



**Jefferson County  
Board of Zoning Appeals  
Thursday, May 28, 2020 at 2:00 p.m.**

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

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**By order of the Jefferson County Board of Zoning Appeals, Jeffrey Bannon, Chairman, the May 28<sup>th</sup>, 2020 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://us02web.zoom.us/j/86308935048>**

**Meeting ID: 863 0893 5048**

**Dial by your location:**

**+1 301 715 8592 US**

**Meeting ID: 863 0893 5048**

**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.**

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

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**Approval of Minutes: April 23 and April 24, 2020**

**Public Hearing – Administer Oath**

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<b>ITEM #1</b>	<b>FILE #: 20-11-ZV</b>
Request:	Variance from Section 5.7b to reduce the front setback from 40' to 34.8' for an existing house that was built within the setback area.
Owner:	Matthew Gorsuch and Anna Kent
Applicant:	Charlie Hogendorp, Bristol Springs Custom Homes
Parcel Info:	Lot #25, Springs at Shepherdstown; 901 Marsh Hawk Way, Shepherdstown, WV Parcel ID: 09007D00250000; Size: 6.69 acres; Zoning District: Rural

**ITEM #2 FILE #: 20-12-ZV**

Request: Variance from Section 4.10 to waive the requirement to process a Site Plan for a proposed educational retreat facility (China Folk House / Proposed Land Use: Nature Center and Preserve). The proposed use will host educational groups by invitation only (i.e. not open to the public). Proposed project entails construction of a ~1,026 square foot bathhouse, an ~824 square foot kitchen with Tibetan stove room, and associated parking.

Applicant: John Flower, China Folk House Retreat

Owner: Rolling Ridge Foundation

Parcel Info: 305 Friends Way, Harpers Ferry, WV

Parcel ID: 06002400090000; Size: 20 acres; Zoning District: Rural

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**ITEM #3 FILE #: 20-13-ZV**

Request: Variance from Section 5.4b [ZO in effect in 1990] to reduce the side setback from 12' to 10' for a 10' x 22' deck.

Applicant: Jocelyn Stokes and Ezra Hall

Owner: Same

Parcel Info: Lot 6, Maddex Farm Subdivision; 170 Hensel Drive, Shepherdstown, WV

Parcel ID: 09008C01080000; Size: .17 acres; Zoning District: Residential-Light Industrial-Commercial

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**ITEM #4 FILE #: 20-3-CUP**

Request: Request for a Conditional Use Permit to operate a homebased federal firearms business, to include limited gunsmithing, from an existing detached garage (proposed land use as listed in Appendix C: Custom Manufacturing). The business is primarily internet based and does not include a readily available inventory. No employees other than the residents of the property. Business hours are by appointment only, with limited customer visits (1-2 per month). No signs are proposed.

Applicant: Efstathia Fragogiannis and Jamie Schatteman

Owner: Gary Eisner, Et Al

Parcel Info: 76 Belleview Lane, Charles Town, WV

Parcel ID: 06002800110002; Size: 3 acres; Zoning District: Rural

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**ITEM #5 FILE #: 20-19-ZV**

Request: Variance from Section 4.6B to reduce the 75' distance requirement to 50' along the rear property line for the purpose of operating a homebased federal firearms business from an existing detached garage (see Conditional Use Permit File#20-3-CUP).

Applicant: Efstathia Fragogiannis and Jamie Schatteman

Owner: Gary Eisner, Et Al

Parcel Info: 76 Belleview Lane, Charles Town, WV

Parcel ID: 06002800110002; Size: 3 acres; Zoning District: Rural

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**ITEM #6 FILE #: 20-14-ZV - WITHDRAWN**

Request: Variance from Section 9.7 to reduce the side setback from 8' to 6' for a 24' x 36' detached garage.

Applicant: Patrick Shunney

Owner: Same

Parcel Info: 11426 Leeteown Road, Kearneysville, WV

Parcel ID: 07011A00110000; Size: .34 acres; Zoning District: Village

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**ITEM #7 FILE #: 20-15-ZV**

Request: Variance from Sections 4.6B and Appendix B for the following: to reduce the distance requirement from 75' to 32' on the eastern boundary line and to reduce the side setback from 25' to 6.5' on the western boundary line. The requested variance is to allow an existing residential dwelling unit to be converted to a Professional Office for use as a satellite law office. No new buildings or additions are proposed.

Applicant: Tasha Catrow (Catrow Law, PLLC)

Owner: Mohammad Murtaza

Parcel Info: 14840 Charles Town Road, Charles Town, WV

Parcel ID: 02001700120003; Size: .39 acres; Zoning District: Residential-Light Industrial-Commercial.

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**ITEM #8 FILE #: 20-17-ZV**

Request: Variance from Sections 4.6B, 8.9A.8, and Appendix B to reduce the distance requirement from 75' to 20' and the side setback from 25' to 20' along the eastern boundary line to expand existing fuel station (fuel tanks and fuel pumps).

Owner: 270 LLC

Parcel Info: Lot 16, Bardane (Burr Industrial Park); 270 Industrial Blvd, Kearneysville, WV

Parcel ID: 02000200010021; Size: 5.43 acres; Zoning District: Industrial Commercial

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**ITEM #9 FILE #: 20-18-ZV**

Request: Variance from Section 9.7 to reduce the Rear setback from 50' to 15' for the construction of a 3,400 square foot new home and a 45' x 16' foot in-ground swimming pool with surrounding concrete area.

Applicant: Vicent and Kelli Tiong

Owner: Rodney Smith

Parcel Info: Lot 1C Grainlands Vacant parcel located on Earle Road approximately 680' from the intersection of Earle Road and Undergrace Road, Charles Town, WV

Parcel ID: 06000200020010; Size: 3 acres; Zoning District: Rural

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**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: April 23, 2020**

- 1. Revision to Rules of Procedures to allow virtual meetings to be held.

**Meeting: April 24, 2020 – Special Meeting**

- 1. Variance from Section 9.7. Owner: Terry and Margaret Walker, Jr.. File: 20-6-ZV.
- 2. Request by Church Without Walls Ministries of Jefferson County for a Conditional Use Permit to operate a Nonprofit Commercial Use. Owner: Charles & Virgie Moore. File: 20-2-CUP.
- 3. Variance from Section 4.6B and Appendix B. Charles & Virgie Moore. File: 20-9-ZV.
- 4. Variance from Section 4.11 and Appendix B. Owner: Shepherdstown Public Library. File: 20-7-ZV
- 5. Variance from Section 4.6B and Appendix B. Owner: Kenneth Lowe. File: 20-8-ZV
- 6. Variance from Section 9.7. Owner: William Hoak. File #20-10-ZV.