

## Minutes

### Jefferson County Board of Zoning Appeals

- 1 Meeting Date: August 9, 2018
- 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  
5 Deirdre Catterton
- 6 Members absent: None
- 7 Staff members present: Jennifer Brockman, Acting Zoning Administrator; Nathan Cochran,  
8 Assistant Prosecuting Attorney; and, Jennilee Hartman, Zoning Clerk
- 9 All requests are pursuant to the Jefferson County Zoning and Land Development Ordinance.
- 10 The purpose of this Special Meeting is to address items from the regularly scheduled July 26, 2018  
11 Board of Zoning Appeals meeting that was postponed due to the lack of a quorum.
- 12 Mr. Quynn explained to the public how the meeting would be conducted. Mr. Bannon moved to call  
13 the meeting to order at 2:00 pm, which carried unanimously.
- 14 1. Approval of Minutes – June 28, 2018. Mr. Bannon moved to approve the minutes. The following  
15 edits were requested:
- 16 a) Page 1, line 30, change the word *my* to *by*.
- 17 b) Page 2, line 36, insert the word *that* before the word *Section*.
- 18 c) Page 3, line 23, change ‘*for deliberation*’ to ‘*from deliberation*’.
- 19 d) Page 3, line 35, insert a comma after the word *meeting* and add the word *and* thereafter.
- 20 Mr. Quynn called for a vote on the revised minutes, which carried unanimously.
- 21 2. Ms. Hartman swore in members of the public who indicated they would be providing testimony.
- 22 3. Public Hearing. Variance from Section 5.7D3 to allocate two of the remaining development rights  
23 to the newly created non-residue lot in the proposed Rider Minor Subdivision. Property Owner:  
24 Cynthia B. Rider. Property Location: 195 Vance Road, Shepherdstown, WV. Tax District:  
25 Shepherdstown (09); Tax Map: 9; Parcel 22; Size: 100.36 acres; Zone: Rural. File: ZV18-09.
- 26 This item was postponed until the August 23, 2018 meeting at the request of the property owner.
- 27 4. Public Hearing. Variance from Section 4.11B and Appendix B: to eliminate the landscape buffer  
28 that is required for a proposed 8,750 sf storage building, a 45,000 sf warehouse, and employee  
29 parking lot as follows: eliminate the buffer along the northern boundary of the subject parcel  
30 and the remaining perimeter of subject parcel where it is not currently landscaped, other than a  
31 small area along the 45,000 sq. ft. proposed building. (PC File #S18-04). Property Owner:  
32 Universal Forest Products Eastern Division Inc. Property Location: 249 16th Ave., Ranson,  
33 WV. Tax District: Charles Town (02); Tax Map: 7; Parcel: 11.6 (A & B); Size 30 ac; Zone:  
34 Industrial Commercial. File: ZV18-10.
- 35 Ian Morris consultant with Pennoni and representative for Universal Forest Products, Inc. was  
36 present to address the Board. Ms. Brockman presented her staff report to the Board noting that  
37 the applicant would be providing the required landscaping along the western property line up to  
38 the proposed building area. Mr. Morris explained the nature of the request to the Board and  
39 listed all of the adjacent commercial land uses. Mr. Quynn opened the public hearing. There was  
40 no public comment. Mr. Quynn closed the public hearing. Mr. Knott moved to approve the  
41 variance as requested. Mr. Bannon seconded the motion, which carried unanimously.

1 5. Zoning Administrator's Report

2 a. Monthly Zoning Certificate Activity Report. This report was provided to the Board in their  
3 mailed packet.

4 Ms. Brockman did not review any additional information with the Board. Ms. Brockman stated  
5 the next regularly meeting would be August 23, 2018.

6 6. Legal Update

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

8 b. Discussion with possible deliberative session and sign of draft Findings/Decisions

9 Meeting: June 28, 2018

10 Mr. Cochran provided the draft Findings to the Board.

11 i. Appeal of the Zoning Administrator's Determination regarding the applicability of Sec.  
12 4.4C pertaining to the proposed Magnolia Springs Subdivision and the Belvedere House  
13 which is listed on the National Register of Historic Places. File: AP18-01.

14 Mr. Cochran explained that the Findings were drafted by Mr. Gay who was the attorney  
15 for Mr. Hunter Wilson, the developer of Magnolia Springs. Due to the authorship and  
16 length of the Findings, Board members expressed a desire to review the Findings and take  
17 action at a subsequent meeting. Mr. Knott moved to take action on the Findings at the  
18 August 23, 2018 meeting, which carried unanimously.

19 ii. Request for a Special Exception Permit for a 6' W x 10' L Electronic Sign, which is to  
20 replace an existing 6' x 10' sign, to be affixed to an existing supporting structure  
21 approximately 25' in height. Owner: Bolivar International Pentecostal Church of Christ.  
22 File: SE18-01.

23 Mr. Quynn retained the Findings to review and sign at a later date.

24 Mr. Knott moved to adjourn the meeting at 2:30 pm. Mr. Quynn called for a vote, which carried  
25 unanimously.