



Jefferson County
Board of Zoning Appeals
Thursday, October 25, 2018 at 2:00 p.m.

Members
Tyler Quynn, Chair
Jeffrey Bannon, Vice Chair
Deirdre Catterton

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 Minutes –September 27, 2018.
2. Swearing in of members of the public intending to provide testimony.
3. Public Hearing. Variance from Section 5.4B.1 to reduce the side setback from 12’ to 10’; and, the rear setback from 20’ to 10’ to install an 18’ x 36’ inground pool. Owner: David and Jean Nedorostek. Location: 511 Gap View Blvd., Harpers Ferry; District: Harpers Ferry (04); Map: 5D; Parcel: 113; Size: .75 ac; Zone: Residential Growth. File: ZV18-17.
4. Public Hearing. Request for a Conditional Use Permit for A-Zone Environmental Services Office to allow a Professional Office as defined in Article 2. The proposal consists of renovating an historic building into a professional office space for up to 12 employees; with approximately 4-6 people working on-site. Office hours: 8:00 am - 4:00 pm. The proposal includes the construction of a 1,188 square foot addition. Applicant: Jesse Morgan. Property Owner: Wheatlands Property Management LLC. Property Location: 2153 Berryville Pike, Charles Town, WV. Intersection of Route 340 & Withers Larue Rd, Rippon. District: Kabletown (06); Map: 10A; Parcel: 24; Size: .69 acres; Zone: Village; File: CUP18-02.
5. Public Hearing. Variance from Section 11.1 to reduce the required number of parking spaces from 10 to 6 spaces for A-Zone Environmental Services Office, a Professional Office per Conditional Use Permit application CUP18-02. Applicant: Jesse Morgan. Property Owner: Wheatlands Property Management LLC. Property Location: 2153 Berryville Pike, Charles Town, WV. Intersection of Route 340 & Withers Larue Rd, Rippon. District: Kabletown (06); Map: 10A; Parcel: 24; Size: .69 acres; Zone: Village; File: ZV18-16.
6. Public Hearing. Request for a Special Exception Permit for an Electronic Sign. Total Sign Size: 108” W x 69” H, including an LED matrix display area of 96” W x 36” H, to replace the existing sign. Total Sign Height: 11’. The following deviations are proposed: to allow a sign to face a residential structure; and, to allow the sign to remain on continuously (24 hours). Property Owner: Shepherdstown Volunteer Fire Department. Property Location: 8052 Martinsburg Pike, Shepherdstown. District: Shepherdstown (09); Map: 8; Parcel: 10.5; Size: ~ 7.14 acres; Zone: Residential Growth. File: SE18-02.
7. Zoning Administrator Report
 - a. Monthly Zoning Certificate Activity Report
8. Legal Update
 - a. Possible executive session on the following pending lawsuits. None.
 - b. Discussion with possible deliberative session and sign of draft Findings/Decisions
Meeting: September 27, 2018
 - i. Variance from Sec. 9.7. Owner: Patricia and Gary Dunn. File: ZV18-13.
 - ii. Variance from Sec. 5.4B.1. Owner: Beallair Homes, LLC. File: ZV18-14.
 - iii. Variance from App. B. Owner: Fellowship Bible Church. File: ZV18-15.

Minutes

Jefferson County Board of Zoning Appeals

- 1 Meeting Date: September 27, 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 and Deirdre Catterton
5 Members absent: None
6 Staff members present: Jennifer Brockman, Acting Zoning Administrator; Nathan Cochran,
7 Assistant Prosecuting Attorney; and, Jennilee Hartman, Zoning Clerk
8 All requests are pursuant to the Jefferson County Zoning and Land Development Ordinance.

9 Mr. Quynn explained to the public how the meeting would be conducted. Mr. Bannon moved to call
10 the meeting to order at 2:00 pm, which carried unanimously.

11 1. Approval of Minutes – August 23, 2018. Ms. Catterton moved to approve the minutes. The
12 following edits were requested:

- 13 a) Page 2, line 37, remove the sentence, “Mr. Cochran provided a copy of the Findings that
14 had been drafted by Attorney Richard Gay.”
15 b) Page 2, line 38, complete the sentence with the words *drafted by the Board*.

16 Mr. Quynn called for a vote on the revised minutes, which carried two (2) in support and one (1)
17 abstention Mr. Bannon did not attend the August 23, 2018 meeting.

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

19 3. Public Hearing. Variance from Section 9.7 to reduce the rear setback from 50’ to 30’ for a 21’
20 above ground swimming pool. Owner: Patricia and Gary Dunn. Location: 923 Gardners Ln,
21 Shepherdstown; District: Shepherdstown (09); Map: 17; Parcel: 1; Size: 2.5 ac; Zone: Rural;
22 File: ZV18-13.

23 Mr. Gary Dunn was present to address the Board. Ms. Brockman reviewed her staff report
24 noting that the Board had heard a similar variance by Mr. Dunn the previous year in which he
25 had requested a reduction of the rear setback for a detached garage. Ms. Brockman explained
26 that the buildable area surrounding the home was limited due to the triangular shape of the
27 property. Mr. Dunn explained the nature of the request and described the locations of the well
28 and septic areas, which also limited the buildable are surrounding the home. Mr. Quynn opened
29 the public hearing. There was no public comment. Mr. Quynn closed the public hearing.

30 Mr. Bannon moved to approve the variance as requested. Ms. Catterton seconded the motion,
31 which carried unanimously.

32 4. Public Hearing. Variance from Section 5.4B.1 to reduce the rear setback from 20’ to 18’ to
33 allow for the inadvertent encroachment of a home under construction. Property Owner: Beallair
34 Homes, LLC. Property Location: Beallair Subdivision, Phase II, Lot 125, Southwest intersection
35 of Potomac Crossing & Beallair Manor. District: Harpers Ferry (04); Map: 10A; Parcel: 125;
36 Size: 9,500 sf; Zone: Residential Growth. Files: ZV18-14.

37 Mr. Paul Raco, consultant with P.J. Raco Consulting, was present to address the Board.
38 Ms. Brockman reviewed her staff report noting that the subject parcel is a corner lot and therefore
39 has greater setbacks than a typical lot within the community. Ms. Brockman informed the Board
40 that the office had received a letter of support from the adjacent property, the Spiess, and that
41 Michael Hamilton, a Beallair resident, had sent an email listing a number of concerns pertaining to
42 the development. Mr. Raco explained the nature of the request clarifying that only a portion of the
43 home is in need of the two (2) foot reduction. Mr. Raco further explained that this situation

1 occurred as a result of the homeowner deciding to purchase a different lot after choosing a housing
2 type. Mr. Raco confirmed that construction on the property has ceased. Mr. Raco stated the
3 developer of Beallair is aware of Mr. Hamilton's concerns and is currently working to address
4 them. Mr. Quynn opened the public hearing. There was no public comment. Mr. Quynn closed the
5 public hearing. Ms. Catterton moved to approve the variance noting that the request meets the
6 variance criteria. Mr. Bannon seconded the motion, which carried unanimously.

7 5. Public Hearing. Variance from Appendix B to reduce the side setback from 50' to 34' for the
8 expansion of a church. Property Owner: Fellowship Bible Church. Property Location: 160
9 Daniel Rd., Shenandoah Junction, WV. District: Charles Town (02); Map: 3; Parcel: 4.5; Size:
10 50 ac; Zone: Rural. File: ZV18-15.

11 Richard Beddow, property supervisor, was present to address the Board. Ms. Brockman reviewed
12 her staff report with the Board providing a brief history of the property. Ms. Brockman stated that
13 the new addition would require a site plan and noted that the applicant would be required to
14 replace any landscaping that may be damaged as a result of the construction. Mr. Beddow
15 explained the nature of the request the Board and confirmed that the new addition would allow
16 the church to remove some of the modular units. Mr. Quynn opened the public hearing. There was
17 no public comment. Mr. Quynn closed the public hearing. Mr. Bannon moved to approve the
18 variance with the condition that the variance applies only to this expansion. Ms. Catterton
19 seconded the motion, which carried unanimously.

20 6. Acting Zoning Administrator Report

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

23 Ms. Brockman informed the Board of the status of the proposed Zoning Ordinance text
24 amendment for Pet and Livestock Crematoriums. Ms. Brockman stated the next regularly
25 meeting would be October 25, 2018.

26 7. Legal Update

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

28 b. Discussion with possible deliberative session and sign of draft Findings/Decisions
29 Meeting: August 23, 2018

30 i. Postponed from the 08-09-18. Variance from Sec. 5.7D3. Owner: Cynthia B. Rider.
31 File: ZV18-09.

32 ii. Variance from App. B. Owner: Kearneysville Community Baptist Church. File: ZV18-11.

33 iii. Variance from App. A. Owner: Marion and Barbara Barrow. File: ZV18-12.

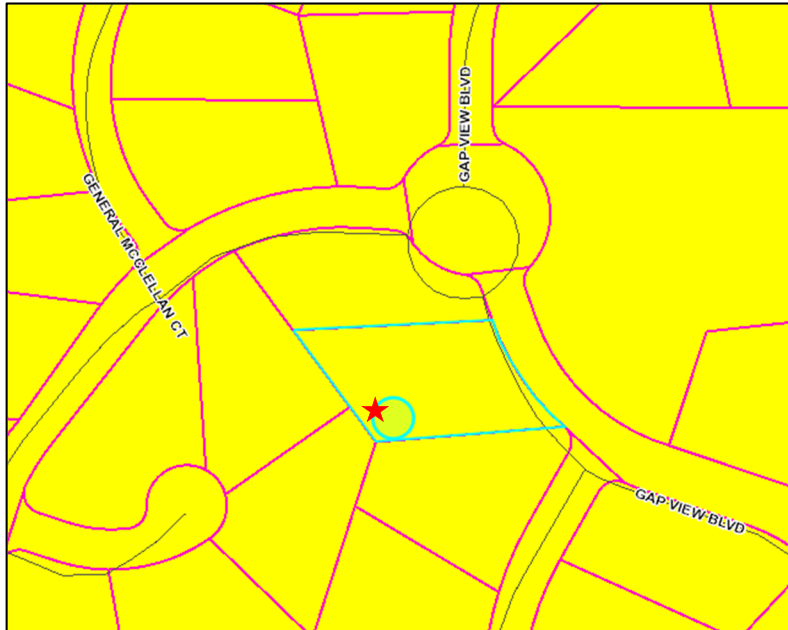
34 Mr. Quynn signed the above referenced Findings.

35 Mr. Bannon moved to adjourn the meeting at 2:42 pm. Mr. Quynn called for a vote, which carried
36 unanimously.

Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 September 27, 2018

Nedorostek Variance Request (#ZV18-17)

Item #3 Variance from Section 5.4B.1 to reduce the side setback from 12' to 10'; and, the rear setback from 20' to 10' to install an 18' x 36' inground pool.

Applicant:	David and Jean Nedorostek
Owner:	Same as above
Developer:	N/A
Consultant:	N/A
Property Location:	511 Gap View Blvd., Harpers Ferry, WV
Legal Description & Zoning District:	<p style="text-align: center;">District: Harpers Ferry (04); Map: 5D; Parcel: 113 Size: .75 ac; Zone: Residential Growth</p> 
Surrounding Properties:	<p style="text-align: center;">Zoning Map Designation:</p> <p style="text-align: center;"><i>North:</i> RG <i>South:</i> RG <i>East:</i> RG <i>West:</i> RG</p>
History:	<p>Gap View Village S/D (File #98-20) PB 17 Pg 36 Gap View Village S/D - Phase II lots 26-93 & lot 94 Res (File #00-09) PB 18 Pg 37 Gap View Village S/D - Phase III, Lots 91-178 (File #01-19) PB 19 Pg 50 Gap View Village S/D lot 80 (File #02-33)</p>
Waivers/Variations:	None previously granted.
Approved Activity:	Residential

Staff Report
Jefferson County Board of Zoning Appeals Meeting
September 27, 2018

Nedorostek Variance Request (#ZV18-17)

STAFF EVALUATION OF REQUEST

Summary of Request and Purpose of Ordinance Requirements

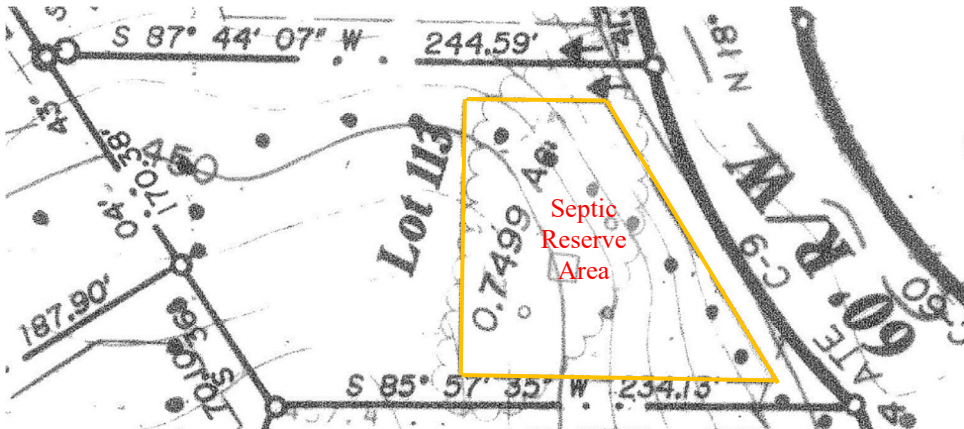
The applicant is requesting a variance from Section 5.4(b).1 to reduce both the side and rear setbacks to allow for the installation of an 18' x 36' inground swimming pool. The request is to reduce the side setback from 12' to 10' and the rear setback from 20' to 10'.

The purpose of side and rear yard setback requirements is to reduce the impact that a land use might have on an adjacent property; to allow adequate space between a structure and a property line so that maintenance of the structure is feasible; to maintain adequate separation between structures for fire prevention purposes; and to allow room for utility easements. In this particular subdivision, there is a 10' drainage and utility easement along the side and rear property line of each lot.

There is currently an accessory structure in this location, which the applicant will relocate should the variance request be approved. The applicant has been informed that an additional building permit will be required to relocate the structure to another area on the property.

Unique characteristics of property

The subject parcel is located in Phase III of Gap View Village, which was recorded on August 1, 2002. This subdivision was approved as a by-right development located in the Residential Growth zoning district. While the properties within the development are served by water they each contain a minimum 10,000 square foot septic reserve area, which limits the overall buildable area.



Impact on adjacent properties

A setback reduction to 10' along both property lines would likely have minimal impact on the neighboring property as there is an existing 6' privacy fence along the perimeter of the property. The closest house is to the south and appears to be approximate 50' from the privacy fence. The 10' setback would still provide a buffer between neighboring properties for the purpose of maintenance. A building permit will be required to ensure compliance with Building Code standards, such as life safety.

Staff Report
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Nedorostek Variance Request (#ZV18-17)



Feasibility of complying with the ordinance by other means

Based on the dimensions of the property, the applicant could potentially situate the pool in another location to meet setback requirements; however, the applicant has stated that this area of the property tends to have poor drainage.

Conditions of Approval

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

1. No conditions of approval have been identified.

SECTION OF ORDINANCE TO BE CONSIDERED:

SECTION 5.4b Residential Growth District - Height And Yard Requirements

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

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



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

File Number: ZV18-17
 Staff Initials: GA
 Meeting Date: 10/25/18
 Fees Paid (\$100 or \$150): 100

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: David and Jean Nedorostek
 Mailing Address: 511 Gap View Blvd. Harpers Ferry, WV 25425
 Phone Number: 304-616-1581 Email: dnedorostek@gmail.com

Applicant Contact Information

Name: David Nedorostek
 Mailing Address: (same)
 Phone Number: _____ Email: _____

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

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

Physical Property Details

Physical Address: 511 Gap View Blvd
 City: Harpers Ferry State: WV Zip Code: 25425
 Tax District: 04 Map No: 55 Parcel No: 113
 Parcel Size: .75ac Deed Book: 985 Page No: 347

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

*10/15/18 - JH
- changes*

RECEIVED

SEPT 28 2018 - JH

JEFFERSON COUNTY PLANNING,
 ZONING & ENGINEERING
 Place Received Date Stamp Here

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"/>

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

Is there a Code Enforcement action pending in relation to this property?

Yes

No

Reference the section of the Zoning Ordinance pertaining to this request: 5.4B.1 g)

Briefly describe the nature of the variance request:

The request is to decrease the current setback to 10' so that the home owner can install an inground pool on their property.

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

Front Setback Side Setback Rear Setback Reduction From 12'+20' to 10'

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 proposed pool plan will be enclosed by a 6' privacy fence. The neighboring properties do not have structures near this portion of the property lines so the installation will not affect any neighboring properties.

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?

Due to the location of existing structures on the property, it will not be possible to locate an inground pool on the property if the existing setbacks are utilized.

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

The granting of this variance will allow the homeowners to enhance their property and provide greater backyard enjoyment.

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

Will be applying for building permits and will follow building codes.

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.

David Nedowatek 9/24/18
Signature of Property Owner Date

Jean E. Nedowatek 9/24/18
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).

10/25/18

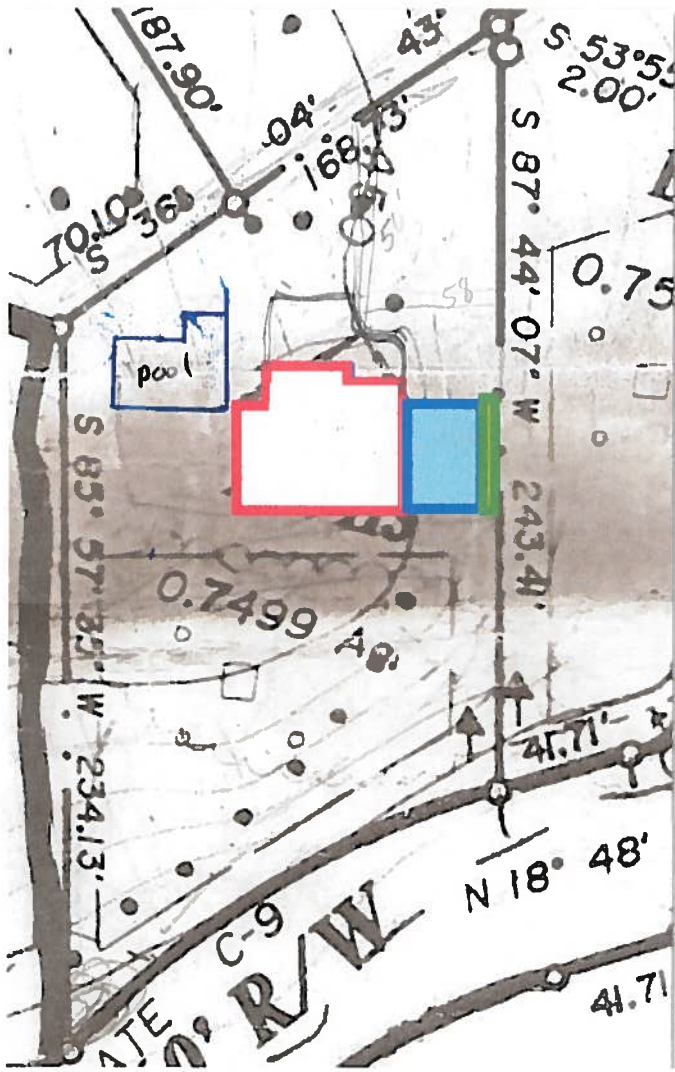
Date of Public Hearing

10/10/18

Advertising Date

10/10/18

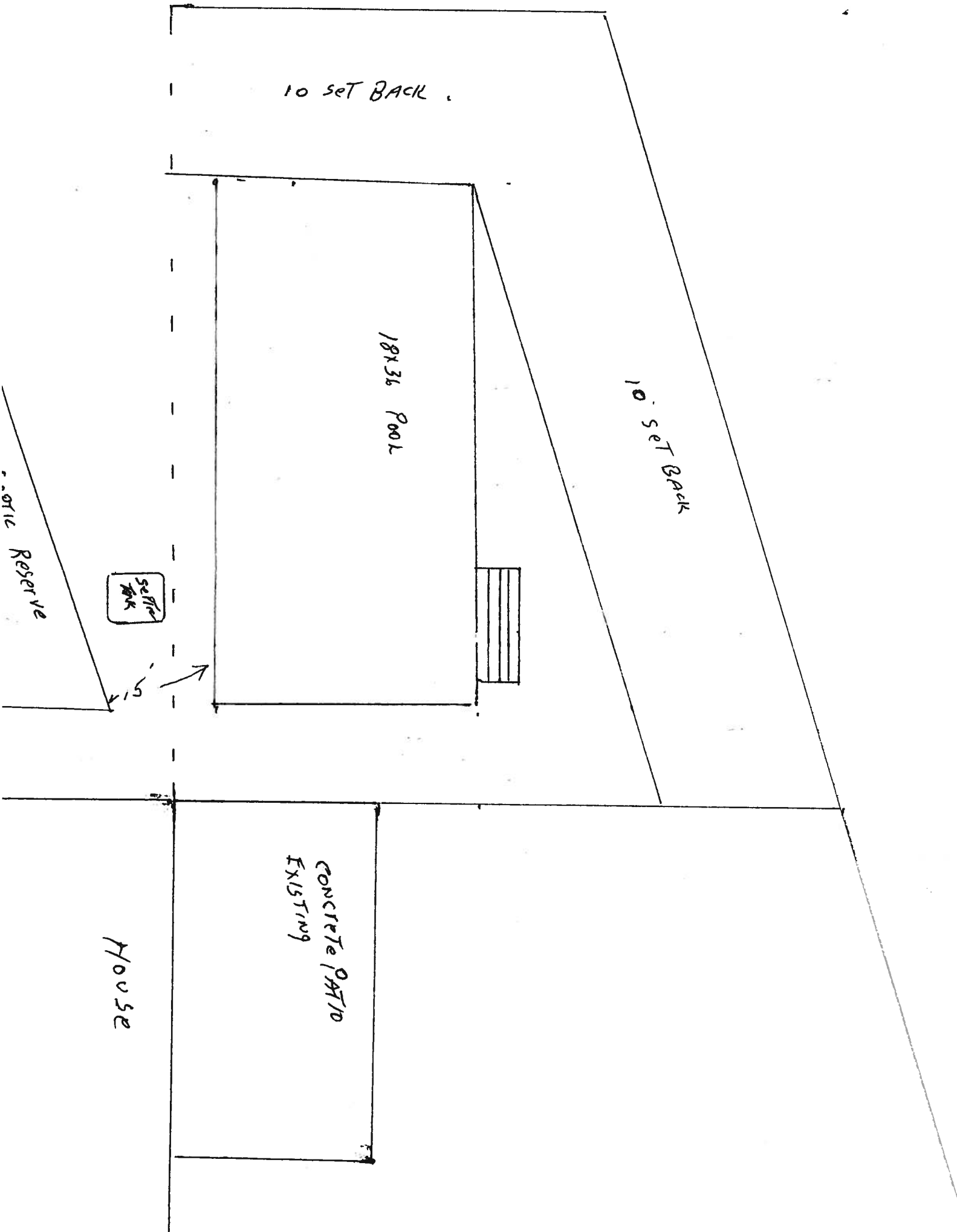
Placard Posting Date



- existing house
- garage addition
- 15 feet to property line per Jeff. Co. code



* NOTE: Due to poor drainage (e.g. standing water) at the other end of property, we are proposing to install an in ground pool in the location on drawing



10 SET BACK

18x36 POOL

Settling Tank

10 SET BACK

10 SET BACK

15'

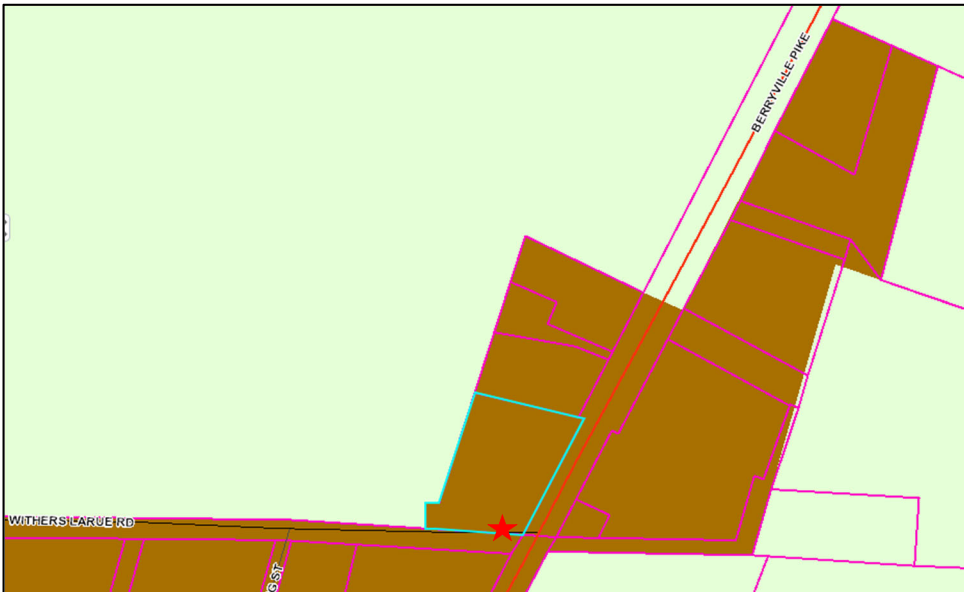
CONCRETE PATIO
EXISTING

House

Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 October 25, 2018

**A-Zone Environmental Services Office
 Conditional Use Permit Request (#CUP18-02)**

Item #4 Request for a Conditional Use Permit to allow a Professional Office as defined in Article 2. The proposal consists of renovating an historic building into a professional office space for up to 12 employees; with approximately 4-6 people working on-site. Office hours: 8:00 am - 4:00 pm. The proposal includes the construction of a 1,188 square foot addition.

Applicant:	Jesse Morgan
Owner:	Wheatlands Property Management LLC
Developer:	Same as Applicant
Consultant:	N/A
Property Location:	2153 Berryville Pike, Charles Town, WV Intersection of Route 340 & Withers Larue Rd, Rippon
Legal Description & Zoning District:	<p style="text-align: center;">District: Kabletown (06); Map: 10A; Parcel: 24 Size: .69 acres; Zone: Village</p> 
Surrounding Properties:	<p style="text-align: center;">Zoning Map Designation:</p> <p style="text-align: center;"><i>North:</i> Village <i>South:</i> Village/Rural <i>East:</i> Village <i>West:</i> Rural</p>
Approvals:	<p>04-21-11: BZA approves CUP for a micro-brewery with tasting room, future pub/restaurant, store, country inn and office. (Z11-01).</p> <p>04-21-11: BZA approves reduction of front yard setback to 8' (ZV11-06).</p> <p>10-18-12: BZA approves 18-extension for the CUP to 06/01/14.</p> <p>10-10-13: BZA approves an amendment to the approved CUP (Z11-01) to add a four unit residential dwelling.</p> <p>ZC13-04: Microbrewery with tasting room, pub-style restaurant serving no more than 200 seats, store, country inn and office and two-family dwelling. Hours of operation are limited to 8:00 am - 12:00 p.m.</p> <p>ZC16-40: Use of mill building as a Farm-Brewery. Use of the house as a two-family dwelling unit.</p>

Staff Report
Jefferson County Board of Zoning Appeals Meeting
October 25, 2018

**A-Zone Environmental Services Office
Conditional Use Permit Request (#CUP18-02)**

Summary of Request and Purpose of Ordinance Requirements

Appendix C of the Zoning Ordinance was recently amended to change all Commercial Uses previously listed as “Not Permitted” in the Village zoning district to “Conditional Use”. Professional Office is now listed as a Conditional Use in the Village zoning district.

The applicant is proposing to renovate an historic building into a professional office space for up to 12 employees; with approximately 4-6 people working on-site. Office hours: 8:00 am - 4:00 pm. The proposal includes the construction of a 1,188 square foot addition.

Article 2 defines Professional Office as “A building used primarily for offices for administrative, executive, professional, research, or similar organizations; and for real estate, advertising, and insurance agencies and similar firms. No merchandise is sold on the premises. An office building may include ancillary services for employees, such as a restaurant or coffee shop. This land use does not include a Medical/Dental/Optical Office.”

Property Description

The subject parcel contains a large home and mill and is surrounded primarily by farmland and residential uses.

Impact on adjacent properties

The surrounding area is a mixture of properties zoned either Village or Rural. Withers Larue Road is reflected as a Minor Collector road on the Roadway Classification Map in the Envision Jefferson 2035 Comprehensive Plan.

The impact on adjacent properties is expected to be minimal since the history of the property appears to have included nonresidential uses. Additionally, the three parcels to the north are all owned by the applicant. Re-development of the site will improve the appearance of the property.

Conditional Use Permit Process

The subject parcel is located in the Village zoning district. Section 5.10.B addresses conditional uses in the Village district:

1. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to the review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.
2. Existing Structures
 - a. Parking, Building Setbacks, Landscaping, and Signage shall be addressed as part of the Conditional Use Permit application. The reduced setbacks requirements cited in Section 5.10A.2(a) and (b) shall apply. In lieu of the standard variance process, any proposed deviation from the required parking, building setbacks, landscaping, and signage standards set forth in this Ordinance shall be included in the Conditional Use Permit application and reviewed for approval by the Board of Zoning Appeals.

The Conditional Use Permit process 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.

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October 25, 2018

**A-Zone Environmental Services Office
Conditional Use Permit Request (#CUP18-02)**

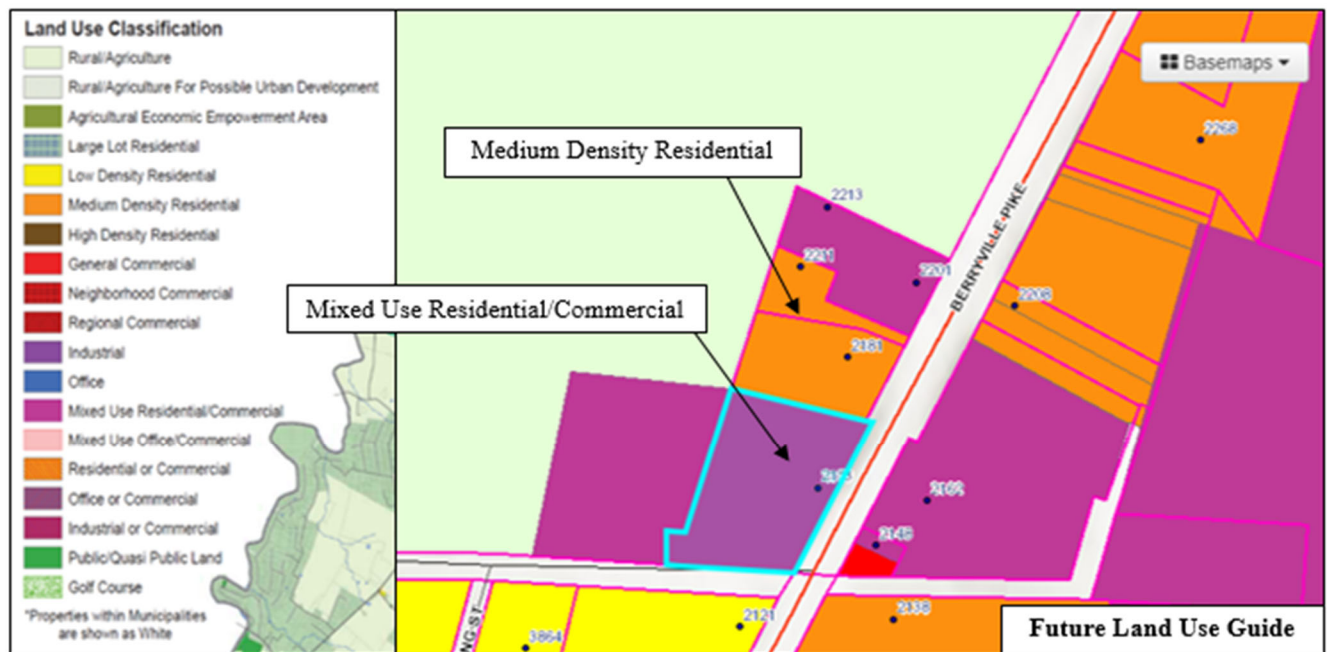
“The Board of Zoning Appeals shall have the authority over the issuance or denial of a conditional use permit for uses listed as “Conditional Uses (CU)” in each zoning district. The Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental 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 “Mixed Use Residential/Commercial” on the Envision Jefferson 2035 Comprehensive Plan’s Future Land Use Guide (see below). The proposed use is compatible with the goals of Envision Jefferson 2035.



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 (Professional Office) is listed as a conditional use in Appendix C of the Zoning Ordinance. The type of use proposed is not an intense use and is not expected to generate excessive traffic.

With regard to public health, safety, and welfare, it is expected that the renovation and maintenance of the historic structure will help prevent the structure from deteriorating and creating a safety hazard.

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**A-Zone Environmental Services Office
Conditional Use Permit Request (#CUP18-02)**

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.

The proposed use is complementary to the overall character of the area. Based on the information provided, the proposed site development will not hinder nor discourage the appropriate development and use of adjacent land and buildings. Revitalization of the structure may help increase property values and encourage future development.

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.

The proposed addition will be 1,188 square feet which meets the “No Site Plan” criteria in the Subdivision Regulations; therefore, if the parking variance is granted, a landscape buffer will not be required. The Board has the discretion to require the landscape buffer or a variation of this standard as they deem fit.

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.

6. Roadway adequacy for proposed land uses in the Rural zoning district.

This property is not located in the Rural zoning district.

7. Historic Landmarks Commission’s Findings related to the proposed land use.

On March 29, 2018 the County Commission adopted a text amendment supporting the preservation of historic sites in the County.

The referenced parcel does not contain any Category I or II historic sites as defined by the Zoning Ordinance; therefore, this criteria does not apply.

Signage

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.

Section 10.4B of the Ordinance states,

“Any exterior signs pertaining to the use conducted on the premises, and which is either integral with or attached to the principal building, shall have a sum total area of no more than two square feet for each foot in length of the frontage of the building. **No sign shall be attached to the side of the building that faces an adjoining residence.**”

The applicant would like the option to affix a hanging sign to the building on the side facing Withers Larue Road. Specific sign designs have not been submitted to our Office; however, the applicant has provided an example of what the proposed sign will look like (see below). It should be noted that depending on how the sign is configured, it will face an adjacent residence either across Berryville Pike or across Withers Larue Road.

Staff Report
Jefferson County Board of Zoning Appeals Meeting
October 25, 2018

**A-Zone Environmental Services Office
Conditional Use Permit Request (#CUP18-02)**



Staff Report
Jefferson County Board of Zoning Appeals Meeting
October 25, 2018

**A-Zone Environmental Services Office
Conditional Use Permit Request (#CUP18-02)**

Section 10.4F of the Ordinance states,

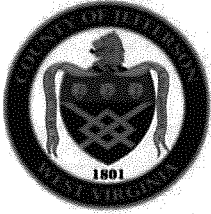
“No outdoor advertising sign shall be placed closer than 300 feet to an intersection on a dual or proposed dual highway or within 100 feet of any other intersection; provided, however, that such signs may be affixed to or located adjacent to a building at such intersections in such a manner as not to 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.”

It appears the applicant will meet the intent of this requirement if the sign is attached to the building. Based on the example provided, it does not appear that the sign would be large enough to obstruct vision of traffic.

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 deviation from this standards in Section 10.4 shall require consideration and approval by the Board of Zoning Appeals as part of the Conditional Use Permit application in accordance with Section 6.3.”

There are no commercial signs in the near vicinity.



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 #: CUP 18-02
 Mtg. Date: 10 / 25 / 18
 Fee Paid: \$ 300.00
 Staff Int.: JH

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
A-Zone Environmental Services Office

Property Owner Information
 Name: Wheatlands Property Management
 Business Name:
 Mailing Address: 600 S Mildred St Charles Town WV 25414 Mail Yes
 Phone Number: 304 839 2263 Email Response: jmorgan@a-zoneenvironmental.com Response: No

Applicant Information
 Name: Jesse Morgan
 Business Name:
 Mailing Address: 600 S Mildred St Charles Town WV 25414 Mail Yes
 Phone Number: 304 839 2263 Email Response: jmorgan@a-zoneenvironmental.com Response: No

Engineer(s), Surveyor(s), or Consultant(s) Information
 Name:
 Business Name:
 Mailing Address: Mail Yes
 Phone Number: Email Response: Response: No

Physical Property Details
 Physical Address: 2155 Berryville Pike Rippon WV 25441
 Tax District: Kabletown (06) Map No: 10A Parcel No: 24
 Parcel Size: 0.69 ac Deed Book: 1127 Page No: 38

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

Name of Road and/or Route Number: Withers Larve Road

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Sketch Plan (see cover sheet for description)

Attached

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

Attached

State the proposed land use as listed in Appendix C and provide a description of the proposed use.

Professional Office. Renovate historic building on corner into a professional office space for up to 12 employees; most often there would be approximately 4-6 people working there. Office hours: 8:00 am - 4:00 pm. There would be an addition on to the back of the property which would increase the building size by 1188 sf.

Please provide any information or known history regarding this property.

The main structure on the property is a pre- Civil War frame house . The building is the dominant structure in the small village of Rippon and has historically had many uses, including a store and serving as the Rippon Post Office for many years.

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*
This project will help to re-vitalize the village of Rippon by providing new jobs, renovating a historic structure, and increasing the tax base.

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*
Office uses will be low impact and create no objectionable sounds, odors, or use of materials that would threaten public or neighbors. Property is located on major county road and use would not result in noticeable increased traffic.

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*

Building improvements will be to rear of existing building. Renovations to property will likely increase adjacent property values.

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*

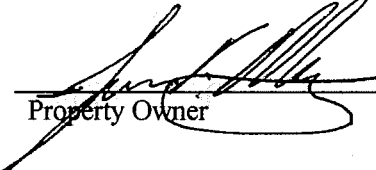
- I am aware of the landscaping buffer requirements and will adhere to them.
- I am aware of the landscaping buffer requirements; however, I may be seeking a variance to modify them.

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

10/4/18
Date

Property Owner
Date

2153 Berryville Pike

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Legend

-  New Addition
-  Rippon



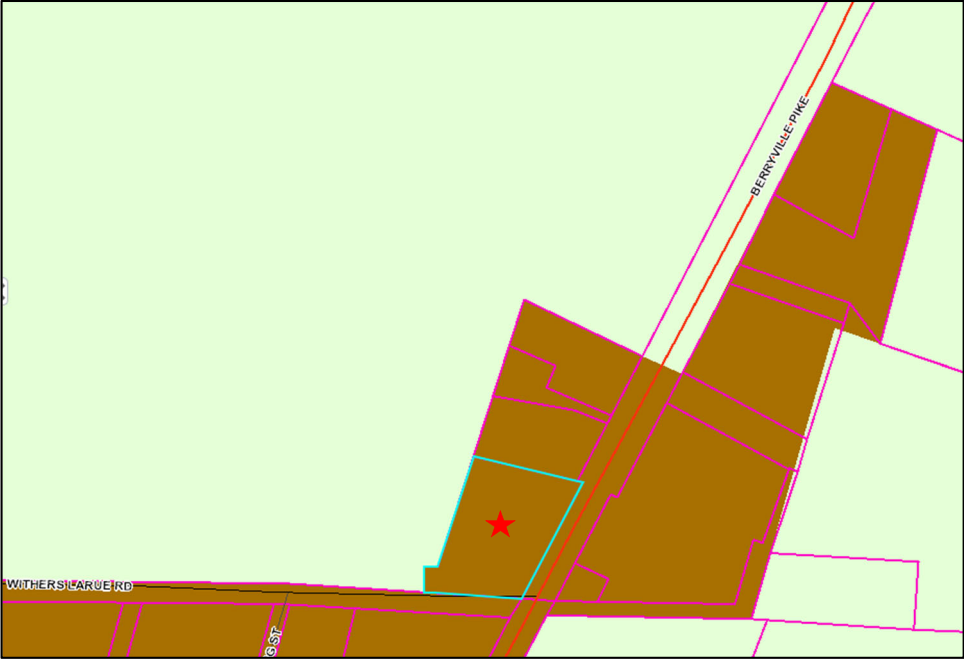
Google Earth

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Staff Report
 Jefferson County Board of Zoning Appeals
 October 25, 2018

A-Zone Environmental Services Office Variance (ZV18-16)

Item #5: Variance from Section 11.1 to reduce the required number of parking spaces for a Professional Office from 10 to 6 spaces.

Applicant:	Jesse Morgan
Owner:	Wheatlands Property Management LLC
Developer:	Same as Applicant
Consultant:	N/A
Property Location:	2153 Berryville Pike, Charles Town, WV Intersection of Route 340 & Withers Larue Rd, Rippon
Legal Description & Zoning District:	<p style="text-align: center;">District: Kabletown (06); Map: 10A; Parcel: 24 Size: .69 acres; Zone: Village</p> 
Surrounding Properties:	<p style="text-align: center;">Zoning Map Designation:</p> <p style="text-align: center;"><i>North:</i> Village <i>South:</i> Village/Rural <i>East:</i> Village <i>West:</i> Rural</p>
Approvals:	<p>04-21-11: BZA approves CUP for a micro-brewery with tasting room, future pub/restaurant, store, country inn and office. (Z11-01).</p> <p>04-21-11: BZA approves reduction of front yard setback to 8' (ZV11-06).</p> <p>10-18-12: BZA approves 18-extension for the CUP to 06/01/14.</p> <p>10-10-13: BZA approves an amendment to the approved CUP (Z11-01) to add a four unit residential dwelling.</p> <p>ZC13-04: Microbrewery with tasting room, pub-style restaurant serving no more than 200 seats, store, country inn and office and two-family dwelling. Hours of operation are limited to 8:00 am - 12:00 p.m.</p> <p>ZC16-40: Use of mill building as a Farm-Brewery. Use of the house as a two-family dwelling unit.</p>

Staff Report
Jefferson County Board of Zoning Appeals
October 25, 2018

A-Zone Environmental Services Office Variance (ZV18-16)

STAFF EVALUATION OF THE REQUEST:

Summary of Request and Purpose of the Ordinance Requirements

The applicant is seeking a variance from Section 11.1 of the Zoning Ordinance to reduce the required number of parking spaces for a proposed Professional Office. The Office will be designed to accommodate up to 12 employees; however, the majority of the time there will be 4-6 employees on site.

The Zoning Ordinance regulates the number of parking spaces and any deviation from the required standard must be approved by the Board of Zoning Appeals. The request before you is to reduce the number of required parking spaces from 10 to 6.

The dimensions and materials for a parking space are regulated by the Subdivision Regulations. The installation of new parking may necessitate processing a Site Plan, unless the applicant can verify that they meet the “No Site Plan” criteria.

The images below are from a site visit and reflect generally where the parking that is shown on the applicant’s sketch is located.



Staff Report
Jefferson County Board of Zoning Appeals
October 25, 2018

A-Zone Environmental Services Office Variance (ZV18-16)

Unique Characteristics of the Property

The subject property is located in the Village zoning district. The property is approximately .69 acres in size and was created prior to the adoption of subdivision and zoning standards.

It may be difficult to install a parking lot to County standards (including stormwater management facilities) due to the size of the parcel and the location of the well and septic areas.



Impact on Adjacent Properties

The existing parking meets setback requirements and the applicant owns the three adjoining parcels to the north as well as the large farm to the west; therefore Staff believes the impact on adjacent properties will be minimal.

Feasibility of complying with the Ordinance by other means

It may be difficult to install parking to County standards due to the size of the lot without encroaching on well and septic areas.

Conditions of Approval

If the variance is granted, a possible condition of approval could be:

- a) No conditions of approval were identified.

Section of Ordinance to be Considered:

Section 11.1 Non-Residential Parking Standards

- A. To decrease congestion, permanent off-street automobile parking space and truck loading space shall be provided for all new structures and uses, and for existing structures or uses that are increased in size by 20 percent or more after adoption of these regulations.

Spaces shall be required per use and are as follows:

Office Building 1 space per 300 square feet floor space



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: ZV18-16
 Staff Initials: JH
 Meeting Date: 10/25/18
 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: Wheatlands Property Management/Jesse Morgan
 Mailing Address: 2181 Berryville Pike, Charles Town, WV
 Phone Number: 304-839-2263 Email: jmorgan@a-zoneenvironmental.com

Applicant Contact Information

Name: Jesse Morgan
 Mailing Address: Same
 Phone Number: Same Email: Same

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

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

Physical Property Details

Physical Address: 2153 Berryville Pike
 City: Charles Town State: WV Zip Code: 25414
 Tax District: Kabletown Map No: 10A Parcel No: 24
 Parcel Size: .69 acres Deed Book: 1127 Page No: 38

Zoning District (please check one)

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

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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: Article 11, Section 11.1

Briefly describe the nature of the variance request:

My wife and I would like to move our Environmental Professional office to the corner house situated on the corner of Route 340 and Withers Larue Road. Wish to reduce the number of required parking spaces from 10 to 6.

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:

This will be a low impact property. Our professional office will not negatively affect the public health, safety, or welfare, rights of the adjacent prperty owners or 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?

A-Zone will have approximately 4 people working full time at this new office space; however most of our work is not local. The majority of the time, there will be at most 4-6 people. We would like a variance so that we do not have to build all the required parking spaces as specified in the ordinances.

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

This variance will eliminate an unnecessary hardship as A-ZOne is a small and disadvantaged business. This would greatly help to reduce the expense of providing parking on top of the building construction costs. Moreover, A-Zone would prefer to have more "greenspace" to enjoy the beauty of the outdoor space.

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

This variance will help support a local small business by helping to control construction costs and stay within budget.

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

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


Signature of Property Owner

10/4/18
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).

10/25/18

Date of Public Hearing

10/10/18

Advertising Date

10/10/18

Placard Posting Date

2153 Berryville Pike

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JEFFERSON COUNTY PLANNING
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Legend

- New Addition
- Rippon



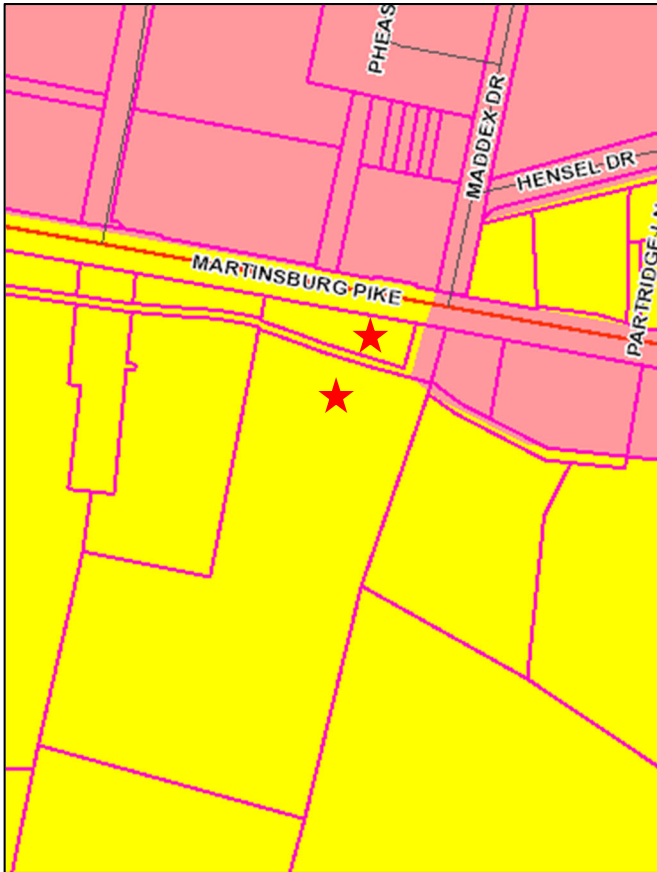
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Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 October 25, 2018

Shepherdstown Volunteer Fire Department Special Exception Request (#SE18-02)

Item #6 Request for a Special Exception Permit for an Electronic Sign. Total Sign Size: 108” W x 69” H, including an LED matrix display area of 96” W x 36” H, to replace an existing sign. Total Sign Height: 11’. The following deviations are proposed: to allow a sign to face a residential structure; and, to allow the sign to remain on continuously (24 hours).

Applicant:	D. Scott Lanham
Owner:	Shepherdstown Volunteer Fire Department
Developer:	N/A
Consultant:	N/A
Property Location:	8052 Martinsburg Pike, Shepherdstown, WV
Legal Description & Zoning District:	<p style="text-align: center;">District: Shepherdstown (09); Map: 8; Parcel: 10.5 Size: ~ 7.14 acres; Zone: Residential Growth</p>  <p style="text-align: center;">★ Subject Parcel is legally one parcel via a boundary line adjustment.</p>
Surrounding Properties:	Zoning Map Designation: North and East: Residential-Light Industrial-Commercial South and West: Residential Growth
History:	Fire Department and Preexisting Sign
Waivers/Variiances:	None
Approved Activity:	Nonconforming Land Use: Sign

Staff Report
Jefferson County Board of Zoning Appeals Meeting
October 25, 2018

Shepherdstown Volunteer Fire Department Special Exception Request (#SE18-02)

Summary of Request

On May 17, 2018 the Jefferson County Commission adopted a text amendment to the Zoning Ordinance which created provisions to allow electronic signs in the County. The new provision requires parcels which are located within the Residential-Growth (RG) zoning district to obtain a Special Exception Permit, subject to approval by the Board of Zoning Appeals.

The proposed electronic sign will be the same size and height and in the same location as the existing sign. As part of the request to install an electronic sign, the applicant is also requesting to allow the sign to face a residential property and to be allowed to keep the sign on 24 hours a day.

Staff Evaluation of the Applicant's Request

Section 6.5B gives the Board the authority to approve a Special Exception permit for an Electronic Sign provided the sign conforms to existing State law and does not have a negative effect on the neighborhood or intent of the Ordinance.

Section 10.5 Signs Requiring a Special Exception Permit states, "Any deviation from the provisions of this section shall require consideration and approval by the Board as part of the Special Exception application." As part of the request, the application would like to deviate from from the following two standards:

Section 10.7I – Electronic signs proposed to locate adjacent to a lot in the Rural, Residential Growth, or Village zoning districts, or adjacent to residential structures in any zoning district, shall be oriented perpendicular to residential frontages. Electronic signs shall not be parallel to any residential structures in any zoning district.

Section 10.7J – Electronic signs adjacent to lots in the Rural, Residential Growth, and Village zoning districts shall automatically shut-off by 10:00 p.m. and shall not turn on until 6:00 a.m.

Adjacent property owners have submitted letters of support for the proposed sign.

Impact on adjacent properties

The impact on adjacent properties should be minimal given that a sign has always existed in this location and the surrounding properties are a combination of commercial and residential uses. There is one residential dwelling unit adjacent to the proposed sign which would seem to be impacted most significantly by the sign. The applicant has provided a letter of support from this neighbor; however, it should be noted that there wasn't information pertaining to the intent to keep the sign on 24-hours, seven days a week. The legal ad that was run in the Spirit of Jefferson stated that the intent was to keep the sign on past 10:00 p.m.

Further, the brightness level for after sunset is 100 nits, which is comparable to a standard TV. It is expected that this brightness level will have minimal impact on traffic and surrounding properties.

Staff Report
Jefferson County Board of Zoning Appeals Meeting
October 25, 2018

Shepherdstown Volunteer Fire Department Special Exception Request (#SE18-02)

SECTION OF ORDINANCE TO BE CONSIDERED:

ARTICLE 10

Section 10.7 Electronic Signs

Electronic Signs are permitted in any commercial and/or industrial district. Electronic Signs located in the Rural, Residential Growth, and Village zoning districts shall process as a Special Exception before the Board of Zoning Appeals per Section 6.5. Any electronic sign accessory to a Conditional Use Permit application shall comply with Section 10.6 and the criteria outlined in this section. When permitted, Electronic Signs shall conform to the following criteria:

- A. The message or image shall be static, displayed for a minimum of 15 seconds and shall not be animated by scrolling, flashing, or other similar non-static displays.
- B. The message or image change shall occur simultaneously for the entire electronic sign face without any special effects. The time to complete the change from one message to the next is a maximum of one second.
- C. Electronic signs shall contain a default mechanism that will cause the sign to revert immediately to a black screen if a malfunction occurs.
- D. An electronic sign may not be animated, play video or audio messages, or blink in any manner.
- E. Electronic signs shall not exceed a maximum illumination of 3,000 nits during daylight hours and a maximum of 100 nits for the time period between ½ hour before sunset and ½ hour after sunrise as measured from the sign's face at maximum brightness.
 - 1. The applicant shall provide written certification from the sign manufacturer that the light intensity has been factory preset not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password protected software or other appropriate methods.
 - 2. The change from 3,000 nits to 100 nits shall be controlled by an automatic dimmer control system.
- F. There shall be only one electronic sign on each parcel of land. Off-premises electronic signs shall be subject to Section 10.5A.
 - 1. Community announcements, emergency alerts, weather, and time related messages are generally permitted and shall not be considered an off-premises sign.
- G. Electronic Signs shall not be located within 300 feet of a traffic light.
- H. Electronic signs shall not be located within 200 feet of the property line of a parcel with a residential structure. This setback does not apply to mixed-use buildings or residential structures located on the same parcel as a commercial development.
- I. Electronic signs proposed to locate adjacent to a lot in the Rural, Residential Growth, or Village zoning districts, or adjacent to residential structures in any zoning district, shall be oriented perpendicular to residential frontages. Electronic signs shall not be parallel to any residential structures in any zoning district.
- J. Electronic signs adjacent to lots in the Rural, Residential Growth, and Village zoning districts shall automatically shut-off by 10:00 p.m. and shall not turn on until 6:00 a.m.

Electronic signs shall be FCC certified as required by Federal Law. A valid copy of the FCC Manufacturers Testing Certificate shall be submitted to the Office of Planning and Zoning as part of the Zoning Certificate application.



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

File Number: SE 18-02

Fee Paid: \$ 100

Mtg. Date: 10/25/18

Staff Initials: gt

Email: zoning@jeffersoncountywv.org

Phone: 304-728-3228

Application for Special Exception

The Special Exception process is outlined in Article 6 of the Zoning Ordinance.

See Supplemental Handout for additional information.

Type of Special Exception

Accessory Dwelling Unit Outdoor Advertising Sign Rural Reception / Event Facility

Property Owner Information

Name: Shepherdstown Fire Department
Business Name: Shepherdstown Fire Department
Mailing Address: P.O. Box F, Shepherdstown, West Virginia 25443
Phone Number: (304) 876-2311 Email: _____

Applicant's Information

Applicant Name: D. Scott Lanham
Business Name: Shepherdstown Fire Department
Mailing Address: P.O. Box F, Shepherdstown, West Virginia 25443
Phone Number: (304) 876-2311 Email: _____

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

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

Physical Property Details

Physical Address: 8052 Martinsburg Pike, Shepherdstown, West Virginia 25443
Tax District: Shepherdstown District Map No: 8 Parcel No: 10.5
Parcel Size: +/- 7.14 acres Deed Book: 971 Page No: 182

Zoning Designation

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

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How is the property currently used?

Property's use is currently Public/Quasi-Public. Property contains volunteer fire department.

Please provide any information or known history regarding this property (ex: previous zoning certificate, site plan, subdivision, variance, etc.).

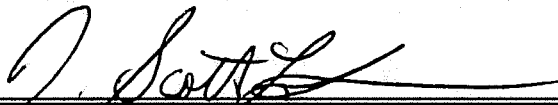
Property has been used as a Public Safety Facility for volunteer fire department since 1989. Current sign was approved by Jefferson County Improvement Location Permit #07-521.

Give a brief description of your proposal (include separate sheet of paper if necessary)

Proposal is to install electronic sign in place of current sign. Proposed electronic sign to be the same size, at the same height, and in the same location as the current sign. Sign shall be used to provide road warning messages; community health and safety messages; County, State, and Federal messaging; emergency alerts; community announcements and events, and similar information for the benefit of the public. See attached.

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 of all property owners is required. Attach additional signature page if needed. The information given is correct to the best of my knowledge.

 3/01/13

Signature of Property Owner 1 Date

Signature of Property Owner 2 Date

Section 10.7 - Electronic Signs
Electronic Signs Supplemental Requirements
Jefferson County Zoning and Land Development Ordinance, as amended May 18, 2018

The requirements for Electronic Signs are established in Section 10.7 of the Zoning Ordinance. Electronic Signs are permitted in any commercial and/or industrial district. **Electronic Signs located in the Rural, Residential Growth, and Village zoning districts shall process as a Special Exception before the Board of Zoning Appeals per Section 6.5.** Any electronic sign accessory to a Conditional Use Permit application shall comply with Section 10.6 and the criteria outlined in this section. When permitted, Electronic Signs shall conform to the following criteria:

Property Owner(s) Name: Shepherdstown Fire Department
Property's Physical Address: 8052 Martinsburg Pike, Shepherdstown, WV 25443
Business Name: Shepherdstown Fire Department
Tax District: Shepherdstown **Tax Map #:** 8 **Parcel #:** 10.5
Zoning District: Residential Growth

General Provisions

Please note the following provisions and requirements as outlined in Section 10.2 of the Zoning Ordinance:

- No sign erected before the enactment of this Ordinance shall be structurally altered or moved except in accordance with this Ordinance.
- No signs, other than subdivision signs approved by the Planning Commission, shall be located in the right-of-way of any road or on any slope or drainage easement for such road within any stormwater, drainage, or utility easement.
- No sign shall be permitted which imitates or which resembles an official traffic control device, railroad sign or signal, or which hides from view or interferes with the effectiveness of an official traffic control device or any railroad sign, signal, or traffic sight lines.
- No sign which implies the need or requirement of stopping or this existence of danger shall be displayed.
- No sign shall be placed on rocks, trees, or on poles maintained by public utilities.
- No sign shall be permitted which becomes unsafe or endangers the safety of the building, premises, or persons and unless maintained in a good general condition.
- No sign shall be permitted which contains statements, words or pictures of an obscene, indecent, or immoral character.
- Illuminated signs shall be so constructed as to avoid glare or reflection of any portion of an adjacent highway or residential building.
- Animated signs, Inflatable signs, and Vehicle signs as defined by Section 2.2, are prohibited.

Electronic Signs – General Standards

An Electronic Sign is defined as, "A sign utilizing lights that change to form a static message or graphic wherein the sequence of messages and rate of change is electronically programmed."

The standards for Electronic Signs are outlined in Section 10.7 of the Zoning Ordinance.

- The message or image shall be static, displayed for a minimum of 15 seconds and shall not be animated by scrolling, flashing, or other similar non-static displays.

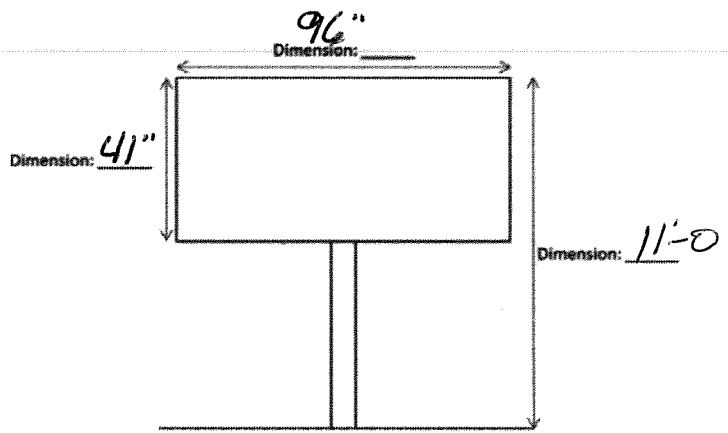
- The change shall occur simultaneously for the entire electronic sign face without any special effects. The time to complete the change from one message to the next is a maximum of one second.
- Shall contain a default mechanism to revert immediately to a black screen if a malfunction occurs.
- An electronic sign may not be animated, play video or audio messages, or blink in any manner.
- Maximum illumination: 3,000 nits during daylight hours and 100 nits for the time period between ½ hour before sunset and ½ hour after sunrise as measured from the sign's face at maximum brightness.
 1. The applicant shall provide written certification from the sign manufacturer that the light intensity has been factory preset not to exceed the levels specified above, and the intensity level is protected from end-user manipulation by password protected software or other appropriate methods.
 2. The change from 3,000 nits to 100 nits shall be controlled by an automatic dimmer control system.
- There shall be only one electronic sign on each parcel of land. Off-premises are subject to Section 10.5A.
- Electronic signs shall not be located within 300 feet of a traffic light.
- Electronic signs shall not be located within 200 feet of the property line of a parcel with a residential structure (excluding mixed-use buildings or mixed-use development).
- Electronic signs proposed to locate adjacent to a lot in the Rural, Residential Growth, and Village zoning districts shall automatically shut-off by 10:00 p.m. and shall not turn on until 6:00 a.m.

Electronic signs shall be FCC certified as required by Federal Law.

- Copy of Sign Manufacturer Certification
- Copy of FCC Manufacturers Testing Certificate

Location and Dimensions of Sign

Provide a sketch depicting the shape of the entire lot, adjacent roads, and existing structures. Show the location of the proposed sign and the distance to each property line. If known, include an image of the sign. Provide the following dimensions:



I certify that the sign shall adhere to the requirements of Sections 10.2 and 10.7 as outlined above.

D. Scott Lawham [Signature] 8/01/18
 Printed Name Signature Date

WF

WILLIAMS FORD

Personal Injury Law

October 9, 2018

RECEIVED

OCT 09 2018

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

Jennifer M. Brockman, AICP, County Planner
Alexandra Beaulieu, Zoning Administrator
Jefferson County Department of Engineering, Planning, and Zoning
Office of Planning and Zoning
116 East Washington Street, Suite 200
Charles Town, WV 25414

RE: Shepherdstown Fire Department
Application for Special Exception

Dear Ms. Brockman and Ms. Beaulieu:

I represent the Shepherdstown Fire Department. Last week, I submitted an Application for Special Exception along with all required attachments. It is my understanding that the Board of Zoning Appeals is able to consider deviations from the Ordinance as part of the Special Exception process. Please be advised that Shepherdstown Fire Department kindly asks for two deviations as part of our Application.

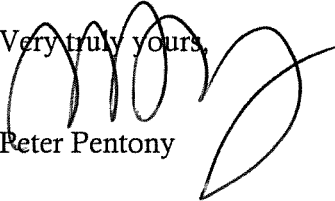
First, we ask that the Board deviate from the requirement contained in Section 10.7.I., concerning orientation of the sign with respect to residential frontages. The Ordinance seems to say that signs shall be oriented perpendicularly to adjacent residential frontages; however, it also says that signs shall not be parallel to any residential structures. The sign proposed by Shepherdstown Fire Department is oriented perpendicularly to the front of the residential property adjacent to the Shepherdstown Fire Department, but parallel to its side. The residential property is owned by Mark and Elaine Dorosh, and they have signed a statement in support of the sign. The statement is attached to the Application for Special Exception. We kindly ask for a deviation to allow for the orientation of the sign as proposed.

Second, we ask that the Board deviate from the requirement contained in Section 10.7.J., concerning automatic shut-off times. There are several electronic signs near the Shepherdstown Fire Department's proposed sign which are used purely for advertising and have no time limitations, such as the ones at Jefferson Security Bank and Quality Inn. In contrast, the Fire Department's sign will feature public safety information as well as notification when emergency equipment is exiting the Fire Department property. This use of the sign will benefit the public at all hours. We thus respectfully request a deviation to allow for use of the sign 24 hours per day.

Barbara S. Williams ♦ Cory R. Ford

Please do not hesitate to contact me if you need any further information or have questions about the application and this request for deviation.

Thank you very much.

Very truly yours,

Peter Pentony

cc: D. Scott Lanham, Shepherdstown Fire Department

Shepherdstown Fire Department
Electronic Sign Special Exception Permit Application

Attachment 1 – Shepherdstown Fire Department
Description of Proposal



SHEPHERDSTOWN FIRE DEPARTMENT, INC.

8052 Martinsburg Pike • PO Box F • Shepherdstown, WV 25443
(304)876-2311 • www.shepherdstownfiredepartment.com

August 29, 2017

Shepherdstown Fire Department
Marshall DeMeritt, EMS Chief
8052 Martinsburg Pike
PO Box F, Shepherdstown, WV 25443
304-876-2311 (Station)
540-742-8190 (Cell)

To Whom It May Concern;

Founded in 1792, for over 225 years the volunteers of the Shepherdstown Fire Department have answered the call of community service to Jefferson County. Each year the amount of training required increases, the call volume increases, and the amount of money needed to support the organization increases. Despite it all, our dedicated volunteers continue to do whatever they can to provide "Our Best Possible Service, on Our Customers Worst Day."

In early 2017 the department membership turned their attention internally to make necessary improvements to our aging firehouse. These improvements included upgrades to the electrical system, parking lot maintenance, a new alerting system, HVAC repairs, mold mitigation, and a state-of-the-art LED road sign to encourage community activism, partnership, and communications. A LED sign is a huge financial investment, and the membership of the Fire Department recognizes the tremendous positive impact this communications device can have on our community. The department intends to use the sign in the following ways, with the following positive outcomes:

- **Road Warning Messages** of apparatus leaving the building: For as long as we've been in our location we have fought oncoming Rt. 45 traffic when leaving the firehouse. With a relay link from our alerting system to the LED sign, we will be able to warn oncoming traffic of emergency apparatus leaving the building making a safer environment for us, and them.
- **Community Health/Safety Messages:** we pride ourselves in being a pillar of the community. Part of this obligation is promoting fire safety, and general good health practices. This sign will allow us to focus messaging on improving the health and well-being of our community through messaging. In data collected by the Office of the National Coordinator for Health IT, 94% of respondents reported that they have made positive life changes as the result of relevant health messaging such as we will provide on our sign.
- **County, State and Federal Messaging:** with the increase in amber alerts, silver alerts, and national incidents, the "northern" end of the county has no general messaging features like the eastern and southern ends do. We will utilize our signage to promote amber alerts, silver alerts, signing up for Jefferson County's Nixle – anything that promotes a safe community, and contributes to the department's mission of effective communications without community. This includes partnerships with other community organization to promote their service activities.
- **Event Promotion:** the use of the sign will help us promote our fundraising events, community service events, and health and safety events. Currently we rely more on word of mouth, and paid advertising. This new sign will allow us to promote community events more effectively, drawing larger crowds to support our fundraiser events, and drawing larger crowds to our safety and health campaign events.

Included here are just four examples of the benefits this sign will provide for the Shepherdstown community, and our department. Research suggests that this type of signage is a cost effective, flexible and efficient method of sharing your messaging with the community. The fire department needs a better method of community messaging, and this sign provides us that opportunity. On behalf of the membership of the Shepherdstown Fire Department, we respectfully ask for your full consideration and authorization to proceed with making an investment into the community in this way.

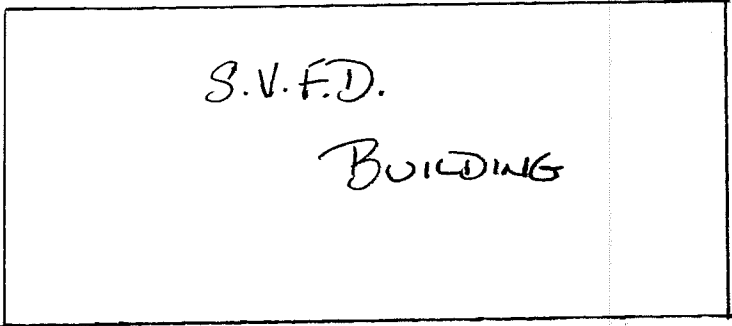
Respectfully,

Marshall D. DeMeritt, MS, IMC, NREMT
EMS Chief

— Over 200 Years of Service by Trained Volunteers —

Shepherdstown Fire Department
Electronic Sign Special Exception Permit Application

Attachment 2 – Sketch of shape and location of lot
with setback measurements



← J.S.B. PROPERTY LINE

EXISTING/NEW SIGN LOCATION

133'-0"

44'-0"

WHITE LINE

RTE. 45

Shepherdstown Fire Department
Electronic Sign Special Exception Permit Application

Attachment 3 – Diagram showing
dimensions of proposed sign

1" diameter red LED tubing

Watchfire 16mm ultra-high-res LED display with 18 Quadrillion shades of color and 54 x 144 LED matrix creating a full 36" h x 96" w display area.

internally illuminated main l.d. sign



Designed, manufactured, and installed as shown above: \$34,380.00 (no tax included)
Permits, inspections, and related fees by customer. 2) 120V / 20AMP circuits to location by others.
2 year parts and labor warranty on entire sign / 5 year limited warranty on LED display and electronics.

kensign.com | electricsignpros.com



Approved by: _____
Printed: _____
Title: _____
Date: _____

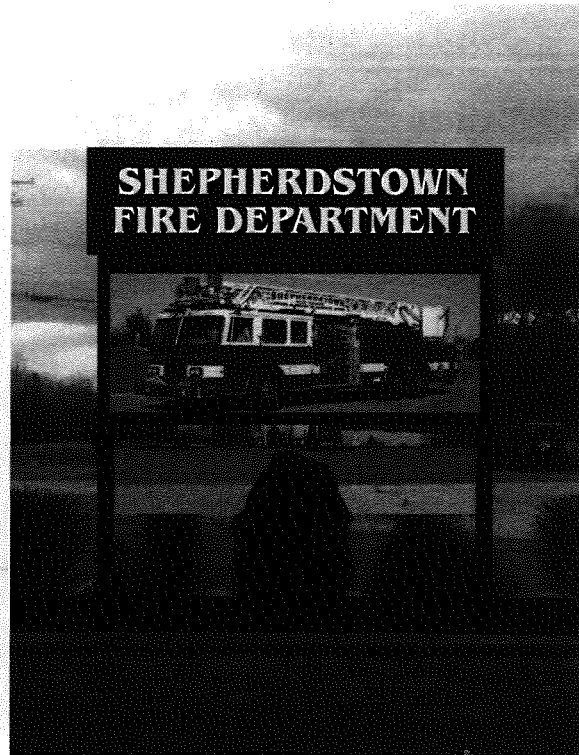


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Shepherdstown Fire Department
Electronic Sign Special Exception Permit Application

Attachment 4 – Comparison of current sign and
proposed sign



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Approved by: _____
Printed: _____
Title: _____
Date: _____



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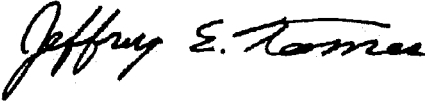
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Shepherdstown Fire Department
Electronic Sign Special Exception Permit Application

Attachment 5 – FCC Manufacturer's
Testing Certificate

Test Report for the Watchfire Signs, Model W16J (MB 5046), Sign

1.0 ADMINISTRATIVE DATA

<i>Equipment Under Test:</i> A Watchfire Signs, Sign Model: W16J (MB 5046) Serial Number: None This will be referred to as the EUT in this Report	
<i>Date EUT Received at Radiometrics:</i> March 22, 2013	<i>Test Date(s):</i> March 22, 2013
<i>Test Report Written By:</i> Jeffrey E. Tomes Senior EMC Technician	<i>Test Witnessed By:</i> Jesse White Watchfire Signs
<i>Radiometrics' Personnel Responsible for Test:</i>  04/12/13 Date	<i>EUT Checked By:</i> Jesse White Watchfire Signs
Jeffrey E. Tomes Senior EMC Technician	

2.0 TEST SUMMARY AND RESULTS

The EUT (Equipment Under Test) is a Watchfire Signs Sign, Model W16J (MB 5046). The EUT was tested with 3 different 120 VAC power supplies. Detailed test results are presented in a separate section. The following is a summary of the test results.

Emissions Tests Results

Environmental Phenomena	Frequency Range	Basic Standard	Test Level	Test Result
Conducted Emissions, AC Mains	0.15-30 MHz	EN 55022	Class A	Pass
RF Radiated Emissions	30-2000 MHz	EN 55022	Class A	Pass
Conducted Emissions, AC Mains	0.15-30 MHz	FCC Part 15	Class A	Pass Note 1
RF Radiated Emissions	30-2000 MHz	FCC Part 15	Class A	Pass Note 1

Note 1: Neither ANSI C63.4-2009 nor the FCC part 15 rules define how to apply measurement uncertainty for compliance determination. Therefore, the uncertainty listed in section 13.2.1 was not considered when applying this Pass/Fail judgment.

The test results conform to ICES-003: 2012 Digital Apparatus (Industry Canada) using ANSI C63.4-2009 as the test procedures.

**Shepherdstown Fire Department
Electronic Sign Special Exception Permit Application**

Attachment 6 – Sign Manufacturer’s Certification

September 26, 2018

Subject: Shepherdstown Fire Department

Watchfire full color led signs are designed for a maximum day brightness of 10,000 NITs and a maximum night brightness of 750 NITs. (adjustable to any value). Typical brightness is 30% of maximum depending on the message content. A nit is a measure of luminance and normally used to express the brightness of LEDs.

Watchfire signs offers zoning friendly software to comply with local codes. Upon request the software can be preset to match the brightness, hold time, and transition settings mandated by those codes. The proposed led sign for Shepherdstown Fire Department, located 8052 Martinsburg Pike, will be factory configured for a maximum day brightness of 3000 Nits, 100 from dusk to dawn. The software can be configured for instantaneous changes between frames (no special effects) and hold times not less than 15 seconds, eliminating the possibility of displaying graphics and animations.

Brightness settings are password protected, require the assistance of Watchfire technical support to adjust. In case of a major malfunction, all Watchfire displays are designed to go "black" until the failure has been resolved.

Watchfire is Not responsible for improper use and setting adjustments that do not match that of local sign codes.

Brightness Controls

- The Watchfire led sign software uses what is referred to as a software photocell and relies on zip code location of the sign to determine the longitude and latitude. The sign is appropriately dimmed or brightened based around seasonally adjusted sunrise and sunset times.
- An actual photocell is available to control brightness. When present the photocell takes priority over the software photocell. It responds to actual light conditions.

Thank you,

Ray Digby

ray.digby@watchfiresigns.com

Phone: (800) 637-2645

Shepherdstown Fire Department
Electronic Sign Special Exception Permit Application

Attachment 7 – Statements of support from
adjacent property owners

To Whom It May Concern:

My name is Jeffrey Kellogg.

I am the owner/tenant of property located at 45 Maddox Dr.
Shepherdstown WV (across the street).

I have been informed that the Shepherdstown Fire Department proposes to install a lighted sign constructed and installed by Kenney Signs. I have reviewed the plans for the sign, a copy of which are attached.

I have further been informed that the Shepherdstown Fire Department intends to use the sign to display Road Warning Messages, Community Health/Safety Messages, County/State/Federal Messaging, and Event Promotion. EMS Chief Marshall DeMeritt's letter about this was provided to me and a copy is attached.

I have had an opportunity to discuss this matter with members of the Shepherdstown Fire Department, to ask questions, and to learn about the plans for the sign.

I DO NOT object to the Shepherdstown Fire Department's plan to install the lighted sign.

I DO object to the Shepherdstown Fire Department's plan to install the lighted sign.

COMMENTS: If you want to put up a sign,
go right ahead!

I consent to this letter being provided to the Jefferson County Commission, the Jefferson County Planning Commission, the Jefferson County Board of Zoning Appeals, and/or any other governmental organization.

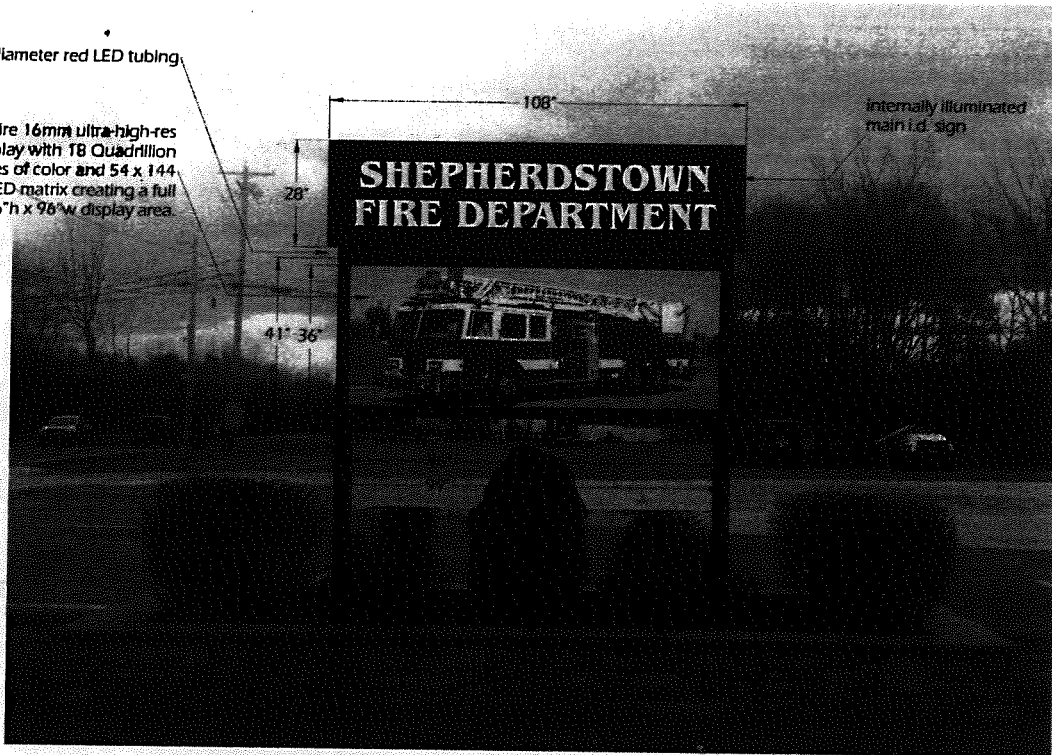
Jeffrey Kellogg
Signature

10/12/17
Date

1" diameter red LED tubing

Watchfire 16mm ultra-high-res LED display with 18 Quadrillion shades of color and 54 x 144 LED matrix creating a full 36" h x 96" w display area.

internally illuminated main i.d. sign



Designed, manufactured, and installed as shown above: \$34,380.00 (no tax included)
Permits, inspections, and related fees by customer. 2) 120V / 20AMP circuits to location by others.
2 year parts and labor warranty on entire sign / 5 year limited warranty on LED display and electronics.

kensign.com | electricsignpros.com



Approved by: _____
Printed: _____
Title: _____
Date: _____



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(304)876-2311 • www.shepherdstownfiredepartment.com

August 29, 2017

Shepherdstown Fire Department
Marshall DeMeritt, EMS Chief
8052 Martinsburg Pike
PO Box F, Shepherdstown, WV 25443
304-876-2311 (Station)
540-742-8190 (Cell)

To Whom It May Concern;

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- **Road Warning Messages** of apparatus leaving the building: For as long as we've been in our location we have fought oncoming Rt. 45 traffic when leaving the firehouse. With a relay link from our alerting system to the LED sign, we will be able to warn oncoming traffic of emergency apparatus leaving the building making a safer environment for us, and them.
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Respectfully,

Marshall D. DeMeritt, MS, IMC, NREMT
EMS Chief

To Whom It May Concern:

My name is Katrina E. Taylor.

I am the owner/tenant of property located at 80 Madbix Drive.
Executive Director Canterbury Center.

I have been informed that the Shepherdstown Fire Department proposes to install a lighted sign constructed and installed by Kenney Signs. I have reviewed the plans for the sign, a copy of which are attached.

I have further been informed that the Shepherdstown Fire Department intends to use the sign to display Road Warning Messages, Community Health/Safety Messages, County/State/Federal Messaging, and Event Promotion. EMS Chief Marshall DeMeritt's letter about this was provided to me and a copy is attached.

I have had an opportunity to discuss this matter with members of the Shepherdstown Fire Department, to ask questions, and to learn about the plans for the sign.

X I DO NOT object to the Shepherdstown Fire Department's plan to install the lighted sign.

 I DO object to the Shepherdstown Fire Department's plan to install the lighted sign.

COMMENTS: _____

I consent to this letter being provided to the Jefferson County Commission, the Jefferson County Planning Commission, the Jefferson County Board of Zoning Appeals, and/or any other governmental organization.


Signature

10/12/2017
Date

1" diameter red LED tubing

Watchfire 16mm ultra-high-res LED display with 18 Quadrillion shades of color and 54 x 144 LED-matrix creating a full 36" h x 96" w display area.

internally illuminated main l.d. sign



Designed, manufactured, and installed as shown above: \$34,380.00 (no tax included)
Permits, inspections, and related fees by customer. 2) 120V / 20AMP circuits to location by others.
2 year parts and labor warranty on entire sign / 5 year limited warranty on LED display and electronics.

kensign.com | electricssignpros.com



Approved by: _____
Printed: _____
Title: _____
Date: _____



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Marshall DeMeritt, EMS Chief
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Respectfully,

Marshall D. DeMeritt, MS, IMC, NREMT
EMS Chief

— Over 200 Years of Service by Trained Volunteers —

To Whom It May Concern:

My name is THOMAS P. MAIDEN JR.

I am the owner/tenant of property located at INSURANCE OFFICERS
7866 MARTINSBURG PIKE, SHEPHERDSTOWN WV
25443

I have been informed that the Shepherdstown Fire Department proposes to install a lighted sign constructed and installed by Kenney Signs. I have reviewed the plans for the sign, a copy of which are attached.

I have further been informed that the Shepherdstown Fire Department intends to use the sign to display Road Warning Messages, Community Health/Safety Messages, County/State/Federal Messaging, and Event Promotion. EMS Chief Marshall DeMeritt's letter about this was provided to me and a copy is attached.

I have had an opportunity to discuss this matter with members of the Shepherdstown Fire Department, to ask questions, and to learn about the plans for the sign.

T.P.M. I DO NOT object to the Shepherdstown Fire Department's plan to install the lighted sign.

_____ I DO object to the Shepherdstown Fire Department's plan to install the lighted sign.

COMMENTS: _____

I consent to this letter being provided to the Jefferson County Commission, the Jefferson County Planning Commission, the Jefferson County Board of Zoning Appeals, and/or any other governmental organization.

Thomas P. Maiden Jr.
Signature

12 October 2017
Date

1" diameter red LED tubing

Watchfire 16mm ultra-high-res LED display with 19 Quadrillion shades of color and 54 x 144 LED matrix creating a full 36" h x 96" w display area.

internally illuminated main l.d. sign



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Printed: _____
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Date: _____



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Respectfully,

Marshall D. DeMeritt, MS, IMC, NREMT
EMS Chief

To Whom It May Concern:

My name is BRIAN PALANK

I am the owner/tenant of property located at 37 MADDEX DRIVE

I have been informed that the Shepherdstown Fire Department proposes to install a lighted sign constructed and installed by Kenney Signs. I have reviewed the plans for the sign, a copy of which are attached.

I have further been informed that the Shepherdstown Fire Department intends to use the sign to display Road Warning Messages, Community Health/Safety Messages, County/State/Federal Messaging, and Event Promotion. EMS Chief Marshall DeMeritt's letter about this was provided to me and a copy is attached.

I have had an opportunity to discuss this matter with members of the Shepherdstown Fire Department, to ask questions, and to learn about the plans for the sign.

I DO NOT object to the Shepherdstown Fire Department's plan to install the lighted sign.

I DO object to the Shepherdstown Fire Department's plan to install the lighted sign.

COMMENTS: I AM PRESIDENT OF MADDEX
PROFESSIONAL Center OWNERS ASSN.
WE SUPPORT FIRE Dept's PROPOSAL FOR SIGN

I consent to this letter being provided to the Jefferson County Commission, the Jefferson County Planning Commission, the Jefferson County Board of Zoning Appeals, and/or any other governmental organization.

[Signature]
Signature

10/10/12
Date

1" diameter red LED tubing

Watchfire 16mm ultra-high-res LED display with 18 Quadrillion shades of color and 54 x 144 LED matrix creating a full 36" h x 96" w display area

Internally illuminated main l.d. sign



Designed, manufactured, and installed as shown above: \$34,380.00 (no tax included)
Permits, inspections, and related fees by customer. 2) 120V / 20AMP circuits to location by others.
2 year parts and labor warranty on entire sign / 5 year limited warranty on LED display and electronics.

kensign.com | electricignpros.com



Approved by: _____
Printed: _____
Title: _____
Date: _____



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SHEPHERDSTOWN FIRE DEPARTMENT, INC.

8052 Martinsburg Pike • PO Box F • Shepherdstown, WV 25443
(304)876-2311 • www.shepherdstownfiredepartment.com

August 29, 2017

Shepherdstown Fire Department
Marshall DeMeritt, EMS Chief
8052 Martinsburg Pike
PO Box F, Shepherdstown, WV 25443
304-876-2311 (Station)
540-742-8190 (Cell)

To Whom It May Concern;

Founded in 1792, for over 225 years the volunteers of the Shepherdstown Fire Department have answered the call of community service to Jefferson County. Each year the amount of training required increases, the call volume increases, and the amount of money needed to support the organization increases. Despite it all, our dedicated volunteers continue to do whatever they can to provide "Our Best Possible Service, on Our Customers Worst Day."

In early 2017 the department membership turned their attention internally to make necessary improvements to our aging firehouse. These improvements included upgrades to the electrical system, parking lot maintenance, a new alerting system, HVAC repairs, mold mitigation, and a state-of-the-art LED road sign to encourage community activism, partnership, and communications. A LED sign is a huge financial investment, and the membership of the Fire Department recognizes the tremendous positive impact this communications device can have on our community. The department intends to use the sign in the following ways, with the following positive outcomes:

- **Road Warning Messages** of apparatus leaving the building: For as long as we've been in our location we have fought oncoming Rt. 45 traffic when leaving the firehouse. With a relay link from our alerting system to the LED sign, we will be able to warn oncoming traffic of emergency apparatus leaving the building making a safer environment for us, and them.
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Respectfully,

Marshall D. DeMeritt, MS, IMC, NREMT
EMS Chief

— Over 200 Years of Service by Trained Volunteers —

To Whom It May Concern:

My name is Mark & Elaine Dorosh

I am the owner/tenant of property located at 8074 Martinsburg Pike, Shepherdstown, WV 25443.

I have been informed that the Shepherdstown Fire Department proposes to install a lighted sign constructed and installed by Kenney Signs. I have reviewed the plans for the sign, a copy of which are attached.

I have further been informed that the Shepherdstown Fire Department intends to use the sign to display Road Warning Messages, Community Health/Safety Messages, County/State/Federal Messaging, and Event Promotion. EMS Chief Marshall DeMeritt's letter about this was provided to me and a copy is attached.

I have had an opportunity to discuss this matter with members of the Shepherdstown Fire Department, to ask questions, and to learn about the plans for the sign.

/ I DO NOT object to the Shepherdstown Fire Department's plan to install the lighted sign.

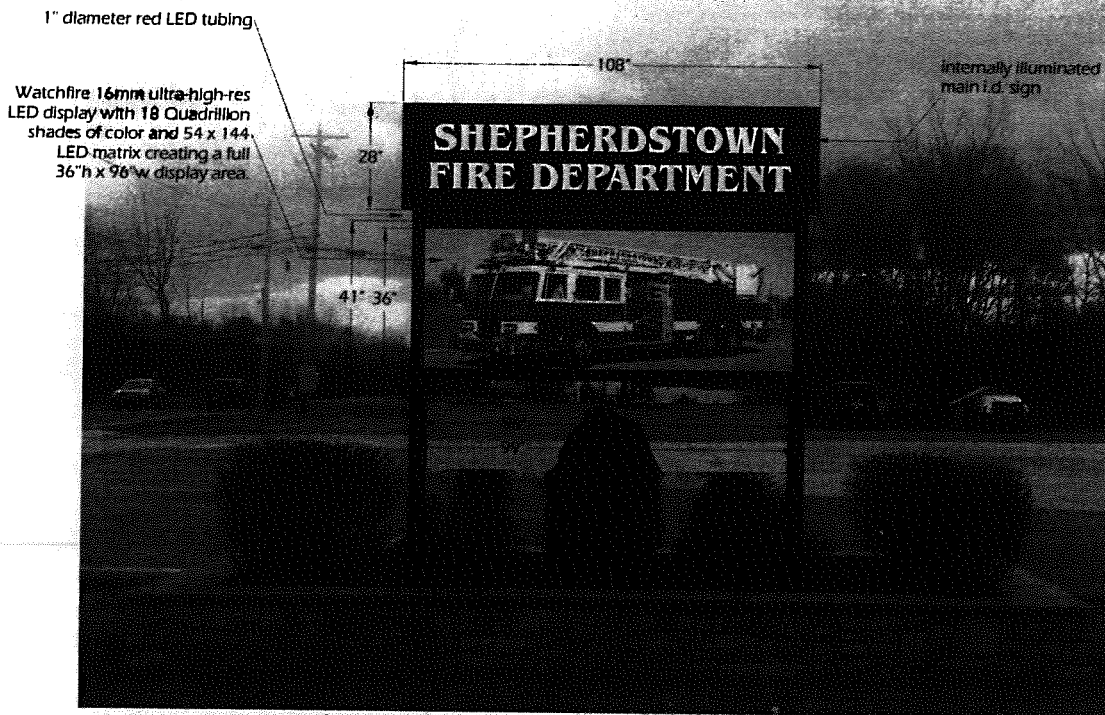
 I DO object to the Shepherdstown Fire Department's plan to install the lighted sign.

COMMENTS: _____

I consent to this letter being provided to the Jefferson County Commission, the Jefferson County Planning Commission, the Jefferson County Board of Zoning Appeals, and/or any other governmental organization.

Mark Dorosh
Signature

10/11/2017
Date



Designed, manufactured, and installed as shown above: \$34,380.00 (no tax included)
Permits, inspections, and related fees by customer. 2) 120V / 20AMP circuits to location by others.
2 year parts and labor warranty on entire sign / 5 year limited warranty on LED display and electronics.

kensign.com | electricsignpros.com



Approved by: _____
Printed: _____
Title: _____
Date: _____



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SHEPHERDSTOWN FIRE DEPARTMENT, INC.

8052 Martinsburg Pike • PO Box F • Shepherdstown, WV 25443
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August 29, 2017

Shepherdstown Fire Department
Marshall DeMeritt, EMS Chief
8052 Martinsburg Pike
PO Box F, Shepherdstown, WV 25443
304-876-2311 (Station)
540-742-8190 (Cell)

To Whom It May Concern;

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Respectfully,

Marshall D. DeMeritt, MS, IMC, NREMT
EMS Chief

— Over 200 Years of Service by Trained Volunteers —

To Whom It May Concern:

My name is Diana Abrecht.

I am the owner/tenant of property located at Jefferson Security Bank - 7994 marfinshoeg Pike.

I have been informed that the Shepherdstown Fire Department proposes to install a lighted sign constructed and installed by Kenney Signs. I have reviewed the plans for the sign, a copy of which are attached.

I have further been informed that the Shepherdstown Fire Department intends to use the sign to display Road Warning Messages, Community Health/Safety Messages, County/State/Federal Messaging, and Event Promotion. EMS Chief Marshall DeMeritt's letter about this was provided to me and a copy is attached.

I have had an opportunity to discuss this matter with members of the Shepherdstown Fire Department, to ask questions, and to learn about the plans for the sign.

I DO NOT object to the Shepherdstown Fire Department's plan to install the lighted sign.

I DO object to the Shepherdstown Fire Department's plan to install the lighted sign.

COMMENTS: _____

I consent to this letter being provided to the Jefferson County Commission, the Jefferson County Planning Commission, the Jefferson County Board of Zoning Appeals, and/or any other governmental organization.

Diana Abrecht
Signature

10/11/17
Date

1" diameter red LED tubing

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internally illuminated main i.d. sign



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Printed: _____
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August 29, 2017

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EMS Chief

— Over 200 Years of Service by Trained Volunteers —



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 October 25, 2018

1) Upcoming Text Amendments

Pet and Livestock Crematoriums in Rural District (ZTA18-01)

09/11/18: Planning Commission held a Public Hearing on a proposed text amendment to the Zoning Ordinance to include definitions for *Pet* and *Livestock* Crematoriums and to add those uses into Appendix C. The PC recommended approval of the text amendment noting that it was in conformance with the *Comprehensive Plan*. The amendment was forwarded to the County Commission.

09/20/18: County Commission scheduled a Public Hearing for 10/04/18

10/04/18: County Commission held a Public Hearing.

10/18/18: County Commission adopted the amendment, effective 10/18/18.

2) Possible Upcoming Text Amendments

- WV45 Gateway Design Standards (ZTA17-02) – based on recommendations of the Envision Jefferson 2035 Plan and at the request of the Shepherdstown Planning Commission
- Staff is researching landscaping and parking standards to update the County's Zoning Ordinance.
- Following the March 29, 2018 text amendment, specifically the change to Appendix C to allow all Commercial Uses listed as "Not Permitted" to process as a Conditional Use, Staff will need to revise Section 5.10 Village District.

3) Upcoming BZA meeting

- The next regular meeting is scheduled for **November 8, 2018** (deadline for submissions is Thursday, 10-17-18)



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor, P.O. Box 716
 Charles Town, West Virginia 25414
www.jeffersoncountywv.org

October 2018

Zoning Certificate Activity Report

File #	Property Owner/ Business Name	Applicant Name	Property Location	Description	Status Date
ZC18-24	Jefferson Utilities, Inc.	Michael Rebner AT&T Wireless	307 W Burr Blvd, Kearneysville, WV	10' x 4' concrete pad and generator	TBD
ZC18-28	RAI Properties, LLC	Nancy Ndungu Jeffreys, Tri-State Beauty Academy	340 Edmond Rd, Ste A, Kearneysville, WV	Change in tenant: Office & Shop Space for County PSD to Beauty School	TBD
ZC18-29	Frank & Mary Supplee	Same	6880 Leetown Rd., Kearneysville, WV	Accessory Dwelling Unit: In Law Suite	10/12/18
ZC18-30	Jefferson Utilities, Inc.	Brooke Brungart AT&T Wireless	307 W Burr Blvd Kearneysville, WV	Replace three (3) panel antennas on an existing water tank with telecommunication facilities.	10/12/18
ZC18-31	David M. Mobley	Same	332 Bunkhouse Rd. Kearneysville, WV	Accessory Dwelling Unit: In Law Suite	TBD
ZC18-32	Mary Schreyer	Mohammad Ghuman	5437 Charles Town Rd., Kearneysville, WV	Re-establish a gas station & convenience store (Previous tenant: Sheetz)	TBD
ZC18-33	Mark & Marci Cerasi/MC2 Properties	Mid Atlantic Aquatics	53 McGarry Blvd., Kearneysville, WV	Indoor swimming pool 70' x 60' to be used for swim meets.	TBD