



**Jefferson County
Board of Zoning Appeals
Special Meeting
Friday, April 24, 2020 at 2:00 p.m.**

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

In compliance with the Jefferson County Health Department Executive Order 20-20 Shelter in Place directive to avoid gatherings of more than five individuals in an effort to slow the spread of COVID-19, the Board of Zoning Appeals Meeting will be held virtually via ZOOM.

This meeting will NOT be a LIVE broadcast on our website. Instead, it will be accessible live through ZOOM Meeting. If you wish to participate in public comment for one of the agenda items, please type your name, address, and agenda item # in the chat function at the start of the meeting.

Please use the following information to join the ZOOM Meeting:

<https://zoom.us/j/350018773>

Meeting ID: 350 018 773

Dial by your location:

+1 301 715 8592 US

Meeting ID: 350 018 773

Find your local number: <https://zoom.us/u/adbn1jR3Kf>

Access from desktop, laptop, iPad, or from a phone. You will be prompted to download the software. If accessing from a phone, you must have the ZOOM app.

Please mute yourself when you are not talking. When participating, remember that your video is streaming to others.

Unless otherwise noted, all requests are pursuant to the Zoning & Land Development Ordinance.

Approval of Minutes: February 27, 2020

Public Hearing – Administer Oath

ITEM #1 FILE #: 20-6-ZV – Postponed from March 26, 2020
Request: Variance to reduce the side setback from 15' to 1' along the northern boundary to replace a 24' x 24' detached garage that was destroyed by fire.
Owner: Terry and Margaret Walker
Parcel Info: 10179 Leetown Rd, Kearneysville, WV
Parcel ID: 07001400060001; Size: 17.93 acres; Zoning District: Rural

ITEM #2 FILE #: 20-2-CUP - Postponed from March 26, 2020

Request: Request by Church Without Walls Ministries of Jefferson County for a Conditional Use Permit to operate a Nonprofit Commercial Use. The subject application is a proposal to operate an outreach ministry to serve the community by offering free clothing, food, financial assistance, etc. The ministry would also focus on outreach projects to benefit youth and senior citizens. Proposed hours of operation would be Tuesdays and Thursdays, 9:00 a.m. – 1:00 p.m.; and Saturdays, 10:00 a.m. – 2:00 p.m. There will be a minimum of two volunteers per shift. A 5' (wide) x 2.5' (high) freestanding sign face is proposed to be located west of the existing structure (if facing the structure, the sign would be to the right). Parking requirements will be met on-site.

Applicant: Church Without Walls Ministries of Jefferson County
Owner: Charles A II & Virgie A Moore
Parcel Info: 194 Huyett Rd, Charles Town, WV
Parcel ID: 06001300040000; Size: .50 acres; Zoning District: Rural

ITEM #3 FILE #: 20-9-ZV - Postponed from March 26, 2020

Request: Variance from Section 4.6B and Appendix B to reduce the distance requirement from 75' to 0' on all sides; to reduce the setbacks from 25' to 0' on the eastern property line and 25' to 20' on the northern property line (front); and, to reduce the parking and drive aisle setback from 4' to 0' along the western property line for Church Without Walls Ministries of Jefferson County to operate in an existing residential structure (File #20-2-CUP). No new structures or additions are proposed.

Applicant: Church Without Walls Ministries of Jefferson County
Owner: Charles A II & Virgie A Moore
Parcel Info: 194 Huyett Rd, Charles Town, WV
Parcel ID: 06001300040000; Size: .50 acres; Zoning District: Rural

ITEM #4 FILE #: 20-7-ZV - Postponed from March 26, 2020

Request: Variance from Section 4.11 and Appendix B to allow a 50' unscreened buffer (where achievable) in lieu of the required planted landscaping per Standard Detail M-53; and Section 4.6 to reduce the distance requirement from 75' to 40' from the front property line.

Owner: Shepherdstown Public Library
Parcel Info: Lowe Dr. (to be extended), Shepherdstown, WV
Parcel ID: 09000800110000; Size: 4.33 acres; Zoning District: Residential Growth

ITEM #5 FILE #: 20-8-ZV - Postponed from March 26, 2020

Request: Variance from Section 4.6B to reduce the distance requirement from 75' to 50' along the western boundary (rear) and from 75' to 25' along the northern boundary (right side); and from Appendix B to reduce the commercial building setback from 25' to 20' along the northern boundary (right side); and to reduce the parking setback from 4' to 0' along the western (rear) and northern (right side) boundaries to allow for the operation of Potomac Crossroads Counseling per File #20-1-CUP.

Applicant: Kathy Morotti, Potomac Crossroads Counseling, LLC
Owner: Kenneth F. Lowe Jr., Rev Trust
Parcel Info: 4781 Kearneysville Pike, Shepherdstown, WV
Parcel ID: 09000800230007; Size: .71 acres; Zoning District: Residential Growth

ITEM #5 FILE #: 20-10-ZV

Request: Variance from Section 9.7 to reduce the rear setback from 50' to 38' along the western boundary to construct a 12' x 12' deck.

Applicant: Paul Raco, P.J. Raco Consulting, LLC

Owner: William Hoak

Parcel Info: 675 Jefferson Orchard Road, Kearneysville, WV 25430

Parcel ID: 07001100260003; Size: 2.75 acres; Zoning District: Rural

Zoning Administrator Report

- a. Monthly Zoning Certificate Activity Report

Legal Update

- a. Possible executive session on the following pending lawsuits. None
- b. Discussion with possible deliberative session and signing of draft Findings/Decisions

Meeting: February 27, 2020

1. Variance from Section 9.7. Owner: Newman Sisk, Jr.. File: 20-1-ZV.
2. Variance from Appendix A. Owner: Michael and Peggy Julian. File: 20-2-ZV.
3. Variance from Section 9.7. Owner: Robert Graham. File: 20-3-ZV.
4. Variance from Section 5.7D.2.b.i(b). Owner: Lutman Land Development, LLC. File: 20-4-ZV
5. Request by Potomac Crossroads Counseling for a Conditional Use Permit to operate a Medical/Dental/Optical Office and/or Professional Office. Owner: Kenneth F. Lowe Jr., Rev Trust. Applicant: Kathy Morotti, Potomac Crossroads Counseling. File: 20-1-CUP.