



Jefferson County
Board of Zoning Appeals
Thursday, April 22, 2021 at 2:00 p.m.

Members
Tyler Quynn, Chair
Deirdre Catterton, Vice Chair
Matthew McKinney
Leeds Corbin
Steven Guier
Mikala Shremshock, Alternate
Danesia Chicchirichi, Alternate

By order of Tyler Quynn, Chair of the Jefferson County Board of Zoning Appeals, this meeting will be held both in-person and virtually. This meeting will NOT be a LIVE broadcast on our website. Instead, it will be accessible live through ZOOM Meeting.

Physical (In-person) Location: Charles Town Library Conference Room (entrance on Samuel St.)
200 East Washington Street, Charles Town, WV 25414.

Virtual Meeting Information: The virtual meeting will be conducted via ZOOM. Please use the following information to join the ZOOM Meeting:

<https://us02web.zoom.us/j/84736763856>

Meeting ID: 847 3676 3856

Dial by your location: +1 301 715 8592 US

Find your local number: <https://us02web.zoom.us/u/kb65f6MrBt>

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

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.

All requests are pursuant to the Zoning & Land Development Ordinance.

Approval of Minutes: March 25, 2021

Public Hearing – Administer Oath

ITEM #1 **FILE #: 21-8-ZV – POSTPONED FROM 04/22/21**
Request: Variance request from Section 10.4B.3 to reduce the front setback from 25' to 1' for an 8.5' x 3' (25.5 square feet) Freestanding Electronic Business Sign; and Section 10.7G to reduce the distance requirement of an Electronic Sign from a traffic light from 300' to approximately 190'.
Owner: Steve Petropouleas
Applicant: Mountain View Diner
Parcel Info: 811 Willow Spring Drive, Charles Town, WV
Parcel ID: 02001000090004; Size: 1.21 ac;
Zoning District: Residential-Light Industrial-Commercial

ITEM #2 **FILE #: 21-10-ZV**
Request: Variance request from Section 5.7D.2.b.iii(b) to allow a lot within a cluster development to utilize a separate access. The applicant is proposing to use an existing driveway as opposed to the platted access easement.
Owner: Norman and Lora Corbin
Parcel Info: LLD Uvilla Cluster Subdivision, Lot 4, 2751 Engle Molers Rd., Harpers Ferry, WV
Parcel ID: 09001800170000; Size: 9.75 ac; Zoning District: Rural

ITEM #3 FILE #: 21-11-ZV

Request: Variance request from Section 9.7 to reduce the front setback from 20' to 10' along an unimproved right-of-way (Second Street) for a single family dwelling unit.
Owner: William Jenkins
Parcel Info: 911 Jefferson Ave., Charles Town, WV
Parcel ID: 02010A00480000; Size: .17 ac; Zoning District: Residential Growth

ITEM #4 FILE #: 21-12-ZV

Request: Variance request from Appendix B to reduce the side setback from 50' to 25' for 54 storage units/sea containers to serve as an accessory use to an existing nonconforming salvage and recycling yard. The total length of the proposed encroachment area is approximately 544'.
Owner: DLGA LLC
Applicant: Road Runner Wrecker Service
Parcel Info: 2282 Summit Point Road, Summit Point, WV
Parcel ID: 06001600100000; Size: 25 ac; Zoning District: Rural

ITEM #5 FILE #: 21-13-ZV

Request: Variance request from Appendix A to reduce the side setback from 12' to 10' for all single family lots in the proposed King's Crossing subdivision (approximately 175 single family lots).
Owner: DR Acquisitions LLC
Parcel Info: Vacant lot adjacent to St. James Catholic Church on Charles Town Road (Rt. 115)
Parcel ID: 02001700220000; Size: 86 ac; Zoning District: Residential Growth

ITEM #6 FILE #: 21-14-ZV

Request: Variance request from Section 4.11.E.1 and Appendix B to modify the vegetative buffer requirement for a commercial use next to a lot in the Residential Growth zoning district to the standard for a commercial use adjacent to a commercial use (Section 4.11.E.1 subsections a-e). Additionally, the request proposes to utilize any existing vegetation on the side and rear property lines in lieu of the required planted landscaping.
Owner: James Van Evera, et al
Applicant: Sheetz Inc.
Parcel Info: South of the intersection of Maddex Square Dr. and Martinsburg Pike, Shepherdstown, WV
Parcel IDs: 09000800130000, 09000800150002, 0900080010002 & a portion of 09000800140000; Proposed Size: 5.2 ac.;
Zoning District: Residential-Light Industrial-Commercial

ITEM #7 FILE #: 21-15-ZV

Request: Variance request from Section 4.11 and Appendix B to eliminate the requirement to plant street trees; to eliminate the buffer requirement between internal lot lines; and to utilize existing vegetation in lieu of the 15 foot screened buffer option along the side and rear property lines.
Owner: St. James Lutheran Church at Uvilla
Applicant: Adam Link
Parcel Info: 4338 Shepherdstown Pike, Shepherdstown, WV
Parcel ID: 09002000160000; Size: 2.36 ac; Zoning District: Rural

Zoning Administrator Report

- a. Monthly Zoning Certificate Activity Report

Legal Update

- a. Discussion of the following pending lawsuits:
 - 1. Discussion/Action: Neighbors Against River Chase Event Center v. BZA re: 20-8-CUP (Civil Action No.: CC-19-2021-C-22)
- b. Discussion with possible deliberative session and signing of draft Findings/Decisions

Meeting: March 25, 2021

- 1. Variance from Sec. 8.10. Owner: Arcadia Land Inc. File: 21-6-ZV.
- 2. Variance from Sec. 9.6C and 9.7. Owner: Potomac Crossroads Counseling, LLC. File: 21-7-ZV.
- 3. Request for a Conditional Use Permit for a Contractor with Outdoor Storage. Owner: West Group Holdings, LLC. Applicant: Jefferson Group. File: 21-1-CUP.
- 4. Variance from Sec. 4.6. Owner: West Group Holdings, LLC. Applicant: Jefferson Group. File: 21-8-ZV.