

Minutes
Jefferson County Board of Zoning Appeals

1 Meeting Date: April 25, 2019
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; Leeds Corbin and
5 Matthew McKinney
6 Members absent: Deirdre Catterton (with notification)
7 Staff members present: Alexandra Beaulieu, Zoning Administrator; Nathan Cochran, Assistant
8 Prosecuting Attorney; and Jennilee Hartman, Zoning Clerk.
9 All requests are pursuant to the Jefferson County Zoning and Land Development Ordinance.

10 Mr. Bannon moved to call the meeting to order at 2:00 pm, which carried unanimously.

11 **Approval of Minutes: February 25, 2019**

12 Mr. Quynn requested the following correction to the minutes:

13 1. Page 3, at the end of line 17: add “*a variance from the Board of Zoning Appeals concerning*”

14 Mr. Quynn called for a vote, which carried two in support (Mr. Quynn and Mr. Corbin) and two
15 abstentions as Mr. McKinney and Mr. Bannon were not present for the February meeting.

16 **Public Hearing – Administer Oath**

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

18 ITEM #1 FILE #: 19-1-CUP – Postponed From February 28, 2019

19 Request: Request for a Conditional Use Permit for an existing Drive-Through, Fast Food
20 Restaurant (McDonald's) to replace and upgrade the exterior menu boards with
21 digital menu boards.

22 Applicant: Tracey Diehl, Expedite The Diehl

23 Parcel Info: McDonald's Corporation

24 31 Maddex Square Dr., Shepherdstown, WV

25 Parcel ID: 09008C00680000; Size: 0.88 ac; Zone: Residential-Light Industrial-
26 Commercial

27 Ms. Beaulieu stated the applicant requested a postponement of this item until the May 23, 2019
28 meeting. Mr. Corbin moved to postpone File 19-1-CUP until the Board's May meeting. Mr. McKinney
29 seconded the motion, which carried unanimously.

30 ITEM #2 FILE #: 19-7-ZV

31 Request: Variance from Section 4.18 to allow a staffed model home on Lot 68 within Beallair
32 Subdivision, Phase II.

33 Applicant: Same as Owner

34 Parcel Info: Beallair Homes, LLC

35 NE corner of Beallair Manor Dr., and Claymont Hill St., Charles Town, WV

36 Parcel ID: 04010A00680000; Size: .21 ac; Zone: Residential Growth

37 Mr. Michael Wiley, representative with Piedmont Group, LLC, was present to address the Board.

38 Ms. Beaulieu provided an overview of her staff report. Mr. Wiley explained the nature of the

39 request stating that the previous model within Beallair had sold and that a new model was required.

1 Mr. Quynn opened the public hearing. There was no public comment. Mr. Quynn closed the public
2 hearing.

3 Mr. Corbin moved to approve the variance as requested. Mr. McKinney seconded the motion, which
4 carried unanimously.

5 **Zoning Administrator Report**

6 a. Monthly Zoning Certificate Activity Report. Ms. Beaulieu noted that the report was not in
7 the packet and stated she would email it to the members after the meeting.

8 b. Ms. Beaulieu stated that the deadline for the May 23, 2019 meeting is April 29, 2019.

9 **Legal Update**

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

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

12 Meeting: March 28, 2019

13 1. Variance from Section 5.6D. Owners: Paul & Donna Ashbaugh. File: 19-2-ZV.

14 2. Variance from Sec. 8.17B.1. Owners: Danielle LaRock & Johnathon Carnill. File: 19-3-ZV.

15 3. Variance from Sec. 4.10A. Owners: Danielle LaRock & Johnathon Carnill. File: 19-4-ZV.

16 4. Variance from Sec. 5.7(b). Owners: Mark and Elaine Boyd. File: 19-5-ZV.

17 Mr. Corbin moved to go into deliberative session at 2:11 pm. Mr. Quynn called for a vote,
18 which carried unanimously.

19 Mr. Corbin moved to come out of deliberative session at 2:32 pm. Mr. Quynn called for a
20 vote, which carried unanimously.

21 Mr. Cochran presented the Findings to the Board and reviewed the proposed language for files
22 19-3-ZV and 19-4-ZV with the Board. Mr. Quynn moved to approve the Findings as presented.

23 Mr. Quynn called for a vote, which carried two in support (Mr. Quynn and Mr. Corbin) and two
24 abstentions as Mr. McKinney and Mr. Bannon were not present for the February meeting.

25 Mr. Quynn signed the above referenced Findings.

26 Mr. Bannon moved to adjourn the meeting at 2:38 pm. Mr. Quynn called for a vote, which carried
27 unanimously.