



Jefferson County
Board of Zoning Appeals
Thursday, October 24, 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: September 26, 2019

Public Hearing – Administer Oath

ITEM #1 FILE #: 19-26-ZV

Request: Variance from Section 9.6B to reduce the rear setback from 24' to 12' for an existing 24' x 12' accessory structure.

Owner: Preston Barger

Parcel Info: Preston Barger Minor Subdivision, Lot 1,
188 Wide Horizon Blvd., Kearneysville, WV
Parcel ID: 07001802550001; Size: 1.5ac; Zoning District: Rural

ITEM #2 FILE #: 19-27-ZV

Request: Variance from Section 9.6B to reduce the rear setback from 45' to 12' for a 45' x 40' inground swimming pool including the surrounding concrete.

Owner: Preston Barger

Parcel Info: Preston Barger Minor Subdivision, Lot 1,
188 Wide Horizon Blvd., Kearneysville, WV
Parcel ID: 07001802550001; Size: 1.5ac; Zoning District: Rural

ITEM #3 FILE #: 19-2-CUP

Request: Request for a Conditional Use Permit to operate a Church that includes office space, meeting rooms and services for approximately 120 attendees. Applicant will utilize the existing parking and signage on site.

Owner: Burr Park, LLLC

Applicant: Tanie Guy, Ascension Church

Parcel Info: Burr Industrial Park, Lot 34,
73 Edmond Rd., Suites 2 and 3, Kearneysville, WV
Parcel ID: 02000100860000; Size: 1.52 ac; Zoning District: Industrial Commercial

ITEM #4 FILE #: 19-28-ZV

Request: Variance from Section 4.11A.2 & 4.11E.1 and Appendix B to reduce the landscaping buffer from 10' to 0' along the shared property line between Lots 27 and 28 in the Burr Industrial Park; and to allow for a 50' unscreened buffer instead of a 10' screened buffer along the rear property line of both lots.

Owner: Jefferson County Development Authority

Applicant: McGee Civil Construction, LLC

Parcel Info: Burr Business Park, Lots 27 and 28 Steeley Way
Parcel ID: 02000101270000 and 02000101280000; Size: 1.93 and 1.49 ac;
Zoning District: Industrial Commercial

ITEM #5 FILE #: 19-29-ZV

Request: Variance from Appendix A to reduce the side setback from 8' to 4' for an existing 40' x 44' garage to be converted into a house.

Owner: Keith Cranford

Parcel Info: Block 1, Lots 22 & 23. Northeast corner of Euclid Ave and First St. (undeveloped road)
Parcel ID: 02010A01020001; Size: .31 ac; Zoning District: Residential Growth

ITEM #6 FILE #: 19-30-ZV

Request: Variance from Section 9.7 to reduce the side setback from 12' to 1' for a 24' x 30' accessory structure.

Owner: Thomas Custer

Parcel Info: 1906 Kabletown Rd., Charles Town, WV

Parcel ID: 06002200010002; Size: 1 ac; Zoning District: Rural

ITEM #7 FILE #: 19-3-CUP

Request: Request for a Conditional Use Permit to operate a Restaurant associated with the existing farm brewery. The applicant is proposing to construct an addition to the existing structure and a 35 space parking lot. The applicant is also requesting a deviation from the following sign provisions: Sec. 10.4A.1 to allow an 8' x 24' attached sign and a 2' x 2' attached sign affixed to the former mill structure; and to allow a 2' x 2' attached sign affixed to the principal structure; and Sec. 10.4A.2 to allow the proposed signs to face a residence.

Owner: Jesse Morgan, Wheatlands Property Management

Parcel Info: 2153 Berryville Pike, Rippon, WV

Parcel ID: 06010A00240000; Size: 1.64 ac; Zoning District: Split Zoned Village & Rural

ITEM #8 FILE #: 19-31-ZV

Request: Variance from Section 4.10A to waive the requirement of processing a site plan. A Site Plan is required to construct a 35 space parking lot with drive aisles and sidewalks which will support a proposed Restaurant (File 19-3-CUP).

Owner: Jesse Morgan, Wheatlands Property Management

Parcel Info: 2153 Berryville Pike, Rippon, WV

Parcel ID: 06010A00240000; Size: 1.64 ac; Zoning District: Split Zoned Village & Rural

Zoning Administrator Report

- a. Monthly Zoning Certificate Activity Report

Legal Update

- a. Possible executive session on the following pending lawsuits.
 - 1. Report on Civil Action No. 19-C-135.
- b. Discussion with possible deliberative session and sign of draft Findings/Decisions
Meeting: September 26, 2019
 - 1. Variance from Section 10.4B.3. Owner: SPARC, LLC. File: 19-22-ZV.
 - 2. Variance from Section 10.2C. Owner: SPARC, LLC. File: 19-23-ZV.
 - 3. Variance from Section 4.10A and Section 11.1B. Owner: Jennifer Hillmann. File: 19-24-ZV.
 - 4. Request for a Special Exception Permit for an electronic sign. Owner: Leetown United Methodist Church. File: 19-1-SE.
 - 5. Variance from Section 9.6C and Section 9.7. Owner: Leroy Delauder. File: 19-25-ZV.