



Jefferson County
Board of Zoning Appeals
Thursday, May 23, 2019 at 2:00 p.m.

Members
Tyler Quynn, Chair
Jeffrey Bannon, Vice Chair
Deirdre Catterton
Matthew McKinney
Leeds Corbin

Meeting Location: Charles Town Library Conference Room, 200 East Washington Street, Charles Town, WV
Unless otherwise noted, all requests are pursuant to the Zoning & Land Development Ordinance.

Approval of Minutes: April 25, 2019

Public Hearing – Administer Oath

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- ITEM #1** **FILE #: 19-1-CUP – Postponed From February 28, March 28, and April 25, 2019**
Request: Request for a Conditional Use Permit for an existing Drive-Through, Fast Food Restaurant (McDonald's) to replace and upgrade the exterior menu boards with digital menu boards.
Applicant: Tracey Diehl, Expedite The Diehl
Parcel Info: McDonald's Corporation
31 Maddex Square Dr, Shepherdstown, WV
Parcel ID: 09008C00680000; Size: 0.88 ac; Zone: Residential-Light Industrial-Commercial
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- ITEM #2** **FILE #: 19-8-ZV**
Request: Variance from Section 5.7(b) to reduce the rear setback from 50' to 18' to install a 54' x 22' inground pool with surrounding concrete patio.
Applicant: Same as Owner
Parcel Info: R.L. Jenkins
Barleywood Subdivision, Lot 9, 146 Inaugural Way, Charles Town, WV
Parcel ID: 02006A00090000; Size: 3.08 ac; Zone: Rural
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- ITEM #3** **FILE #: 19-9-ZV**
Request: Variance request per Section 4.3H to allow for the reconstruction of a nonconforming 28' x 32' garage to be located 3' from the side property line.
Applicant: Same as Owner
Parcel Info: Michael G. Kelly and Michael G. Kelly Jr.
Glen Haven Subdivision, Lots 10, 11 and part of 12, 129 Mason Drive, Harpers Ferry
Parcel ID: 04003C00110001, 04003C00120000, 04003C00130001; Subject parcel size: .56 ac;
Zone: Rural
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- ITEM #4** **FILE #: 19-10-ZV**
Request: Variance from Section 5.4(b) to reduce the front setback from 25' to 20'; the side setback from 12' to 10'; and, the rear setback from 20' to 15' for Lots 68-72, 78, 106-108, 118, 121-124, & 129.
Applicant: P.J. Raco Consulting
Parcel Info: Beallair Homes LLC ;
Beallair Subdivision, Lot 68 Claymont Hill St.; Parcel ID: 04010A00680000; Size: 9,429 sf;
Lot 69 Claymont Hill St.; Parcel ID: 04010A00690000; Size: 8,000 sf;
Lot 70 Claymont Hill St.; Parcel ID: 04010A00700000; Size: 8,000 sf;
Lot 71 Claymont Hill St.; Parcel ID: 04010A00710000; Size: 8,000 sf;
Lot 72 Claymont Hill St.; Parcel ID: 04010A00720000; Size: 11,246 sf;
Lot 78 Lewis Washington Dr.; Parcel ID: 04010A00780000; Size: 9,880 sf;
Lot 106 Robinson Way; Parcel ID: 04010A01060000; Size: 11,284 sf;
Lot 107 Robinson Way; Parcel ID: 04010A01070000; Size: 11,158 sf;
Lot 108 Robinson Way; Parcel ID: 04010A01080000; Size: 10,327 sf;
Lot 118 Robinson Way; Parcel ID: 04010A01180000; Size: 8,353 sf;
Lot 121 Potomac Crossing St.; Parcel ID: 04010A01210000; Size: 10,457 sf;
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ITEM #4 FILE #: 19-10-ZV *continued*

Lot 122 Potomac Crossing St.; Parcel ID: 04010A01220000; Size: 9,467 sf;
Lot 123 Potomac Crossing St.; Parcel ID: 04010A01230000; Size: 8,511 sf;
Lot 124 Potomac Crossing St.; Parcel ID: 04010A01240000; Size: 8,185 sf; to
Lot 129 Colonel Black Way; Parcel ID: 04010A01290000; Size: 9,215 sf;
Zone: Residential Growth

Item #5 FILE #: 19-1-AP

Request: Appeal of the Zoning Administrator's determination that "tiny homes" are permitted Camping Units as it related to the proposed campground associated with 19-3-ZV.

Appellants: Wayne and Ann Bavry and Neal and Alice Barkus

Parcel Info: Danielle LaRock and Jonathan Carnill, property owners.

Vacant parcel on the northwest corner of River Rd and Cedar Ridge Ln in Shepherdstown.
Parcel ID: 09001000070000; Size: 6.06 ac.; Zone: Rural.

Zoning Administrator Report

- a. Request for Clarification regarding the Blossman Gas Conditional Use Permit (CUP17-05)
- b. Monthly Zoning Certificate Activity Report

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: April 25, 2019

1. Variance from Sec. 4.18. Owner: Beallair Homes, LLC. File: 19-7-ZV