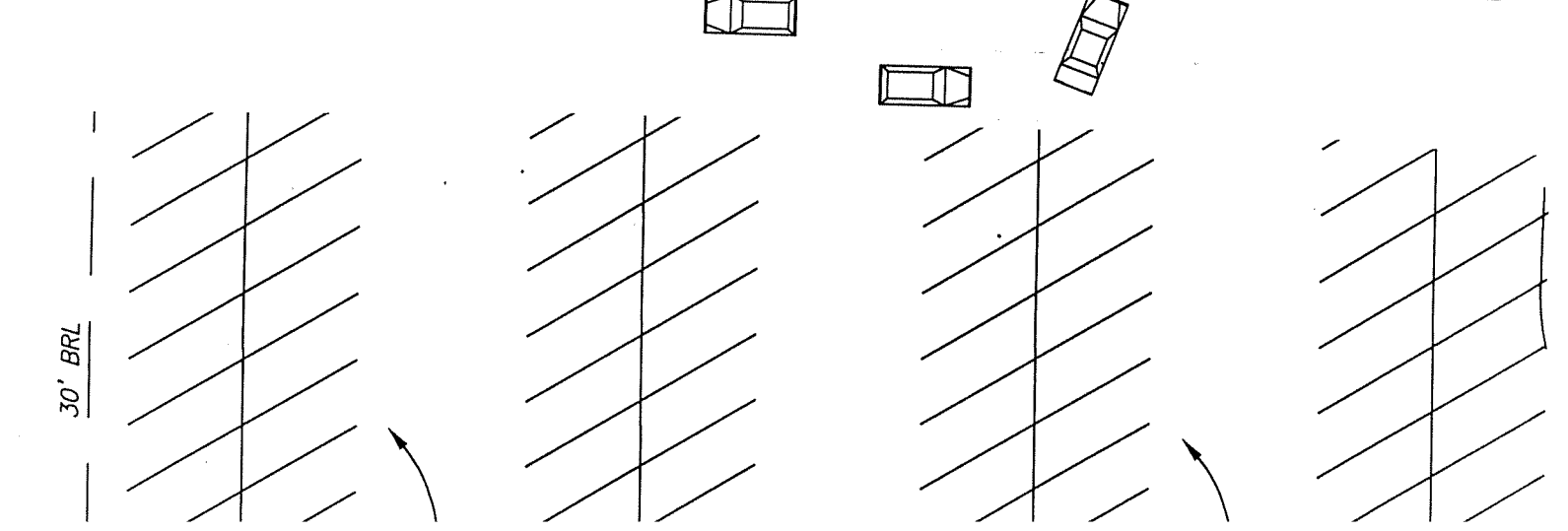
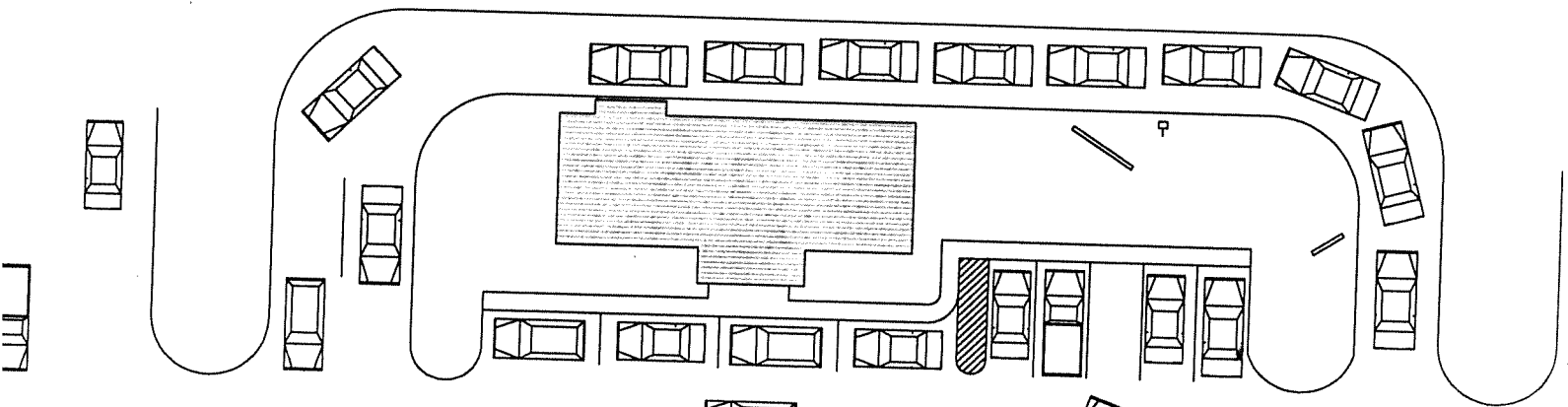
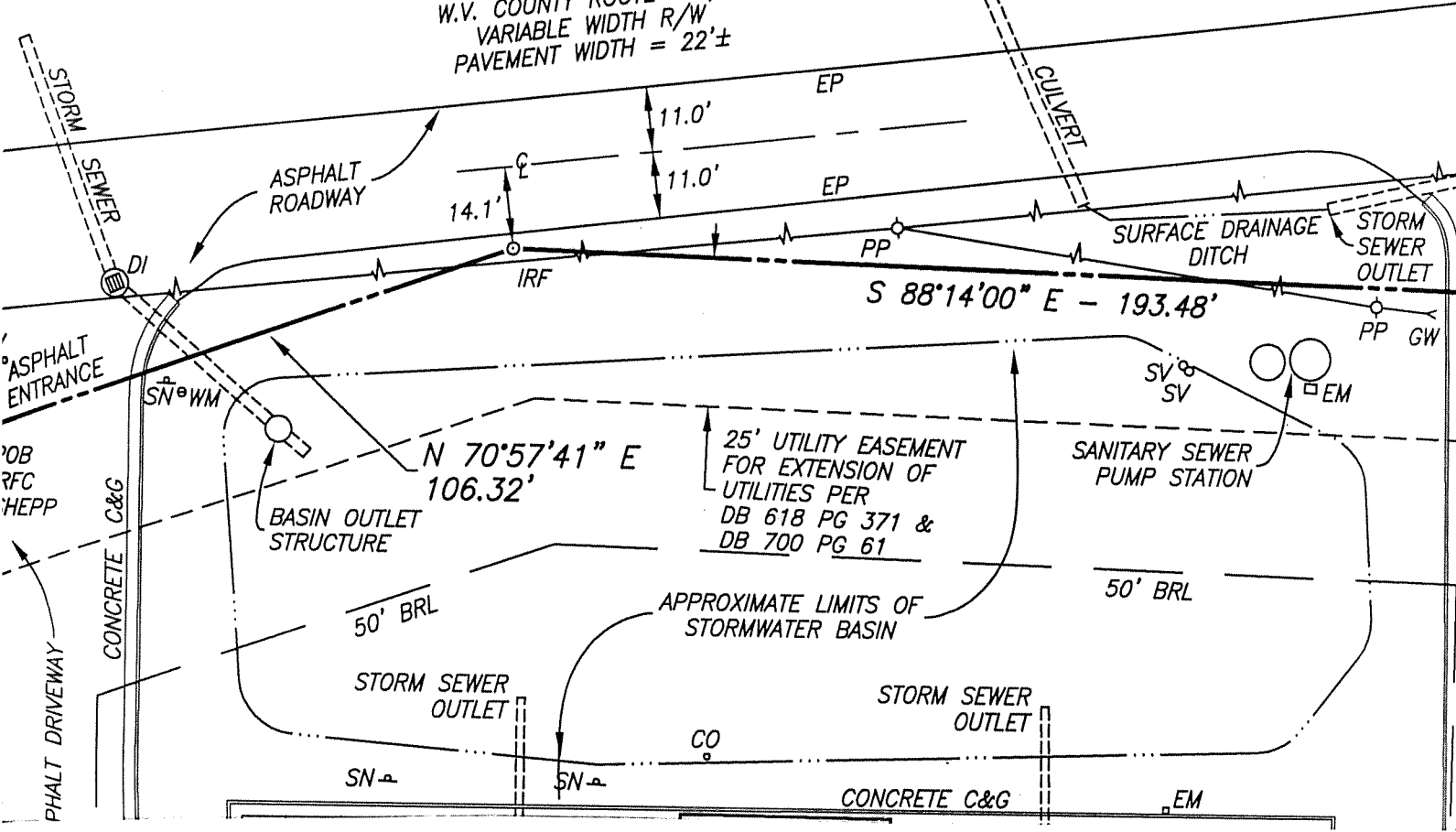
2. The proposed use will be similar in scale and intensity to existing neighboring businesses and recently approved projects such as the Waffle House. Additionally, Starbucks will not be in competition with any current tenants of Somerset Village Shopping Center and will replace the Cone Zone, a similar food service establishment. The Starbucks Drive Thru poses no threat to public health and safety, and will enhance the welfare of the residents of Jefferson County by providing morning fare options for east bound commuters.

3. The proposed site development will not hinder nor discourage the appropriate use development and use of adjacent land buildings, as it will be located on a frontage road of the Shopping Center and will serve to complement neighboring businesses by drawing a wider scope of clientele to the area.

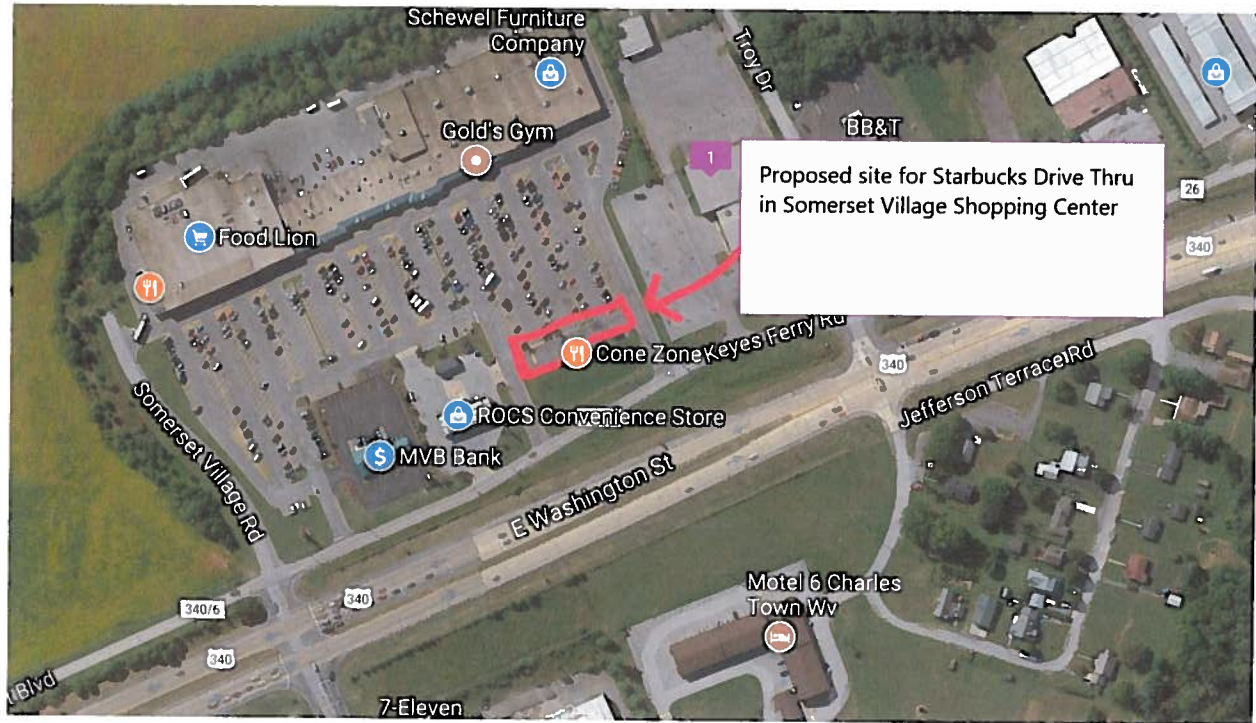
PROPOSED DRIVE THRU LAYOUT

OLD ROUTE 340

W.V. COUNTY ROUTE 340/6
 VARIABLE WIDTH R/W
 PAVEMENT WIDTH = 22'±



Sketch of Proposed Site for Starbucks Drive Thru





STARBUCKS COFFEE COMPANY

NORTHEAST LANDLORD DESIGN CRITERIA

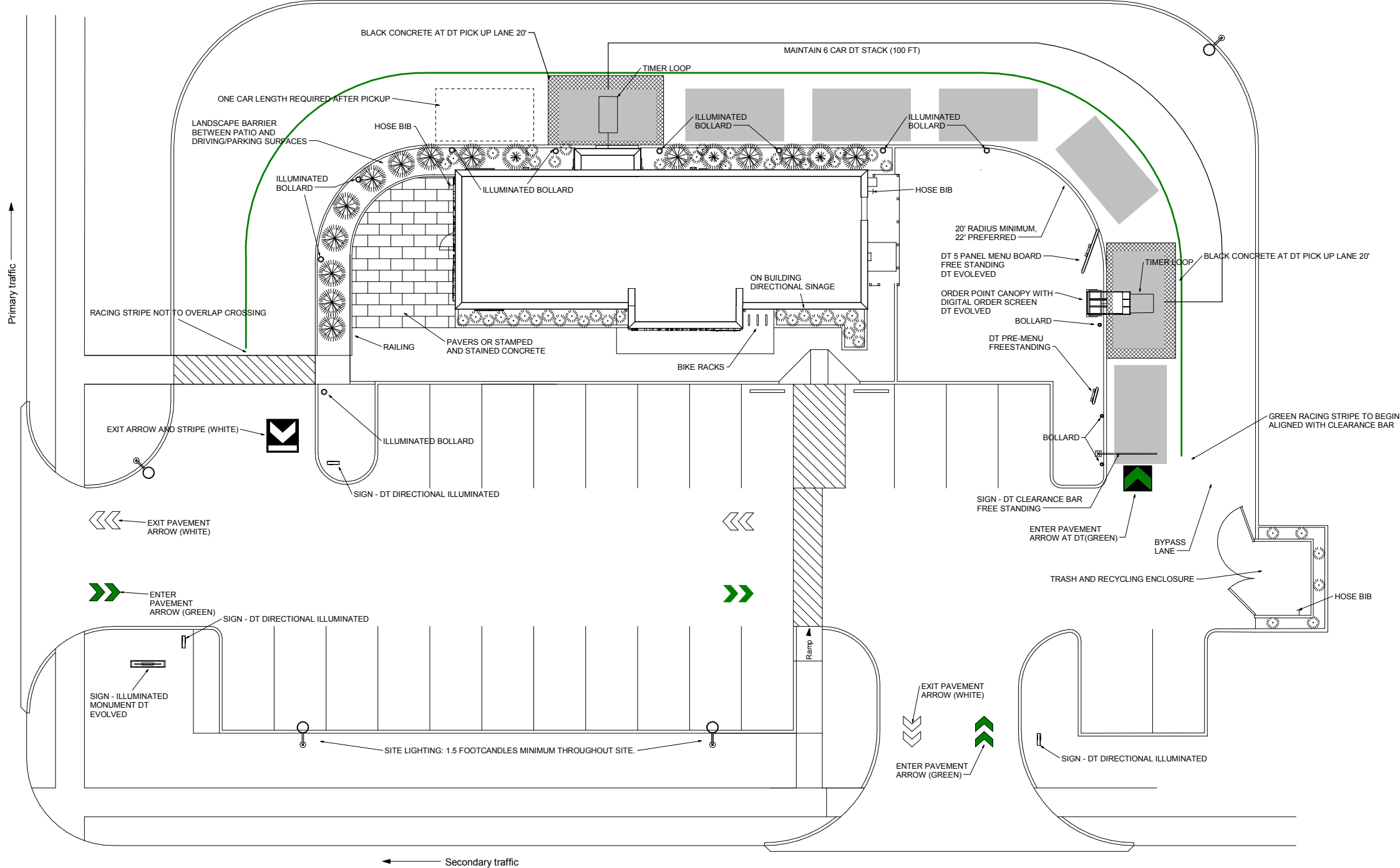
SITE & BUILDING PLAN CRITERIA

10.15.15

NORTHEAST LANDLORD DESIGN CRITERIA

PROTOTYPICAL SITE PLAN REQUIREMENTS

1. CRITERIA SHOWN BELOW APPLIES TO SINGLE TENANT BUILDINGS (AS SHOWN) -AND- MULTI-TENANT ENDCAP DRIVE-THRU STORES
2. SEE SPECS AND DETAILS FOR STARBUCKS BRANDED PAVEMENT GRAPHICS.



NORTHEAST LANDLORD DESIGN CRITERIA

SITE SIGNAGE & PAVEMENT GRAPHIC DETAILS

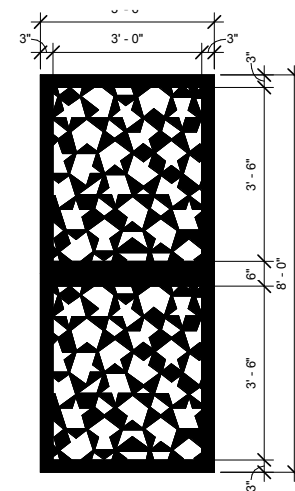
NOTES:

1: THERMOPLASTIC APPLIED GRAPHIC ONLY AVAILABLE THROUGH STARBUCKS SPECIFIED VENDOR

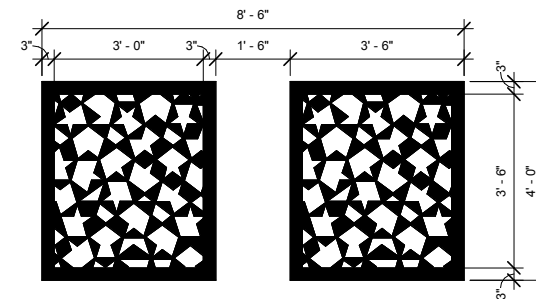
2: FOOTING DETAILS FOR SIGNAGE AND CLEARANCE BAR TO BE PROVIDED BY VENDOR UNDER SEPARATE COVER.



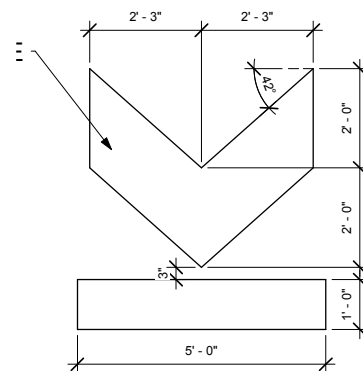
DTE - NON-ILLUMINATED BOLLARD - AXON



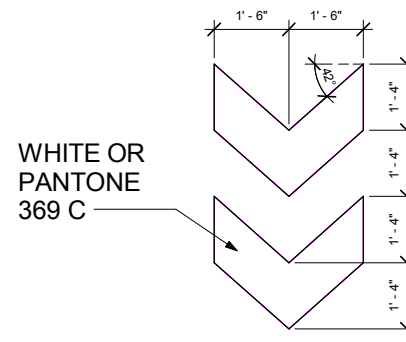
DTE - WAYFINDING GRAPHIC STAR PATTERN - VERTICAL



DTE - WAYFINDING GRAPHIC STAR PATTERN - HORIZONTAL



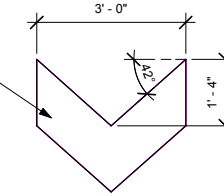
DTE - WAYFINDING GRAPHIC ARROW - EXIT



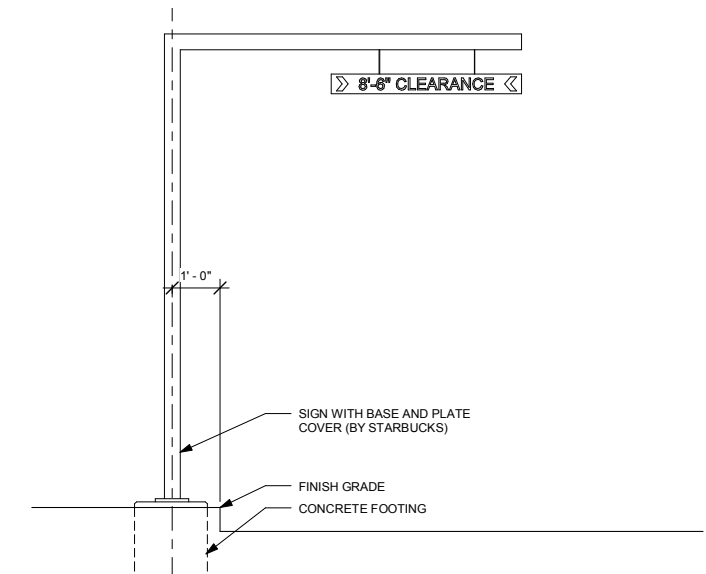
WHITE OR PANTONE 369 C

DTE - WAYFINDING GRAPHIC ARROW - DOUBLE

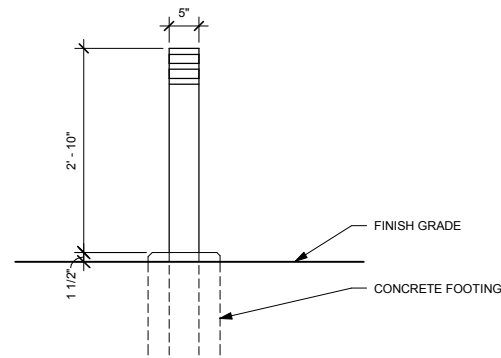
WHITE OR PANTONE 369 C



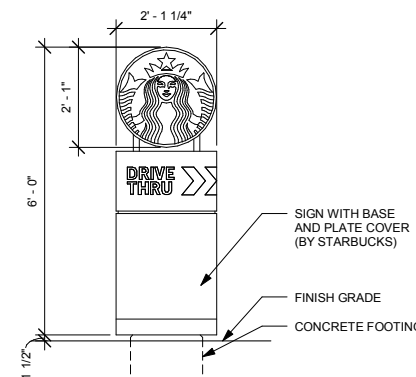
DTE - WAYFINDING GRAPHIC ARROW - SINGLE



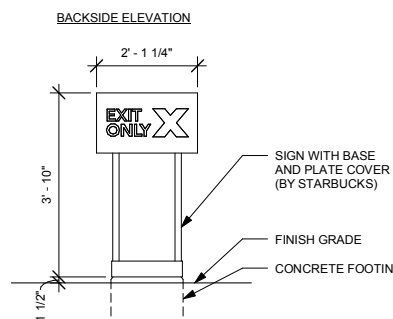
DTE - CLEARANCE BAR



DTE - NON-ILLUMINATED BOLLARD DETAIL



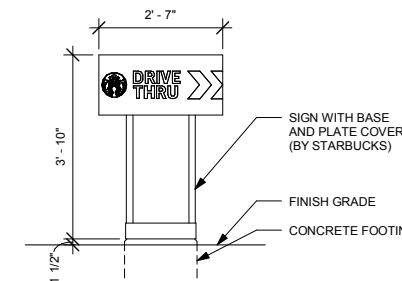
DTE - MONUMENT SIGN



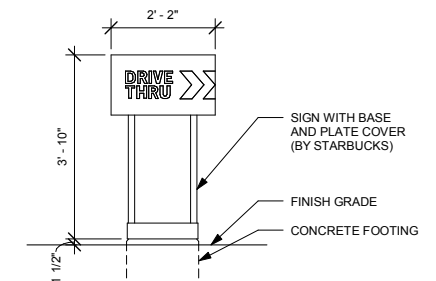
DTE - DIRECTIONAL SIGN



DTE - DIRECTIONAL SIGN - ENTRY



DTE - DIRECTIONAL SIGN WITH LOGO - ENTRY



DTE - DIRECTIONAL SIGN - ENTRY



NORTHEAST LANDLORD DESIGN CRITERIA

MONUMENT SIGN LAYOUT OPTIONS

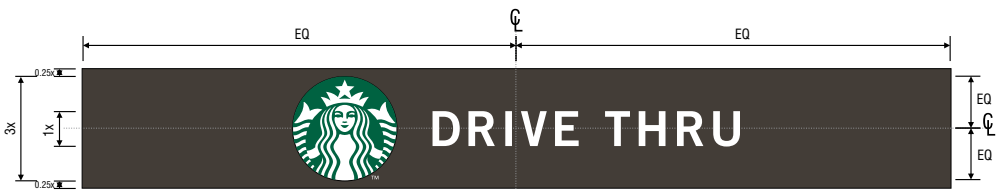
A Square sign format

This layout best suited for a square presentation where the ratio of height to length is less than 1:1 and up to 1:1.5



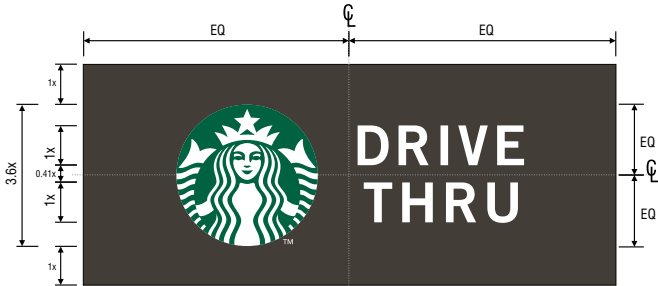
D Horizontal sign format

This layout best suited for a long horizontal presentation where the ratio of height to length is 1:5 or greater.



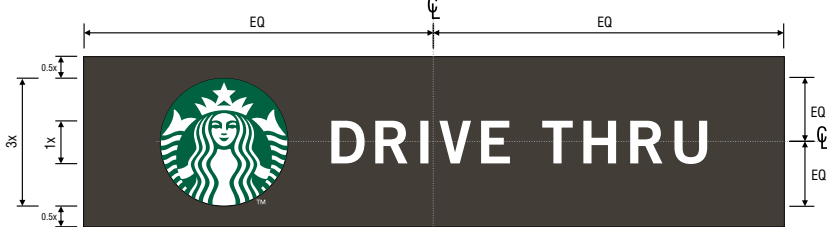
B Horizontal sign format

This layout best suited for a short horizontal presentation where the ratio of height to length is between 1:1.6 and 1:3



C Horizontal sign format

This layout best suited for a horizontal presentation where the ratio of height to length is between 1:3.1 and 1:4.9.



A B C D

Backlit illuminated sign faces with vinyl graphics.

Manufacture and Install:

- 1 Sign faces to be cut-out of translucent .177" polycarbonate- white.
- 2 Background is opaque 3M Scotchcal Vinyl- Duranodic #3630-69 applied first surface with "TM", "DRIVE THRU" copy and circle reversed out to white.
- 3 Evolved logo is background is translucent 3M Scotchcal Vinyl- Holly Green #3630-76 applied first surface.

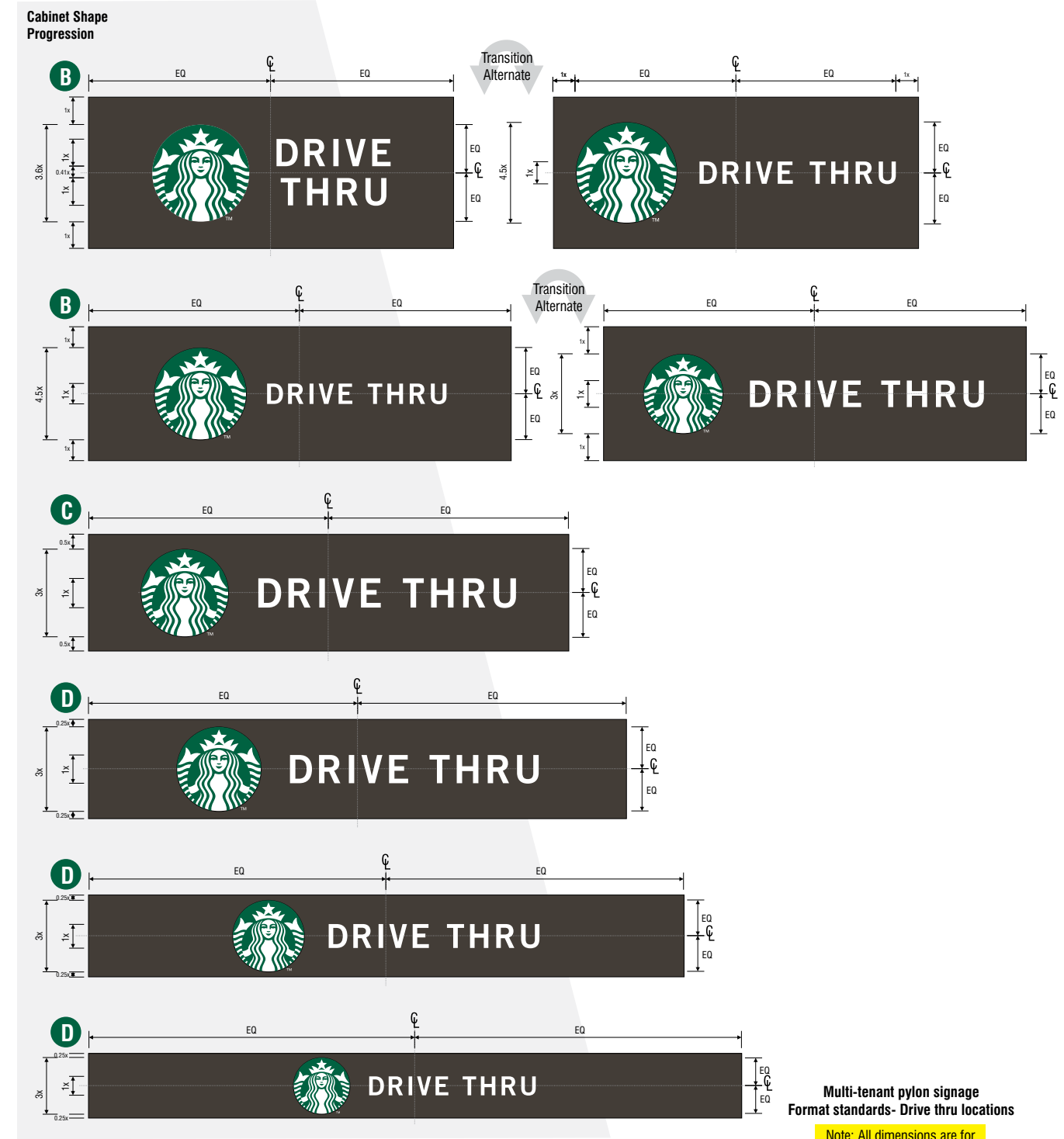
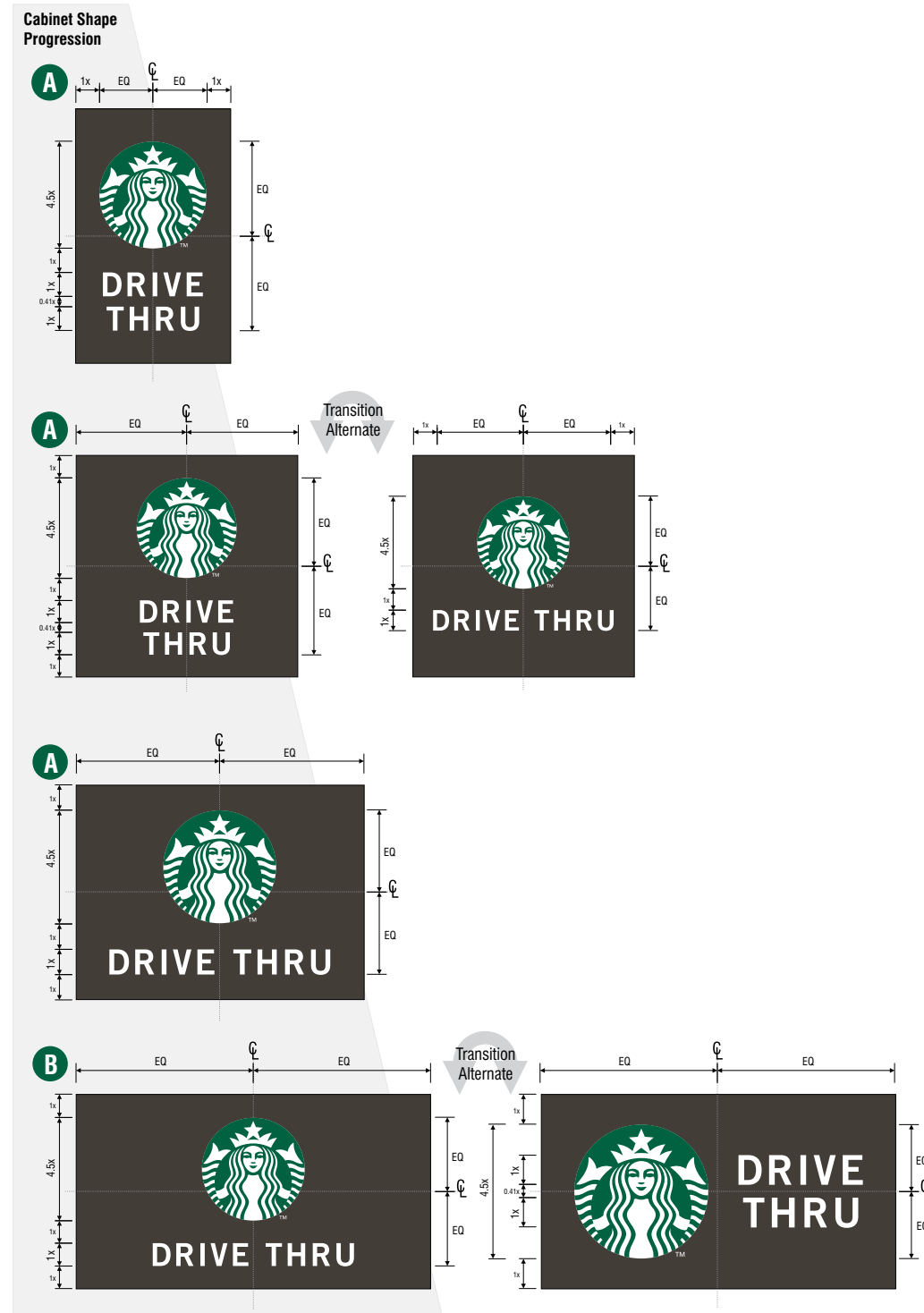
Multi-tenant pylon signage
Format standards- Drive thru locations

Note: All dimensions are for
visual openings only



NORTHEAST LANDLORD DESIGN CRITERIA

MONUMENT SIGN LAYOUT OPTIONS



Multi-tenant pylon signage
Format standards- Drive thru locations
Note: All dimensions are for visual openings only

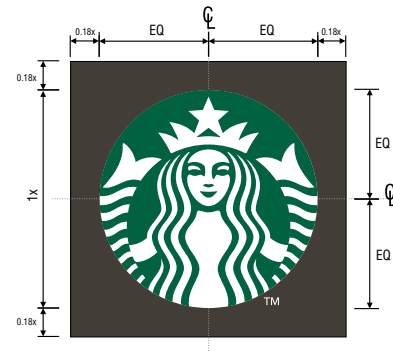


NORTHEAST LANDLORD DESIGN CRITERIA

MONUMENT SIGN LAYOUT OPTIONS

A Square sign format

This layout best suited for a square presentation where the ratio of height to length is less than 1:1 and up to 1:2.5



A

Backlit illuminated sign faces with vinyl graphics.

Manufacture and Install:

- 1 Sign faces to be cut-out of translucent .177" polycarbonate- white.
- 2 Background is opaque 3M Scotchcal Vinyl- Duranodic #3630-69 applied first surface with "TM" copy and circle reversed out to white.
- 3 Evolved logo is background is translucent 3M Scotchcal Vinyl- Holly Green #3630-76 applied first surface.

B Horizontal sign format

This layout best suited for a short horizontal presentation where the ratio of height to length is between 1:2.6 and 1:4.9



B

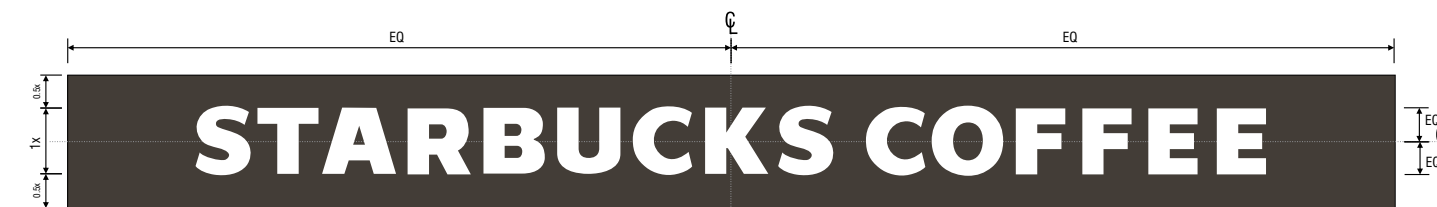
Backlit illuminated sign faces with vinyl graphics.

Manufacture and Install:

- 1 Sign faces to be cut-out of translucent .177" polycarbonate- white.
- 2 Background is opaque 3M Scotchcal Vinyl- Duranodic #3630-69 applied first surface with "STARBUCKS COFFEE" copy reversed out to white.

C Horizontal sign format

This layout best suited for a horizontal presentation where the ratio of height to length is between 1:0.5 or greater.



C

Backlit illuminated sign faces with vinyl graphics.

Manufacture and Install:

- 1 Sign faces to be cut-out of translucent .177" polycarbonate- white.
- 2 Background is opaque 3M Scotchcal Vinyl- Duranodic #3630-69 applied first surface with "STARBUCKS COFFEE" copy reversed out to white.

Multi-tenant pylon signage
Format standards- Non-Drive Thru locations

Note: All dimensions are for visual openings only



NORTHEAST LANDLORD DESIGN CRITERIA

MONUMENT SIGN LAYOUT OPTIONS

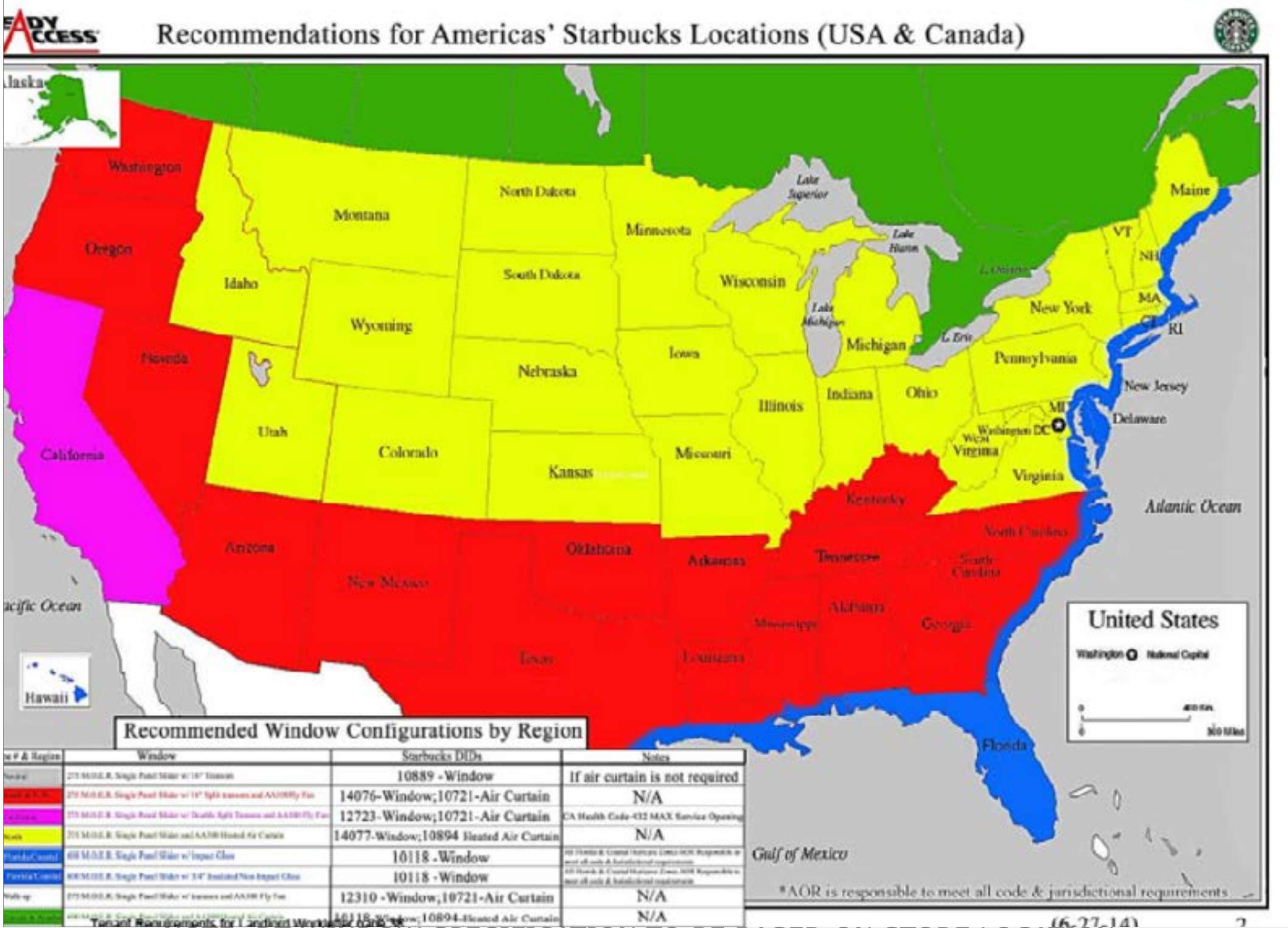


Multi-tenant pylon signage
 Format standards- Non-Drive Thru locations
 Note: All dimensions are for
 visual openings only



NORTHEAST LANDLORD DESIGN CRITERIA

DRIVE-THRU WINDOW: REFERENCE MAP FOR WINDOW TYPE



NOTE: DT WINDOW SPECIFICATION TO BE BASED ON STORE LOCATION



PYLON SIGN EXHIBIT

STARBUCKS

SUBWAY

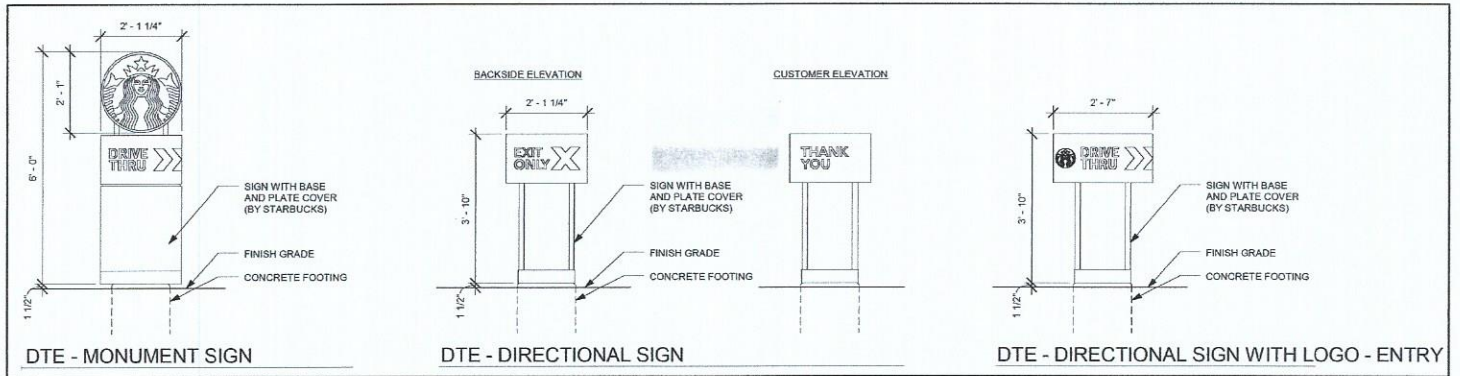
(Starbucks and Subway will split current location of Subway sign)



Monument Signage Exhibit

The samples cited below are sourced from the attached reference, *Starbucks Coffee Company Northeast-Landlord Design Criteria*.

Sample 01: DTE Monument Sign & Drive Thru Signage, Page 12



Sample 02: Drive Thru and other signage, Pages 14, 15,16,17

Attached References:

1. **2015-15-10 NE - LL Design criteria.PDF:** Starbucks Coffee Company Northeast-Landlord Design Criteria

NORTHEAST LANDLORD DESIGN CRITERIA

MONUMENT SIGN LAYOUT OPTIONS

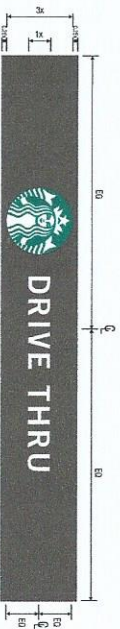
A Square sign format

This layout best suited for a square presentation where the ratio of height to length is less than 1:1 and up to 1:1.5



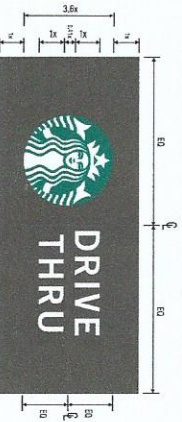
D Horizontal sign format

This layout best suited for a long horizontal presentation where the ratio of height to length is 1:5 or greater.



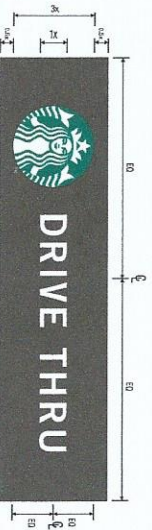
B Horizontal sign format

This layout best suited for a short horizontal presentation where the ratio of height to length is between 1:1.5 and 1:3



C Horizontal sign format

This layout best suited for a horizontal presentation where the ratio of height to length is between 1:3.1 and 1:4.9.



Backlit illuminated sign faces with vinyl graphics.

Manufacture and install:

- 1 Sign faces to be cut-out of translucent, 1/2" polycarbonate- white.
- 2 Background is opaque 3M Scotchcal Vinyl, Duranodic #4590-09 applied first surface with "1M", "DRIVE THRU" copy and circle reversed out to white.
- 3 Etched logo is background is translucent 3M Scotchcal Vinyl- Holly Green #5500-70 applied first surface.

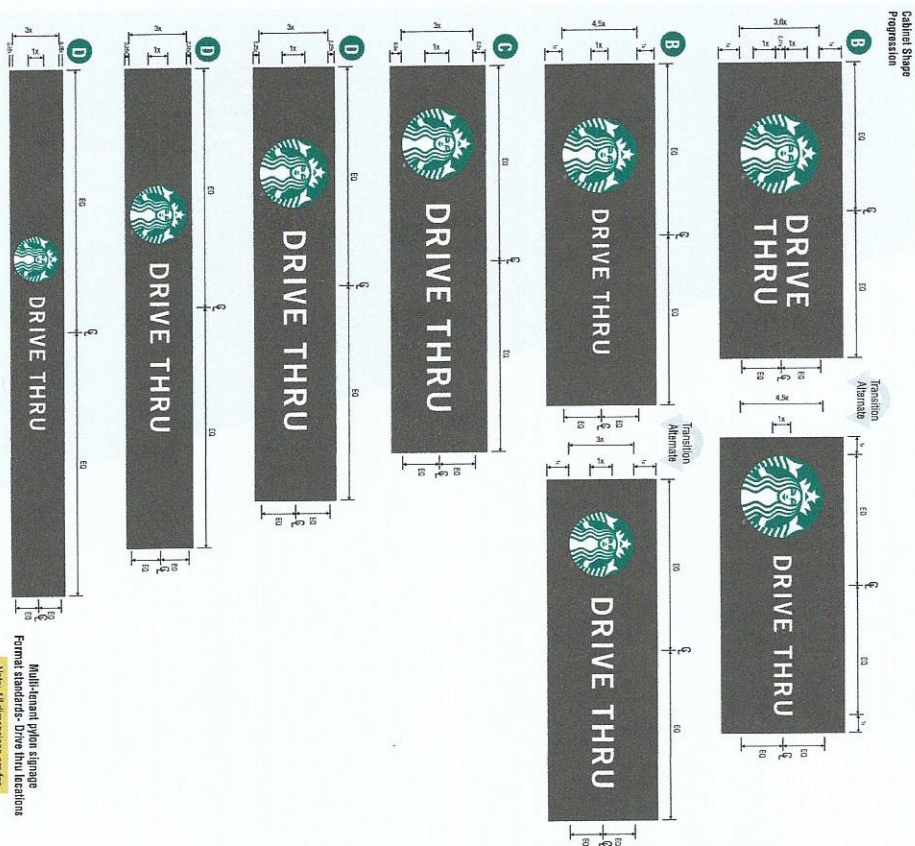
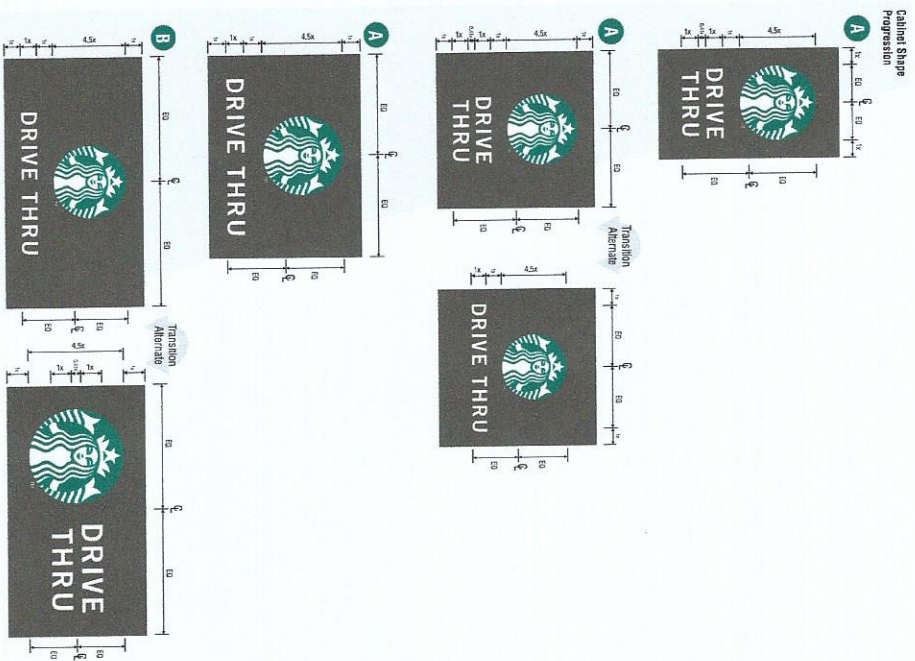
Multi-tenant pylon signage

Formal standards- Drive thru locations
Note: All dimensions are for
visual openings only



NORTHEAST LANDLORD DESIGN CRITERIA

MONUMENT SIGN LAYOUT OPTIONS



Multi-brand open signage
Forma standards - drive thru locations
Note: All dimensions are for
visual purposes only.



NORTHEAST LANDLORD DESIGN CRITERIA

MONUMENT SIGN LAYOUT OPTIONS

A Square sign format

This signout best suited for a square presentation where the ratio of height to length is less than 1:1 and up to 1:2.5



A

Backlit illuminated sign faces with vinyl graphics.

Manufacture and install.

- 1 Sign faces to be cut-out of translucent, 1/77" polycarbonate- white.
- 2 Background is opaque 3M Scotchlite Vinyl-Duromatic #3830-69 applied first surface with "TM" copy and circle reversed out to white.
- 3 Etched logo to background to translucent 3M Scotchlite Vinyl-Holly Green #3830-70 applied first surface.

B Horizontal sign format

The signout best suited for a short horizontal presentation where the ratio of height to length is between 1:2.0 and 1:4.9



B

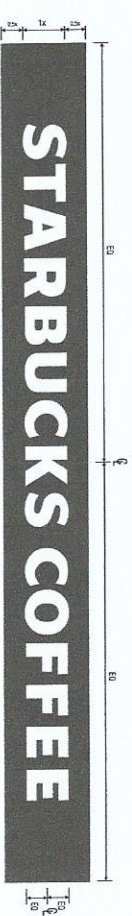
Backlit illuminated sign faces with vinyl graphics.

Manufacture and install.

- 1 Sign faces to be cut-out of translucent, 1/77" polycarbonate- white.
- 2 Background is opaque 3M Scotchlite Vinyl-Duromatic #3830-69 applied first surface with "STARBUCKS COFFEE" copy reversed out to white.

C Horizontal sign format

This signout best suited for a horizontal presentation where the ratio of height to length is between 1:5.0 or greater.



C

Backlit illuminated sign faces with vinyl graphics.

Manufacture and install.

- 1 Sign faces to be cut-out of translucent, 1/77" polycarbonate- white.
- 2 Background is opaque 3M Scotchlite Vinyl-Duromatic #3830-69 applied first surface with "STARBUCKS COFFEE" copy reversed out to white.

Multi-tenant nylon signage
Formal standards- non-drive thru locations

Note: All dimensions are for visual openings only





Jefferson County, West Virginia

Department of Engineering, Planning, and Zoning

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

P.O. Box 716

Charles Town, WV 25414

Email: zoning@jeffersoncountyv.wv.org

Phone: (304) 728-3228

Zoning Administrator's Report Board of Zoning Appeals Meeting December 14, 2017

1) Pending Zoning Ordinance and Subdivision Regulation Amendments

- **Pending amendments:**

- a) Historic Preservation – **No update since October 26 Meeting**
 - i. On July 11, 2017 the Planning Commission held a Public Hearing. The Planning Commission made additional revisions on 09-12-17 and directed Staff to work with Legal on finalizing the amendment. It is anticipated that the revised draft will go before the Planning Commission on December 12.
- b) Signage – **No Update since October 26 Meeting**
 - i. A Work Session was held with the Planning Commission on November 28 to review industry standards. Staff intends to submit a draft amendment to the Planning Commission at the beginning of 2018.

2) Upcoming BZA meeting

- The next regular meeting is scheduled for **January 25, 2018** (deadline for submissions is Wednesday, 01-03-18)

Happy Holidays!



JEFFERSON COUNTY, WEST VIRGINIA

Office of Planning and Zoning

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MEMORANDUM

TO: Board of Zoning Appeals Members
CC: Engineering & Building Permits Offices
FROM: Alexandra Beaulieu, Zoning Administrator
DATE: December 8, 2017
SUBJECT: December Zoning Certificate Activity Report

ISSUED ZONING CERTIFICATES

#ZC17-37 Barbara Williamson Trust
Issued: November 21, 2017
Proposal: Accessory Dwelling Unit Per Section 8.15(A) - Agricultural Dwelling Unit
Location: 895 Ridge Road, Shenandoah Junction, WV 25442
Zone: Rural

PENDING ZONING CERTIFICATES

#ZC17-38 Kenneth Wilt, Owner; Hardy Cellular Telephone Company, Applicant
Issued: TBD
Proposal: Modification of existing antenna array by replacing or adding antenna and radio boxes behind antennas. No new electric required. Height and footprint will not increase.
Location: 539 Mission Rd N, Harpers Ferry, WV
Zone: Rural



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2018 MEETING SCHEDULE OF THE JEFFERSON COUNTY BOARD OF ZONING APPEALS

Board of Zoning Appeals meetings are held in the Old Charles Town Library Meeting Room located at 200 East Washington Street, at the side entrance on Samuel Street at 2:00 p.m.

Scheduled Meetings

Thursday, January 25, 2018
Thursday, February 22, 2018
Thursday, March 22, 2018
Thursday, April 26, 2018
Thursday, May 24, 2018
Thursday, June 28, 2018
Thursday, July 26, 2018
Thursday, August 23, 2018
Thursday, September 27, 2018
Thursday, October 25, 2018
Thursday, November 8, 2018**
Thursday, December 13, 2018**

Submission Deadlines*

Wednesday, January 3, 2018
Wednesday, January 31, 2018
Wednesday, February 28, 2018
Wednesday, April 4, 2018
Wednesday, May 2, 2018
Wednesday, June 6, 2018
Thursday, July 5, 2018
Wednesday, August 1, 2018
Wednesday, September 5, 2018
Wednesday, October 3, 2018
Wednesday, October 17, 2018
Wednesday, November 21, 2018

* The required zoning variance request form signed by the legal property owner, supporting documentation and applicable fees must be submitted to the office by close of business on the Submission Deadline date in order for the request to be sufficiently reviewed and noticed in the Spirit of Jefferson. For all other applications please contact the office for the Submission Deadline date.

*** Meeting dates have been modified in observance of the Thanksgiving and Christmas Holidays.

Changes in the time or location of the meeting shall be noticed on the County's website at www.jeffersoncountywv.org.

Note: If the President of the County Commission or Chair of the Board of Zoning Appeals has determined weather conditions make travel unsafe for the public, County offices may close and/or the Board of Zoning Appeals meeting may be cancelled. Please check the County's website for possible meeting updates during inclement weather.

Agenda items that have been deferred due to a cancellation will be rescheduled. Per the Board's Rules of Procedure, no additional newspaper notice shall be given. Please keep signs posted on the respective properties until the rescheduled meeting date. Please call the office or check the County's webpage for the rescheduled meeting date.