



AGENDA

***REVISED**

Jefferson County Planning Commission

Tuesday, August 10, 2021 at 7:00 PM

All Citizens that desire to speak must sign-in prior to the Agenda Item being addressed. This meeting will NOT be a live broadcast on our website. Instead, it will be accessible through a live ZOOM Meeting only.

If you wish to make a 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****

Join Zoom Meeting

<https://us02web.zoom.us/j/89080314783>

Meeting ID: 890 8031 4783

Dial by your location

+1 301 715 8592 US (Washington DC)

Find your local number: <https://us02web.zoom.us/u/kbIUIVVCB1>

-
1. Approval of Meeting Minutes: July 13, 2021
 2. Request for postponement.
 3. **Public Hearing:** Major Site Plan for the Shepherdstown Sheetz Store 160 Site Plan Application, consisting of a proposed gas station with a 6,100 square foot Convenience Store with drive-thru, five (5) fueling islands with canopy, car wash, and related improvements. The property is designated as Tax District: Shepherdstown (09); Tax Map: 8; Parcels: 13, 15.2, parts of 10.2 & 14. Zoned: Residential-Light Industrial-Commercial (RLIC); Size: 5.4 acres (after merger); File: 20-10-SP.
 4. **Public Hearing:** Request to lift the single family restriction (Note #4) Lot 1 of Trough Bend Subdivision (#01-05) to allow for the construction an in-law suite in the basement of a new home for a family member. Owner/Applicant: Lutman Land Development. Property Location: Vacant parcel on Trough Bend Road, Shepherdstown, WV; Tax District: Shepherdstown (09); Tax Map: 12; Parcel: 11.14; Size: 10.11 ac; Zoning District: Rural; File: 21-11-Q.
 5. **Public Hearing:** Request to lift the single family restriction (Note #3) Lot 1 John Orndorff Minor Subdivision (#94-11), Peaceful Breeze Ln, Shepherdstown, WV Subdivision to allow for the construction of a 3 bedroom/2 bath house with 1 bedroom/1 bath in-law suite. Owner/Applicant: Nicole Picciotto. Property Location: Lot 1 Elmwood Farm, Peaceful Breeze Ln, Shepherdstown, WV; Tax District: (09); Tax Map: 12; Parcel: 8; Size: 12.99 ac; Zoning District: Rural; File: 21-12-Q.
 6. **Public Hearing:** Request for a waiver from Section 20.201.A.2 of the Subdivision Regulations to allow a 6th lot to access a 50' access easement (Fennec Fox Lane) which was created as a part of a Minor Subdivision serving the maximum 5 lots. Owner/Applicant: Lutman Land Development LLC. Property Location: 7029 Flowing Springs Road and Fennec Fox Lane; Shepherdstown (09); Map: 17; Parcel: 4.8; Size: 1.54 acres ; Zoning District: Rural. File: 21-13-PCW.

There is no public comment for the following items.

7. **Review and Approval:** Planning Commission's FY 2021 Annual Report to the County Commission per WV Code §8A-2-11. The Planning Commission is required by State Code to make an annual report to the appropriate governing body concerning the operation of the planning commission and the status of planning within its jurisdiction.
8. Reports from Legal Counsel
 - a. *Discussion of Jefferson County Circuit Court Civil Action No. 21-C-109. Discussion/Action.
9. Planner's Memo
10. President's Report
11. Actionable Correspondence
12. Non-Actionable Correspondence

DRAFT MINUTES

Meeting Minutes Jefferson County Planning Commission

July 13, 2021

The Jefferson County Planning Commission met on July 13, 2021 at 7:00 p.m. with the following Commission members present in person: Wade Louthan, Secretary; Jack Hefestay, J Ware, Steve Stolipher, Ron Thomas and Matt Knott and the following present via ZOOM: Shane Roper and Mike Shepp, President. Donnie Fisher, Vice President, was absent with notice.

Staff members present included Jennifer Brockman, County Planner; Jonathan Saunders, County Engineer; Nathan Cochran, County Attorney, Alice Johns, Planning Clerk.

By order of the President, the Planning Commission meeting was held in person for Commissioners and applicants and virtually via ZOOM for the public. Access information was made available on the agenda and packet, which were posted to the County website.

Jennifer Brockman conducted a roll call. Mr. Louthan verified that there was a quorum and called the meeting to order at 7:01 PM.

1. Approval of Meeting Minutes: June 8, 2021 and June 22, 2021. The minutes were approved as submitted.
2. Request for postponement. None.
3. **Hunter Hills Subdivision Concept Plan Public Workshop:** A Concept Plan for Hunter Hills Subdivision (Major Residential Subdivision). The proposal consists of 642 Lots [471 Single Family Detached and 171 Townhomes (SFA)] and associated infrastructure. Owner/Applicant: Ernest Hunter, et. al.; Developer: Josh Been Grewal, ILA Properties, Inc., 4115 Charles Town Rd., Kearneysville, WV. Property Location: 4469 Charles Town Rd, Kearneysville, WV. Property Location: 4469 Charles Town Rd, Kearneysville, WV; Tax District: Middleway (07); Tax Map: 1; Parcel: 2, Parcel Size +/- 107 Ac.; Zoning District: Residential-Light Industrial-Commercial (RLIC) (File# 21-21-SD).

Mr. Steve Stolipher recused himself from Agenda item #3 and left the room.

Ms. Brockman provided an overview of the Hunter Hills Subdivision. The property is near the Berkeley County line and near Rocky Ridge development (previously approved). The WVDOH have stated that they will require a Traffic Impact Study. Berkeley County will provide water and sewer. Interconnectivity to the neighboring properties is a requirement of the Subdivision Regulations and should be a discussion point. When the Rocky Ridge development was approved, the Planning Commission made a condition of approval prohibiting interconnectivity to the property in question. The property located to the north of this lot is zoned Industrial/Commercial and the property to the east is the WVU Tree Fruit Research and Education Center and is zoned Rural.

Paul Raco, P.J. Raco Consulting LLC, and Griffin Sepp, P.E. from Cheat Road Engineering were present in person. Paul Raco summarized the project. The project is under contract with Josh Been Grewal, ILA Properties, Inc. and the project was rezoned for this use in 2013. Mr. Raco noted that Berkeley County already committed to providing water/sewer service to this property as part of the re-zoning request. Mr. Raco stated that this project is in the Route 9 Preferred Growth Area of the *Envision Jefferson 2035 Comprehensive Plan*. It is one of seven identified Preferred Growth Areas. The project is proposing 471 Single Family detached homes and 171 Townhomes, with a mix of two and three bedrooms and 465 townhome parking spaces. The project contains a six acre common area, which will function as a park, and potentially a clubhouse. The development will meet the required active recreational area. This general design is preliminary and can change but the

requirements will be met. Traffic will not use Hospice Road as required during the approval of the Rocky Ridge development. The density for this development is less than seven units per gross acre.

Ms. Brockman mentioned letters from WV Board of Health and from Hospice were in the packet.

Mr. Wade Louthan opened the public comment for this item. No public comment was received.

Mr. Wade Louthan closed the public comment for this item and opened the Planning Commission discussion.

Mr. Ron Thomas asked a question about the modifications to the green space that Mr. Raco had noted. Mr. Raco indicated that the Concept Plan currently shows a 10 foot greenspace proposed to be a trail system along the Hospice property and along Rocky Ridge. Mr. Raco indicated in his experience, homeowners don't want people walking in the rear of their properties. In light of comments from Hospice, the applicant agreed to keep trails away from the rear of these properties but keep the trail system throughout the property in other areas. Mr. Raco also stated that the applicant agreed to modify the eight lots adjacent to Hospice into 4 lots and make up the 4 lots in another location. Mr. Raco also noted that Hospice received a setback variance from 100' to 54' when they were under construction.

Mr. J Ware inquired about property to the north and the location of the walking trail along that property. Mr. Raco state that the walking trail in this location is within the green space.

Mr. Hefestay inquired about a buffer along the adjoining historic resources. Mr. Raco stated that a buffer exists in this area. Mr. Hefestay inquired about average size of these lots. Mr. Raco stated that the average lot size is 4,300 square feet. He also stated that the Zoning Ordinance "small lot provisions" require an area per dwelling unit of 7,500 sq. ft. and this layout proposes an area per dwelling unit of 8,300 sq ft. Ms. Brockman also stated that the townhouse minimum lot size is 1,400 sq. ft.

Mr. Hefestay inquired about the impact on the WV 9 off/on ramp. Mr. Raco explained that any road improvement decisions would up to WVDOH. Mr. Raco explained that prior to the construction of the new WV9, WV115/old WV9 handled 10,000 to 15,000 trips per day. WV115 is still identified as a Principal Arterial, one of four in the County.

Mr. Ron Thomas made a motion to accept Hunter Hills Concept Plan as presented. Mr. J Ware proposed an amendment to the motion clarifying that the project will not be required to connect to the WVU Property to the east, the property zoned Industrial-Commercial zone, or to the Hospice property, and can move forward to a preliminary plat. Mr. Thomas accepted the amendment. The motion was seconded by Matt Knott. The motion passed unanimously.

Mr. Steven Stolipher re-joined the meeting.

- 4. Milton's Landing Subdivision Concept Plan Public Workshop:** A Concept Plan for Milton's Landing Subdivision (Major Residential Subdivision). The proposal consists of 51 Single Family Detached Lots to be served by on-lot well and septic systems. Owner/Applicant/Developer: David Lutman/Lutman Land Development. Property Location: South of Summit Point Rd, 0.3 miles west of Summit Point Rd/Washington St intersection; Tax District: Charles Town (02); Map: 11; Parcels: 30 & 30.2; Parcel Size: +/- 67.6 Ac.; Zoning District: Residential Growth (File #21-22-SD)

Ms. Brockman provided an overview of the request. The property is located southwest of Charles Town and near the intersection of WV51 and Summit Point Road. It is zoned Residential Growth. It abuts property that is both in the County and in the incorporated area of Charles Town. The

proposal is for 51 lots, including one existing single family home which has access on Summit Point Road. There are two associated waivers related to this project, immediately following this agenda item.

The applicant's engineer, Mr. Chad Wallen, with Gordon, summarized the request and explained that this development is different than previous one. The property is 67 acres and the project is proposed to be served by cul-de-sacs, proposes large lots (1 acre) to be served with on-site well/septic. There is existing house on the property which has its own access to Summit Point Rd. It is zoned Residential Growth so this use is permitted.

Mr. Paul Raco discussed the two waivers (agenda items 5 and 6) because their approval impacts the concept plan layout. He reported that Trixie Willis with WVDOH indicated she believed that single entrance could be approved, but the specific location of the entrance itself may change.

Mr. Raco explained that the proposed layout for the Milton's Landing Subdivision took into account the topography of the property and that they believe the single entrance, cul-de-sac layout is the best design. He stated that the Subdivision Regulations require that cul-de-sacs not be longer than 800 feet and serve no more than 24 lots. Mr. Raco pointed out that numerous dead-end state roads which serve more than 24 lots. He also stated that there is no national standard and no American Planning Association standard for the length of cul-de-sacs. Mr. Raco further explained that the road follows the topography, and a second entrance is required, it would result in another 500 ft of pavement as well as cutting the natural topography.

Mr. Chad Wallen further explained that the topography shown on the Concept Plan layout has 5 foot contours (not 2 foot contours) and Road B follows the topography. Road B takes the high road, and Road A takes the low road.

Mr. Wade Louthan asked about the width of the road. Mr. Raco indicated the width is 22 feet with 3 foot shoulders.

Mr. Hefestay asked about the double lines and Mr. Raco explained those represent "pipe stems" which become a part of the two lots indicated. He stated that the Subdivision Regulations indicate that flag lots or pipestem lots are preferred over additional accesses to state roads.

Ms. Brockman suggested discussing the two waiver requests before opening the Public Hearing/Workshop so comments can be received on all at the same time.

5. Milton's Landing Subdivision Public Hearing (21-11-PCW)

Waiver of Section 2.3.A.3 "Single Entrance Requirement" is a request to utilize a single entrance because of the location of the railroad crossing and other single family driveways existing along Summit Point Road. This request is to minimize access points on the State Road due to limited number of lots and the limited frontage along the State Road.

6. Milton's Landing Subdivision Public Hearing (21-12-PCW)

Waiver of Section 22.206.B "Lots on and Length of a Cul-de-sac" is a request to exceed the maximum number of lots permitted on a Cul-de-Sac from 24 to allow serving the 51 proposed lots on two cul-de-sacs and to exceed the minimum 800-foot requirement. The applicant maintains that their design is intended to work with the existing topography and will have two cul-de-sacs serving the lots because a steep connection would be required to connect the two cul-de-sacs.

Ms. Brockman understands the concept of single access but noted that the Subdivision Regulations also have a requirement of interconnectivity. Staff recommends that an access easement from the end of Road B to the property to the west be provided in case the adjoining property, within the City of Charles Town, ever develops. She also noted that the Subdivision Regulations recommend that a pedestrian circulation system be provided to allow direct, non-vehicular access between cul-de-sac ends.

Mr. Raco noted that the adjoining property to the west is Winchester Cold Storage. Ms. Brockman indicated it is zoned Residential Development.

Mr. Wade Louthan opened the Milton's Landing Concept Plan Public Workshop and the two waiver requests for public comment.

Ms. Christine Marshall, Shepherdstown, WV made the following comments on the lot layout and waiver requests:

- Expressed concern about the single access point, noting that if an entrance is blocked, emergency vehicles may not be able to gain access to the rear lots; the single entrance impact on the lot owners near the entrance; and accessibility by school buses;
- Suggested interconnecting to the private road, if a right of way can be obtained, connecting internal Road A to internal Road B, or adding a second entrance between parcel 30 and 30.2;
- Suggested connecting Road B and Road A to allow access by emergency vehicles to the lots in the back and allow school buses to use the subdivision roads;
- Suggested connecting the development to CTUB sewer rather to prevent septic system drain fields from contaminating adjacent drink water wells due to the karst topography.

Ms. Elizabeth Ricketts, Charles Town WV, recommended including a sidewalk along Summit Point Rd to foster connectivity of this neighborhood to the downtown Charles Town area. Currently, no sidewalk exists on this end of West Washington Street, but it could be added to make it walkable for these new residents.

Rick Boswell, Kearneysville, WV spoke in support of the project and the waivers, and stated that what is being requested would be appealing to the current neighbors. He noted that if public utilities were required, the cost of the lots would increase which results in more density.

William & Jennifer Fogelsanger, Charles Town, WV spoke in favor of the project and in favor of the larger lot size.

Mr. Wade Louthan closed the item(s) for public comment.

Mr. Hefestay stated that he believes 2nd entrance is necessary.

Mr. David Lutman, applicant, described the relationship of the development to the railroad tracks, and noted that the traffic is generally slowing down in the area of the proposed entrance due to the track crossing.

The Planning Commission discussed the fact that school buses don't usually come into any subdivisions. Ms. Brockman stated that school buses only go in when the road has a painted centerline.

Ms. Brockman recommended taking action on the two waivers first.

Mr. Steve Stolipher made a motion to approve the waiver of Section 2.3.A.3 to allow a single entrance (21-11-PCW), which was seconded by Ron Thomas, and which passed with a vote of 7 for and 1 against (Mr. Jack Hefestay).

Mr. Steve Stolipher made a motion to approve the waiver of Section 22.206.B “Lots on and Length of a Cul-de-Sac” (21-12-PCW) which was seconded by Ron Thomas, which passed unanimously.

Mr. Steve Stolipher asked a question about the suggested sidewalk along Summit Point Road. Paul Raco explained that there would be a 10-foot road improvement easement required for future improvements for the WVDOH. Ms. Brockman stated that there is currently a WV51/Washington Street Feasibility Study being conducted by the Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) and the WV DOH, covering the area from the Ford dealership to Summit Point and WV51 to determine a way to make that area more bike and pedestrian friendly.

Mr. Matt Knott made the motion to approve the Concept Plan as submitted with an additional 10 foot sidewalk easement. Steve Stolipher seconded the motion and the motion passed unanimously.

7. Discussion/Action: FY 2021 4th Quarter Quarterly Report – for County Commission

Mr. Steve Stolipher made a motion to send the 4th Quarter FY 2021 Quarterly Report to the County Commission. This was seconded by Jack Hefestay and the motion passed unanimously.

8. Reports from Legal Counsel

Mr. Nathan Cochran stated that there will be a hearing the next morning (July 14th 2021) in Circuit Court, related to the solar text amendment.

Mr. Nathan Cochran indicated that there was a court filing related to the zoning map amendment for the Miller Farm.

9. Planner’s Memo

The next meeting is August 10, 2021.

10. President’s Report None

11. Actionable Correspondence

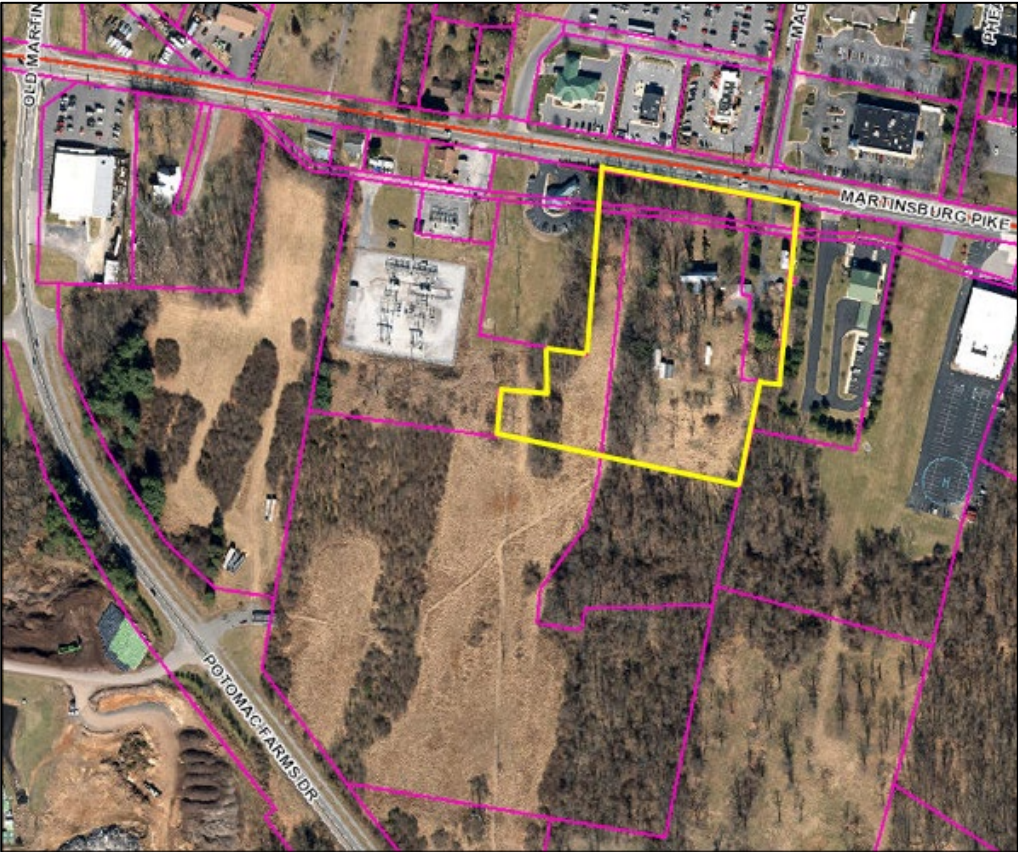
12. Non-Actionable Correspondence

Mr. Wade Louthan made a motion to adjourn the meeting at 8:15 pm. Mr. Jack Hefestay seconded the motion, and the motion carried unanimously.

These minutes were prepared by Alice Johns, Planning Clerk.

Staff Report
 Jefferson County Planning Commission Meeting
 August 10, 2021

Item # 3: Public Hearing: Major Site Plan for the new Shepherdstown Sheetz Gas Station and Store Site Plan Application (File # 20-10-SP), consisting of a 6,100 square foot Convenience Store with drive-thru, five (5) fueling islands, car wash, and related improvements.

Owner:	PTM LP (note: new owner; DB1262/PG188)
Developer:	Bob Franks, Sheetz Inc.
Surveyor/Engineer:	Gordon
Property Location:	7948 Martinsburg Pike, Shepherdstown, WV; on the south side of the intersection of Martinsburg Pike (WV 45) & Maddex Square Dr.
Parcel Information and Zoning District:	<p>Tax Dist. Shepherdstown (09); Tax Map: 8; Parcels: 13, 15.2, parts of Parcels 10.2 & 14. Total Project Size: 5.4 acres; Zoning District: Residential-Light Industrial-Commercial</p> 
Surrounding Zoning:	<p><i>North:</i> Residential-Light Industrial-Commercial <i>South:</i> Residential Growth <i>East:</i> Residential Growth <i>West:</i> Residential Growth</p>
Proposed Activity:	Construction of a new Sheetz gas station with a 6,100 square foot Convenience Store with drive-thru, five (5) fueling islands, car wash, and related improvements.
Previous Approvals:	<ul style="list-style-type: none"> • 20-10-PCW Public Hearing for Early Grading Request 6/22/21 (PC Approved) • 21-19-M Jesse R. Van Evera Testamentary Trust Boundary Line Adjustment to merge relevant lots involved in the 20-1-Z rezoning was submitted 6/8/21 – (awaiting signed mylar and signed deed for final approval) • 21-14-ZV: Public Hearing for Variance - vegetative buffers (BZA Approved 4/22/21) • 20-10-SP Site Plan submitted 3/30/21 – deemed complete by PC (6/22/21) • 20-10-SP: Public Workshop: Shepherdstown Sheetz Concept Plan (PC approved 2/9/21)

Staff Report
Jefferson County Planning Commission Meeting
August 10, 2021

	• 20-1-Z: Zoning Map Amendment (rezoning) from Residential Growth to Residential-Light Industrial-Commercial (CC approved 12/03/20)
--	---

Introduction and Status of Concept Plan

The applicant/developer of this property, located across WV 45 from the Maddex Square Shopping Center on the south side of Martinsburg Pike (WV 45), is proposing the construction of a “Gas Station, Large” at this location to replace the existing Sheetz gas station. The project includes the construction of a new Sheetz gas station with a 6,100 square foot Convenience Store with drive-thru, five (5) fueling islands, car wash, and related improvements. The proposed use meets the definition of a “Gas Station, Large”, including the convenience store with a drive through service window, and is a Principal Permitted Use in the RLIC zone.

The property will be served by Shepherdstown water and wastewater facilities. It is proposed to have a primary access point from the traffic light at Martinsburg Pike and Maddex Square Drive, with an additional right in/right out from WV 45 on the western side of the property. The access is designed to allow the continuation of a road to the balance of the property to the south, zoned Residential Growth, which eventually accesses Potomac Farms Drive (Alternate WV45).

During the Concept Plan review, staff noted that the Site Plan would require merging Parcels 12, 15.2 and the relevant portions of Parcels 10.2 and 14 into a single 5.4-acre parcel, all of which are zoned RLIC, and removing the existing single family residential structures. This merger plat and deed have been reviewed and can be approved when the signed mylar and signed deed are submitted. After the February 9, 2021 Public Workshop, the Planning Commission made a motion to accept the Concept Plan as presented.

Summary of Site Plan Request

The applicant has submitted the Site Plan for the new Shepherdstown Sheetz site on Martinsburg Pike for approval. In accordance with Section 24.122 of the Subdivision Regulations, the Planning Commission deemed the Shepherdstown Sheetz Major Site Plan application complete on June 22, 2021, provided the outstanding issues discussed at the meeting were addressed. In accordance with Section 24.123 of the Subdivision Regulations, the Planning Commission scheduled this Public Hearing for August 10, 2021, within 45 days of accepting the application as complete. This hearing has been advertised as required in the Subdivision Regulations.

The Subdivision Regulations require the review of the submitted application and plat and plans by the Department of Engineering, Planning and Zoning as well as the West Virginia Division of Highways (WVDOH) and the relevant Public Service Agency, in this case the Corporation of Shepherdstown. The Department of Engineering, Planning and Zoning Staff completed their review of the Site Plan in accordance with the requirements of Section 24.122(B) and Appendix A, Section 1.3 and forwarded the Site Plan to the Planning Commission as “sufficient” with outstanding comments to be addressed to the Planning Commission at their June 22, 2021 meeting. At the same meeting, the Planning Commission approved a waiver to allow “early grading” of the site prior to the approval of the Site Plan. Since the June 22, 2021 meeting, a merger plat and deed have been reviewed and authorized for submittal for approval, and an Early Grading Permit has been submitted and approved. Upon approval by the Planning Commission; the WV DOH approval of the TIS and Entrance Permit; and Shepherdstown Water and Wastewater approval of the utility plans, the Site Plan can be stamped approved by staff.

Staff Report
Jefferson County Planning Commission Meeting
August 10, 2021

The WVDOH has provided final comments on the required Traffic Impact Study and will issue an approved encroachment permit for the access and new leg of the intersection which will serve this site, provide access to the adjoining bank property and access to the undeveloped land to the south of the proposed Sheetz site once these comments have been addressed. An Entrance Permit Number will be assigned at this time.

The Shepherdstown Water and Wastewater Departments will be providing water and wastewater service to the new Shepherdstown Sheetz site. If bonding is not required by the Corporation of Shepherdstown, bonding for these improvements will be required by the County. Confirmation of the approval of the water and sewer plans was received from Shepherdstown Water and Wastewater staff on August 3, 2021.

Today's Public Hearing is to receive public comment on the proposed Major Site Plan in accordance with the Subdivision Regulations and WV Code 8A. An 11" x 17" copy of the pages showing the proposed site layout is included in this packet. The complete file containing the Site Plan and application will be at the Planning Commission meeting should any members wish to review.

Planning Commission Action Required

Section 24.123 of the Subdivision Regulations, "Major Site Plan Application - Public Hearing" requires that, within 45 days of accepting the application as complete, the Planning Commission shall conduct a public hearing to receive public comments, concerns, and inputs on the proposed site plan. Today's hearing meets that requirement and has been advertised in accordance with the Subdivision Regulations. The scope of this public hearing shall be limited to whether the site plan application meets the requirements of the Subdivision Regulations and the Zoning Ordinance.

Section 24.124 of the Subdivision Regulations, "Major Site Plan Application – Approval" states that after the close of the public hearing, the Planning Commission shall either approve the application; approve the application with conditions; deny the application; or hold the application for up to 45 days for additional information. It further states that if the site plan application is consistent with the Concept Plan application and meets all other requirements of the Subdivision Regulations and the Zoning Ordinance and has received sign-off from the agencies specified in Section 24.122(B)(13), "Other Agencies", the Planning Commission shall approve the site plan application. Such approval should be conditioned on the placement of the approved permit numbers from the WV DOH and Shepherdstown Water and Wastewater utility providers.

ATTACHMENTS:

Sheets 6 (Existing Conditions),
7 (Site Demolition),
8 (Site Layout), and
30 (Landscape Plan)
of 30 Shepherdstown Sheetz Site Plan (Submission 3)



SOILS DATA			
MAP UNIT SYMBOL	MAP UNIT NAME	HYDROLOGIC SOIL GROUP	SLOPE
HrC	HAGERSTOWN-ROCK OUTCROP COMPLEX	B	8 TO 15%
Uu	URBAN LAND - UDORTMENTS	D	0 TO 15%
PmC	POPLIMTO SILT LOAM	B	8 TO 15%

SOILS INFORMATION PROVIDED BY THE USDA SOIL SURVEY OF JEFFERSON COUNTY, WEST VIRGINIA.

LEGEND

- SOILS LINE
- PmC SOIL IDENTIFICATION
- PROPERTY CORNER

SURVEY REFERENCES:

1. THE TOPOGRAPHIC CONTOUR INTERVAL IS TWO (2) FEET. TOPOGRAPHIC INFORMATION WAS COMPILED FROM AN AERIAL TOPOGRAPHIC SURVEY PREPARED BY QUANTUM SPATIAL. HORIZONTAL DATUM IS REFERENCED TO THE WEST VIRGINIA COORDINATE SYSTEM OF 1983, NORTH ZONE. VERTICAL DATUM IS REFERENCED TO NAVD 88.
2. PERIMETER BOUNDARY INFORMATION SHOWN HEREON IS PER A BOUNDARY LINE ADJUSTMENT PLAT PERFORMED IN NOVEMBER OF 2020 BY GORDON.

PROGRAMMING AND PLANNING
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE
 SURVEY AND MAPPING
 SECURITY CONSULTING

Gordon
 148 S. Queen Street, Suite 201
 Martinsburg, WV 25401
 Phone: 304-725-8456
 www.gordon.us.com



REVISIONS	
1	5/02/21 REVISED PER COUNTY COMMENTS
2	5/11/21 REVISED PER COUNTY COMMENTS
3	6/8/21 REVISED PER COUNTY COMMENTS

EXISTING CONDITIONS PLAN

SHEETZ STORE 160
SITE PLAN

TAX MAP 08, PARCEL 13, 15.2, AND PORTIONS OF PARCELS 10.2 & 14; D.B. 1074, PG. 306
 SHEPHERDSTOWN (09) TAX DISTRICT
 JEFFERSON COUNTY, WEST VIRGINIA

J.C. FILE #20-10-SP

SCALE:	HORIZ: 1" = 30'
	VERT: N/A
DATE:	MARCH 2021
JOB:	3370-0202
DRAWN:	BJS
CHECK:	RPP
CADD:	C-XP-101.DWG
NCS:	N/A
SHEET:	
06 OF 30	



SOILS DATA			
MAP UNIT SYMBOL	MAP UNIT NAME	HYDROLOGIC SOIL GROUP	SLOPE
Hc	HAGERSTOWN-ROCK OUTCROP COMPLEX	B	8 TO 15%
Uu	URBANLAND-UDORTHENTS	D	0 TO 15%
PmC	POPLIMTO SILT LOAM	B	8 TO 15%

SOILS INFORMATION PROVIDED BY THE USDA SOIL SURVEY OF JEFFERSON COUNTY, WEST VIRGINIA.

MATCHLINE
THIS SHEET

LEGEND

- SOILS LINE
- PmC** SOIL IDENTIFICATION
- [Hatched Box] EXISTING BUILDINGS/ STRUCTURES TO BE REMOVED
- [Cross-hatched Box] EXISTING PAVED AREAS TO BE REMOVED
- [Hexagonal Box] EXISTING TREE LINES/ VEGETATION TO BE REMOVED
- [Diagonal Box] EXISTING EASEMENT TO BE VACATED
- X EXISTING SITE FEATURES AND TREES TO BE REMOVED
- [] LIMITS OF REMOVAL



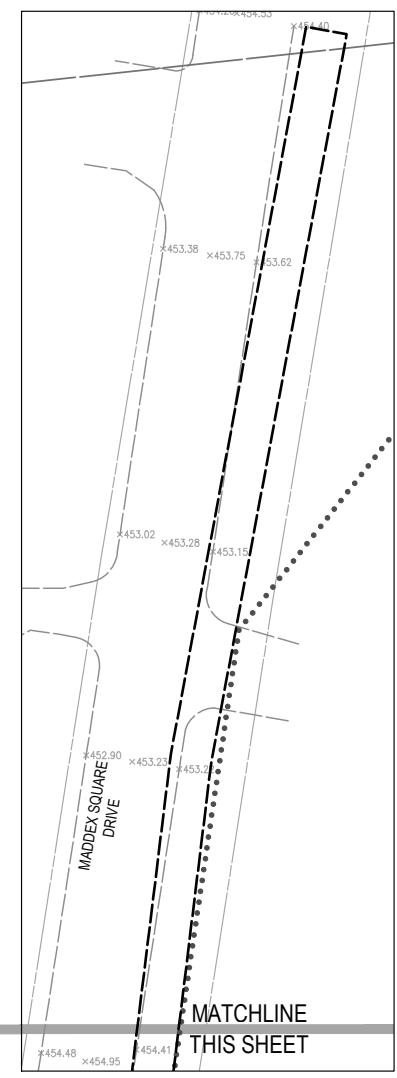
JEFFERSON SECURITY BANK
TAX DIST 09 MAP 08 P 10.10
DB100SPG734
ZONED: RG
USE: BANK

SURVEY REFERENCES:

1. THE TOPOGRAPHIC CONTOUR INTERVAL IS TWO (2) FEET. TOPOGRAPHIC INFORMATION WAS COMPILED FROM A FIELD TOPOGRAPHIC SURVEY PREPARED BY DEWBERRY. HORIZONTAL DATUM IS REFERENCED TO THE WEST VIRGINIA COORDINATE SYSTEM OF 1983, NORTH ZONE. VERTICAL DATUM IS REFERENCED TO NAVD 88.
2. PERIMETER BOUNDARY INFORMATION SHOWN HEREON IS PER A BOUNDARY LINE ADJUSTMENT PLAT PERFORMED IN NOVEMBER OF 2020 BY GORDON. IT HAS BEEN ESTABLISHED.

DEMOLITION NOTES:

1. GRAPHICS SHOWN BOLD DENOTE EXISTING SITE FEATURES TO BE REMOVED WITH THIS DEVELOPMENT.
2. IF CONTRACTOR ENCOUNTERS AN EXISTING SEPTIC SYSTEM AND/OR DRAIN FIELD WITHIN THE LIMITS OF DISTURBANCE, IT IS TO BE REMOVED IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL REQUIREMENTS.
3. NO INTERRUPTIONS TO EXISTING SERVICE SHALL OCCUR AS A RESULT OF CONSTRUCTION.
4. DEMOLITION OF EXISTING STRUCTURES AND PAVEMENT SHALL INCLUDE THE FOUNDATIONS AND SUBBASE MATERIAL.
5. CONTRACTOR TO COORDINATE RELOCATION OF EXISTING OVERHEAD UTILITIES AND UTILITY POLES WITH UTILITY COMPANY.



PROGRAMMING AND PLANNING
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
SURVEY AND MAPPING
SECURITY CONSULTING

Gordon
148 S. Queen Street, Suite 201
Martinsburg, WV 25401
Phone: 304-725-8456
www.gordon.us.com



NO.	REVISIONS
1	5/02/21 REVISED PER COUNTY COMMENTS
2	5/11/21 REVISED PER COUNTY COMMENTS
3	6/8/21 REVISED PER COUNTY COMMENTS

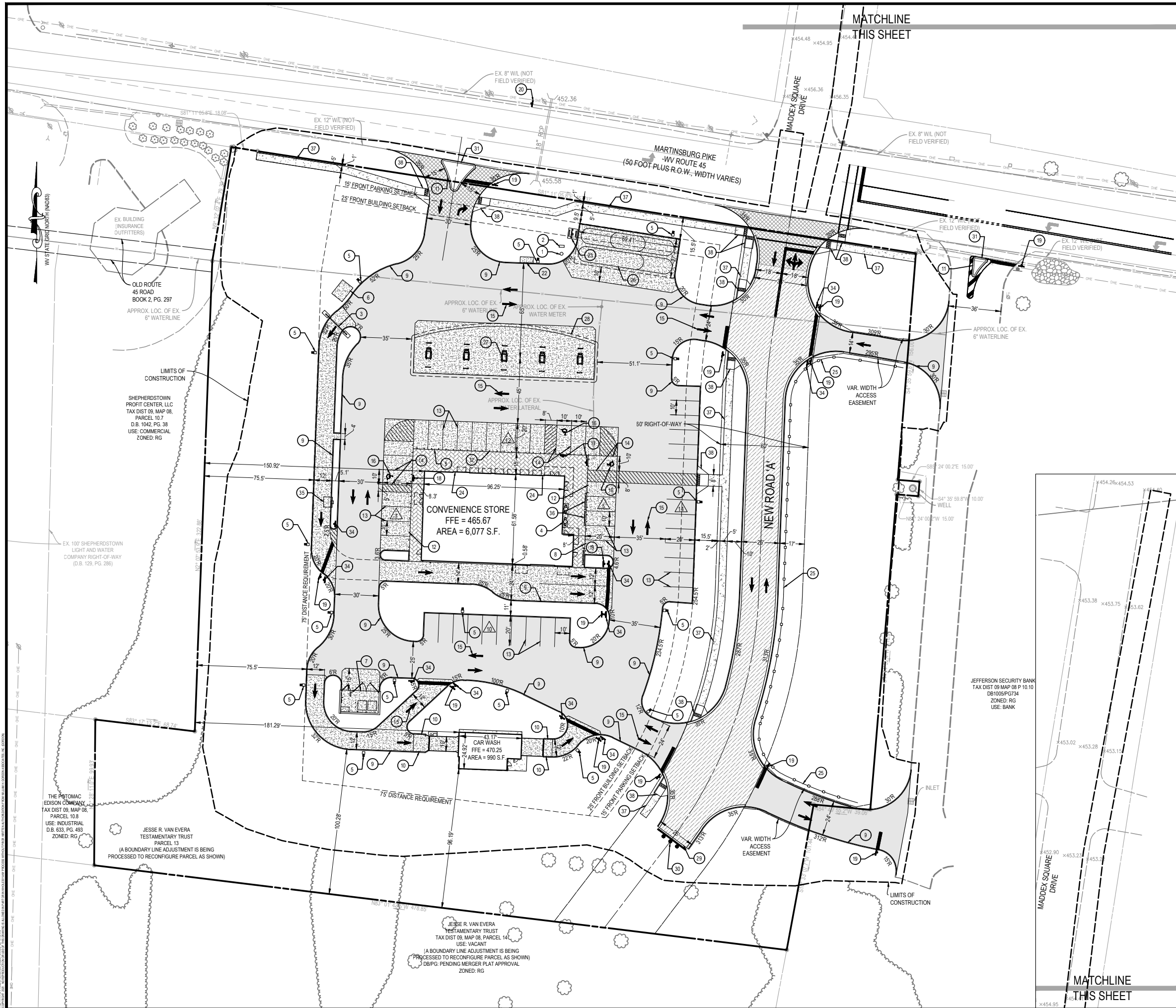
SITE DEMOLITION PLAN

SHEETZ STORE 160
SITE PLAN

TAX MAP 08, PARCEL 13, 15.2, AND PORTIONS OF PARCELS 10.2 & 14; D.B. 1074, PG. 306
SHEPHERDSTOWN (09) TAX DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

J.C. FILE #20-10-SP

SCALE:	HORIZ: 1" = 30'
	VERT: N/A
DATE:	MARCH 2021
JOB:	3370-0202
DRAWN:	BJS
CHECK:	RPP
CADD:	C-CD-101.DWG
NCS:	N/A
SHEET:	07 OF 30



SITE PLAN NOTES:

1. CONTRACTOR SHALL CONTACT JCPSD MINIMUM 48 HOURS PRIOR TO CONNECTING TO THE LATERAL SYSTEM TO ALLOW FOR A JCPSD REPRESENTATIVE TO PERFORM THE ONSITE INSPECTION OF THE CONNECTION.
2. CONTRACTOR SHALL COORDINATE WITH THE DISTRICT 5 TRAFFIC ENGINEER (KEN CLOHAN) PRIOR TO PLACEMENT OF ANY SIGNING AND PAVEMENT MARKINGS.

PAVEMENT LEGEND

- HEAVY DUTY CONCRETE PAVEMENT
- STANDARD DUTY CONCRETE PAVEMENT
- ASPHALT PAVEMENT
- NEW ROAD 'A' ASPHALT PAVEMENT
- WDOH ENTRANCE PAVEMENT
- BRICK PAVERS (REFER TO ARCHITECTURAL DRAWINGS)

KEY NOTE LEGEND

- 1 FLAGPOLE AND FLAGPOLE FOUNDATION
- 2 FLAGPOLE LIGHTING
- 3 VEHICLE CLEARANCE BAR (BY OTHERS)
- 4 OUTDOOR SEATING (BY OTHERS)
- 5 POLE LIGHT
- 6 TRANSFORMER PAD (BY OTHERS)
- 7 DUMPSTER ENCLOSURE
- 8 STORE PERIMETER CURBING SECTION (REFER TO ARCHITECTURAL DRAWINGS)
- 9 PLAIN CEMENT CONCRETE CURB
- 10 NOSE DOWN CURB
- 11 MOUNTABLE CONCRETE CURB
- 12 4"x4" BUMPER PIPE
- 13 TYPICAL PARKING SPACE
- 14 TYPICAL ADA PARKING SPACE
- 15 TYPICAL PAINTED DIRECTIONAL ARROW
- 16 ADA PARKING LOGO
- 17 ADA VAN ACCESSIBLE PARKING SIGN
- 18 ADA STANDARD PARKING SIGN
- 19 "STOP" SIGN
- 20 "NO LEFT TURN" SIGN
- 21 "KEEP RIGHT" SIGN
- 22 4'x8' AIR MACHINE PAD (BY OTHERS)
- 23 VENT PAD (BY OTHERS)
- 24 E-STOP (REFER TO ARCHITECTURAL DRAWINGS)
- 25 VEHICULAR GUARDRAIL
- 26 UNDERGROUND FUEL TANKS (TANKS AND ASSOCIATED PIPING BY OTHERS)
- 27 SERVICE STATION (BY OTHERS)
- 28 FUEL ISLAND CANOPY (BY OTHERS)
- 29 EDGE OF PAVEMENT
- 30 VEHICULAR TRAFFIC BARRICADE
- 31 RAISED CONCRETE ISLAND
- 32 REFLECTIVE RAISED PAVEMENT MARKER
- 33 18" FLEXIBLE DELINEATOR
- 34 "DO NOT ENTER" SIGN
- 35 MENU BOARD/ORDER STATION (BY OTHERS)
- 36 HANDRAIL (BY OTHERS)
- 37 CONCRETE SIDEWALK
- 38 CURB RAMP

PROGRAMMING AND PLANNING
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE
 SURVEY AND MAPPING
 SECURITY CONSULTING

Gordon
 148 S. Queen Street, Suite 201
 Martinsburg, WV 25401
 Phone: 304-725-8456
 www.gordon.us.com



NO.	REVISIONS
1	5/02/21 REVISED PER COUNTY COMMENTS
2	5/11/21 REVISED PER COUNTY COMMENTS
3	6/8/21 REVISED PER COUNTY COMMENTS

SITE LAYOUT PLAN

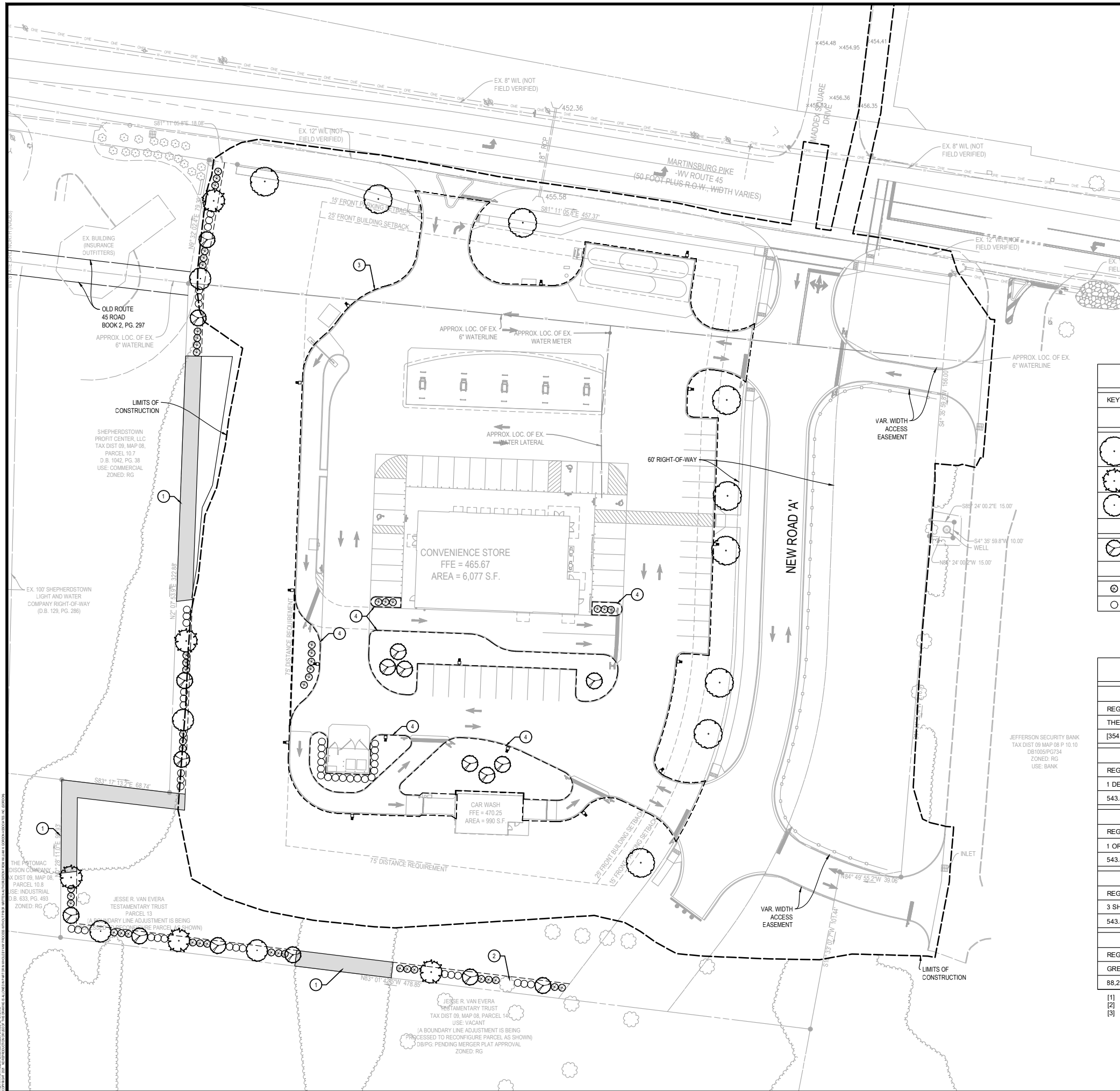
SHEETZ STORE 160
SITE PLAN

TAX MAP 08, PARCEL 13, 15.2, AND PORTIONS OF PARCELS 10.2 & 14; D.B. 1074, PG. 306
 SHEPHERDSTOWN (09) TAX DISTRICT
 JEFFERSON COUNTY, WEST VIRGINIA

J.C. FILE #20-10-SP

SCALE:	HORIZ: 1" = 30'
	VERT: N/A
DATE:	MARCH 2021
JOB:	3370-0202
DRAWN:	BJS
CHECK:	RPP
CADD:	C-CS-101.DWG
NCS:	N/A
SHEET:	08 OF 30





LANDSCAPE BUFFER NOTE:
 ANYWHERE EXISTING VEGETATION IS UTILIZED, THE APPLICANT SHALL PROVIDE DOCUMENTATION THAT THE EXISTING VEGETATION IS COMPRISED OF HARDWOOD AND/OR EVERGREEN TREES THAT MEET OR EXCEED THE BUFFER REQUIREMENTS IN THE ORDINANCE.

- KEY NOTE LEGEND**
- ① HATCH - REAR AND SIDE LANDSCAPE BUFFER REQUIREMENTS ARE MET THROUGH THE PRESERVATION OF EXISTING VEGETATION. 10' LANDSCAPE BUFFER IS TO REMAIN UNDISTURBED.
 - ② EXISTING TREE TO REMAIN AND SERVE AS SIDE BUFFER.
 - ③ PARKING LOT AREA (TYP.)
 - ④ GREEN SPACE (TYP.)

PLANT SCHEDULE

KEY	QUANTITY	SCIENTIFIC NAME	COMMON NAME	SIZE
TREES				
①	9	<i>ACER RUBRUM</i>	RED MAPLE	6' HT. MIN.
②	5	<i>ARBORVITAE THUJA STANDISHII X PLACATA 'G'</i>	GREEN GIANT ARBORVITAE	6' HT. MIN.
③	4	<i>ZELKOVA SERRATA 'GREEN VASE'</i>	GREEN VASE JAPANESE ZELKOVA	6' HT. MIN.
ORNAMENTAL TREES				
④	17	<i>CORNUS ALTERNIFOLIA</i>	PAGODA DOGWOOD	4' HT. MIN.
SHRUBS				
⑤	48	<i>ILEX VERTICILATA 'RED SPRITE'</i>	DWARF WINTERBERRY	#3 CONT.
⑥	48	<i>ROSA 'RADASS' KNOCK OUT</i>	DOUBLE KNOCK OUT ROSE	#3 CONT.

LANDSCAPE REQUIREMENTS

STREET TREES ^[1]		
REGULATION	REQUIRED	PROVIDED
THE GREATER OF 4 TREES OR 1 PER 100 L.F.	9 TREES	9 TREES
[354.78/100 = 3 (3<4)] + [508.83/100 = 5 (5>4)]		
10' SCREENED SIDE AND REAR BUFFER - TREES ^[2]		
REGULATION	REQUIRED	PROVIDED
1 DECIDUOUS OR EVERGREEN TREE PER 50 L.F.	10 TREES	9 TREES + 1 EXISTING 10 TREES
543.81/50		
10' SCREENED SIDE AND REAR BUFFER - ORNAMENTAL TREES ^[2]		
REGULATION	REQUIRED	PROVIDED
1 ORNAMENTAL TREE PER 50 L.F.	10 TREES	10 TREES
543.81/50		
10' SCREENED SIDE AND REAR BUFFER - SHRUBS ^[2]		
REGULATION	REQUIRED	PROVIDED
3 SHRUBS PER 25 L.F., ROUND UPWARD	66 SHRUBS	66 SHRUBS
543.81/25*3 = 65.25		
GREEN SPACE ^[3]		
REGULATION	REQUIRED	PROVIDED
GREENSPACE - 5% OF PARKING LOT AREA	4,411.5 SQ. FEET	4,656 SQ. FEET.
88,230 SF*.05 = 4,411.5 SF		

[1] PER SECTION 4.11.1 OF THE JEFFERSON COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE
 [2] PER SECTION 4.11.E OF THE JEFFERSON COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE
 [3] PER SECTION 9.11.C OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Gordon
 PROGRAMMING AND PLANNING
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE
 SURVEY AND MAPPING
 SECURITY CONSULTING
 148 S. Queen Street, Suite 201
 Martinsburg, WV 25401
 Phone: 304-725-8456
 www.gordon.us.com



REVISIONS

NO.	DATE	REVISION
1	5/02/21	REVISED PER COUNTY COMMENTS
2	5/11/21	REVISED PER COUNTY COMMENTS
3	6/8/21	REVISED PER COUNTY COMMENTS

LANDSCAPE PLAN
SHEETZ STORE 160
SITE PLAN
 TAX MAP 08, PARCEL 13, 15.2, AND PORTIONS OF PARCELS 10.2 & 14; D.B. 1074, PG. 306
 SHEPHERDSTOWN (09) TAX DISTRICT
 JEFFERSON COUNTY, WEST VIRGINIA
 J.C. FILE #20-10-SP

SCALE: HORIZ: 1" = 30'
 VERT: N/A
 DATE: MARCH 2021
 JOB: 3370-0202
 DRAWN: BJS CHECK: RPP
 CADD: C-LS-101.DWG
 NCS: N/A
 SHEET: 30 OF 30



PUBLIC COMMENTS

20-10-SP

SHEPHERDSTOWN

SHEETZ

To: Jefferson County Planning Commission, Jefferson County Commission, WV Delegate John Doyle, Maddex Farm HOA, Sheetz Corporation, Shepherdstown Volunteer Fire Department, West Virginia Department of Transportation, Corporation of Shepherdstown, Shepherdstown Chronicle, Spirit of Jefferson, Martinsburg Journal, Facebook Shepherdstown Community

From: David Pugh, Shepherdstown Area Resident, August 3, 2021

Re: Public Hearing Written Comments for August 10 Shepherdstown Sheetz Site Plan

Preface: I have resided within a ½ mile of the Sheetz construction site for 43 years. Old Martinsburg Pike (6), Chaplins Choice (22), Maddex Farm (current 15). Consequently, I am able to offer a long term perspective related to the development along RT 45 outside of Shepherdstown. My views are predicated upon past, present and future development. Also, that Sheetz, in moving to a new location, continues to be a good neighbor respectful of both Shepherdstown's unique character as a historic town and its area residents. (The current Sheetz has for many years provided an important service to Shepherdstown area residents.) My views are also dependent upon Jefferson County government working to achieve the highest quality of development for its county residents.

Past:

First, working with the Chaplin's Choice HOA and the Developer as well as interested area residents during the planning stages of the Food Lion Plaza construction, it was agreed that a buffer of trees would be placed between the plaza and the subdivision homes bordering it. Also, there would be an inclusion of trees on the plaza site resulting in the entry street lined with trees and the parking lot tree islands. Also, night lighting would be minimized not just to meet requirements but to successfully reduce its impact on nearby residents. In addition, there was the agreed upon small plaza road sign, and McDonalds agreed to place a very small M logo on its site.

Second, the construction of Potomac Farms Drive connecting RT 45 to RT 480 was the result of the efforts of SVFD Chief D. Lee Morgan working with the WVDOT for public safety. He was concerned that the frequent tractor trailers, literally stuck attempting to turn at the Shepherdstown 4-way stop, would block emergency

vehicles from responding to a fire, etc. Further, the immediate inclusion of a traffic light at the intersection of Potomac Farms Drive and RT 480 was a concession by the WVDOT for safety reasons. The traffic flow at that time did not meet the requirement for a light. Also, a RT 45 pedestrian/bike lane was later constructed for safety reasons due to the number of town residents and Shepherd University students walking unsafely along the edge of RT 45 to reach the Food Lion plaza.

Present:

The recently completed ROC's on RT 45 at the edge of Shepherdstown incorporated a colonial architectural design, placed the fueling islands on the side under a white roof to lessen the "strip" appearance in deference to the historic character of Shepherdstown. However, any local resident will attest to the dangerous traffic flow in the Sheetz-ROCS area due to the dozen possible different directional, multiple vehicle movements at one time. The addition of a turning lane and controlled exit areas was an attempt at not making a bad situation worse which of course was impossible.

Future:

How can Sheetz be a good neighbor regarding the construction at their new site including traffic flow? How can Jefferson County government work to achieve the highest quality development for its residents?

- *keep the site foot print as small as possible regarding paving
- *plant a large number of trees as a necessary buffer and for aesthetics
- *exceed the requirements to minimize the impact of night light
- *place the fuel islands on the side or in back
- *place the carwash in the back
- *build using a colonial architectural style
- *tone down use of bright colors and logos
- *use small signage

*suggest to WVDOT and support the installation of a traffic circle instead of more traffic lights as a recent regional traffic study suggested for the future development of RT 45 corridor. It will create a traffic flow and a safer speed zone because drivers will not speed up to beat changing lights

*suggest to WVDOT and support the extension of the pedestrian/bike path to Potomac Farms Drive

In conclusion, there is a long history of businesses being good neighbors through their demonstrated actions working with local entities to protect the historic character of Shepherdstown through quality development. There has also been a long history of WVDOT implementing traffic safety measures for emergency vehicles, traffic flow, and pedestrian safety along RT 45.

It seems as though at this time the RT 45 corridor could be poised to move backwards with regard to preserving Shepherdstown's aesthetic historic integrity as well overall traffic and pedestrian safety. It doesn't have to regress. The Jefferson County Planning Commission working together with the WVDOT, SVFD, the Corporation of Shepherdstown and Sheetz can produce a result that is good for business, good for Shepherdstown, and good for area residents. Sheetz has already been granted changes to zoning and early site construction. It is critical for achieving quality development that local government request that Sheetz make positive changes to their site plan. It is equally important to enlist the support of the WVDOT to create a safe and efficient RT 45 corridor moving forward.

Finally, I am requesting that the Jefferson County Planning Commission take the lead working with all entities involved but primarily Sheetz and the WVDOT to secure the above mentioned improvements. Demonstrate the necessary leadership and forward thinking to successfully grow the local economy while preserving our much envied quality of life.

Sincerely,


David Pugh

216 Maddex Square Drive

Shepherdstown, WV

Staff Report
 Jefferson County Planning Commission Meeting
 August 10, 2021
Trough Bend Final Plat Amendment (21-11-Q)

Item #4: Public Hearing: Request by David Lutman, Lutman Land Development, for a Final Plat Amendment to lift the single family restriction (Note #4) from Lot 1 of Trough Bend Subdivision (File# 01-05) for the purpose of constructing an in-law suite in the basement of a new home construction for a family member.

Applicant/Developer:	David Lutman, Lutman Land Development		
Property Location and Legal Information	Trough Bend Subdivision, Lot 1, Trough Bend Road Tax District: Shepherdstown (09); Tax Map:12; Parcel: 11.4; Size: 10.11+/- ac; Zoning District: Rural		
			
Surrounding Properties:	North: Rural	East: Rural	
	South: Rural	West: Rural	
Approved Activity:	Single Family Residence		
Approvals:	Trough Bend Subdivision (File:01-05) recorded on 09/21/01 in PB18/PG96		

Overview of Request

The subject parcel is designated as Lot 1 in the Trough Bend Subdivision , which was recorded on September 21, 2001 in Plat Book 18/Page 96. This property is in the Rural Zoning District. At the time the plat was approved, the Subdivision Ordinance required all subdivisions to include a note that restricted each lot to a single-family residence only unless otherwise approved by the Planning Commission in accordance with the County prevailing land development laws. This note is no longer required for subdivisions. This note (Note # 4) is the subject of this plat amendment request.

The applicant intends to construct a new home on this 10+ acre lot for the contractual purchaser of this lot. The plan is to build a residential structure/home with a basement apartment (an “in-law suite”) to be

Staff Report
Jefferson County Planning Commission Meeting
August 10, 2021
Trough Bend Final Plat Amendment (21-11-Q)

occupied by a family member. A dwelling unit is for a family member (blood relative) and is considered an “in-law suite” in the Zoning Ordinance. Attached in-law suites are permitted in the Rural Zoning District in accordance with Section 8.15A of the current Zoning Ordinance on properties of at least 2 acres in size.

Zoning Ordinance Requirements

If the Planning Commission approves this Final Plat Amendment lifting the single family restriction for Lot 1 of Trough Bend Subdivision, the applicant may apply for a Zoning Certificate to process under the zoning requirements for In-Law Suites/Accessory Dwelling Units in the Rural Zoning District. Section 8.15A of the Zoning Ordinance has various provisions that must be complied with, including, but not limited to, the requirement that the accessory unit must be secondary in size to the principal dwelling unit, with a maximum size of 1,700 heated square feet, gross floor area.

Plat Amendment Requirements

Section 24.202A of the Jefferson County Subdivision and Land Development Regulations, “Amendment, Modification, and the Vacating of Subdivision Plats”, states that the Planning Commission (or staff, in the case of a minor subdivision plat) may approve an amendment to a subdivision plat in the same manner as the plat was originally approved, provided:

1. All of the property that is affected by the amendment is under the ownership of the applicant;
2. The amendment will not affect the ownership or right of convenient access of persons owning other parts of the subdivision; and
3. The amendment complies with all of the standards of these Regulations, including verification of compliance with the Zoning Ordinance.

Because all plats were approved by action of the Planning Commission under the 1979 Subdivision Ordinance, this amendment was required to be placed on the Planning Commission agenda for a Public Hearing and Planning Commission action. The required 30-day public notice has been advertised in the July 7, 2021 edition of the Spirit of Jefferson newspaper for the August 10, 2021 Planning Commission meeting.

Recommendation

Staff recommends approval of the requested Final Plat Amendment to lift the single family restriction (Note #4) for the sole purpose of constructing an attached accessory dwelling unit/in-law suite on Lot 1 of Trough Bend Subdivision. If approved, the applicant will need to apply for a Zoning Certificate for the Accessory Dwelling Unit prior to applying for a Building Permit.



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor, P.O. Box 716
 Charles Town, West Virginia 25414

File #: 21-11-Q
 Date Rec'd: 06-17-21
 Mtg Date: 08-10-21

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Final Plat Amendment Application

A request to amend, modify and/or vacate an approved plat must comply with Section 24.202 of the Jefferson County 2008 Subdivision Regulations, as amended.

Property Owner Information

Owner Name: Lutman Land development
 Business Name: same
 Mailing Address: 322 N. Mildred st, suite 100 Charles Town WV
 Phone Number: 304-702-2500 Email: rent01@frontiernet.net

Applicant Information

Applicant Name: Lutman, David Same as owner:
 Business Name: Lutman Land development
 Mailing Address: _____
 Phone Number: 304-702-2500 Email: rent01@frontiernet.net

RECEIVED

Consultant Information

Consultant Name: _____
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

JUN 17 2021

**JEFFERSON COUNTY PLANNING
 ZONING & ENGINEERING**

Physical Property Details

Physical Address: Lot 1 Trough Bend Lane, Shepherdstown WV
 Parcel ID: 11.0014 Parcel Size: 10.11
 Zoning District: rural Deed Book: 1260 Page No: 43

Plat Information

Plat Title: Trough Bend Lots 1-7 # Lot A - Lot 1 Note No: _____
 Recordation Date: 9-21-2001 Plat Book: 18 jth Page No: 96

Describe the nature of your proposed amendment.

To allow the contracted occupants a mother in law suite in Basement. The dwelling to be constructed would include a Basement apartment, that would only be occupied by direct family.

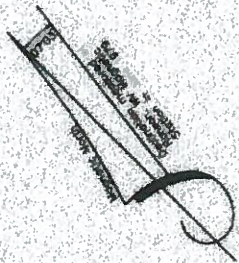
This apartment would be used for multi-generational housing not multi-family

Sketch the shape and location of the lot. Show the location of the proposed construction/land use. Include building setbacks, size, and height. Identify existing easements, roads, buildings/structures, or land uses on the property. Note: septic or well relocations require a survey plat and approval by the Health Department.

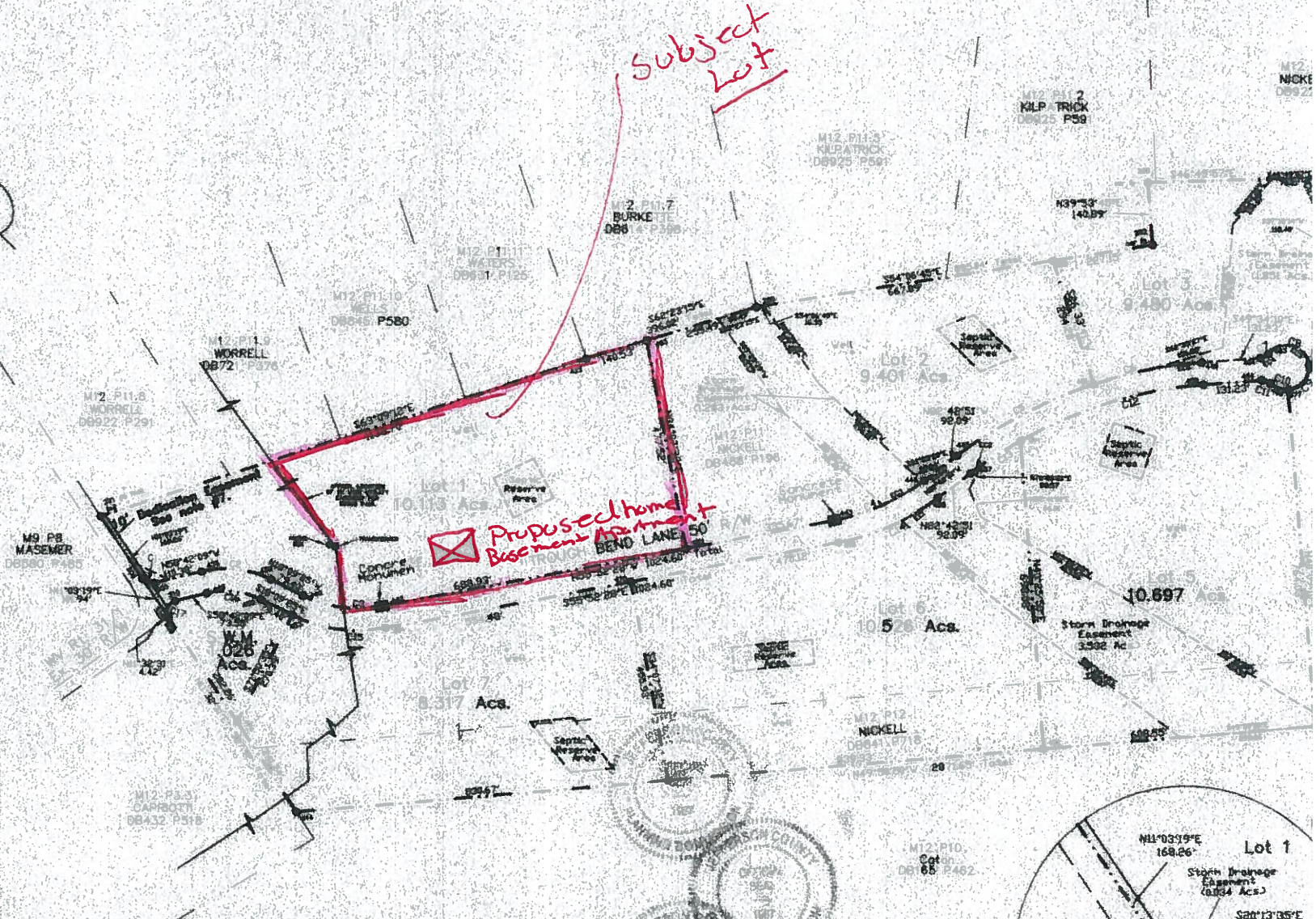
- Included Not applicable (include a vicinity map if a sketch is not applicable)

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.

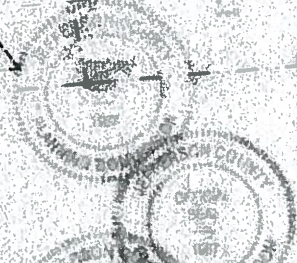
[Signature] 6/17/21 Property Owner/Applicant Signature Date
[Signature] 6/17/21 Property Owner/Applicant Signature Date



Subject Lot

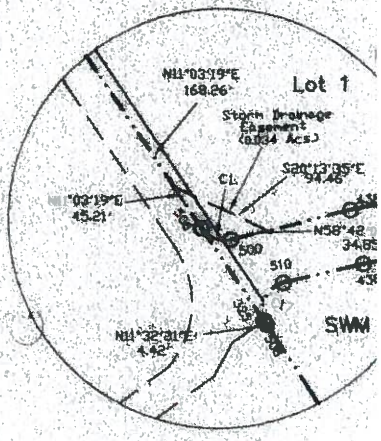


JEFFERSON COUNTY, WV
 FILED
 September 21, 2001 09:10:51
 JOHN E. OTT
 COUNTY CLERK
 TRANSACTION NO: 2001013043
 PLATS (24 X 13)
 Book: 0001B Page: 00056A



NOTES:

1. Building subject limits: 40' front, 15' side and 30' rear. Accessory structures under 144 sq. ft. in size shall be exempt of subject limits. Attachments to main structure shall not exceed 10' in height, 10' in width, 10' in depth, and 10' in height. Except as provided for the regulations under Article 9 of the Jefferson County Zoning Ordinance.
 2. All lots to have access through private subdivision roads only - the exception of Lot A which will keep its own approved easement.
 3. SWM areas restricted to Storm Water Management only. No other uses allowed in SWM limits.
 4. Each parcel shown on this plat shall be restricted to a single family residence only unless otherwise approved by the Planning Commission in conformance with the prevailing county land development laws.
- The owner of any lot within this subdivision shall provide the buyer with a reasonable opportunity before consummation of the purchase to examine the plat to verify the construction of a specific drainage system. If further verification, the buyer is denied a septic system construction permit by the County Health Department, the buyer may refuse to purchase the property without penalty.
5. By graphic plotting only, a portion of this property is located on P.L.E.M. map 540065 (0220) dated 15 OCT 1960. Property is in Zone A & C on said map. A portion of property is in a special flood hazard area as shown. Exact location can only be determined by an elevation certificate.
 6. The developer has previously reserved an additional 10' wide strip of land along WV Route 511 & 171 to allow for future R/W widening.
 7. Driveway culverts to be 18" round CMP or equivalent with CMP at the road slope except for Lot 2 from the Lot 1/Lot 2 property line to the culvert at Station 28+00. If a driveway is built within this section, use a 24" round CMP at the road slope.
 8. A final comment shall be given to appropriate PID in all subdivision R/W for the purpose of construction water under sewer lines and facilities.



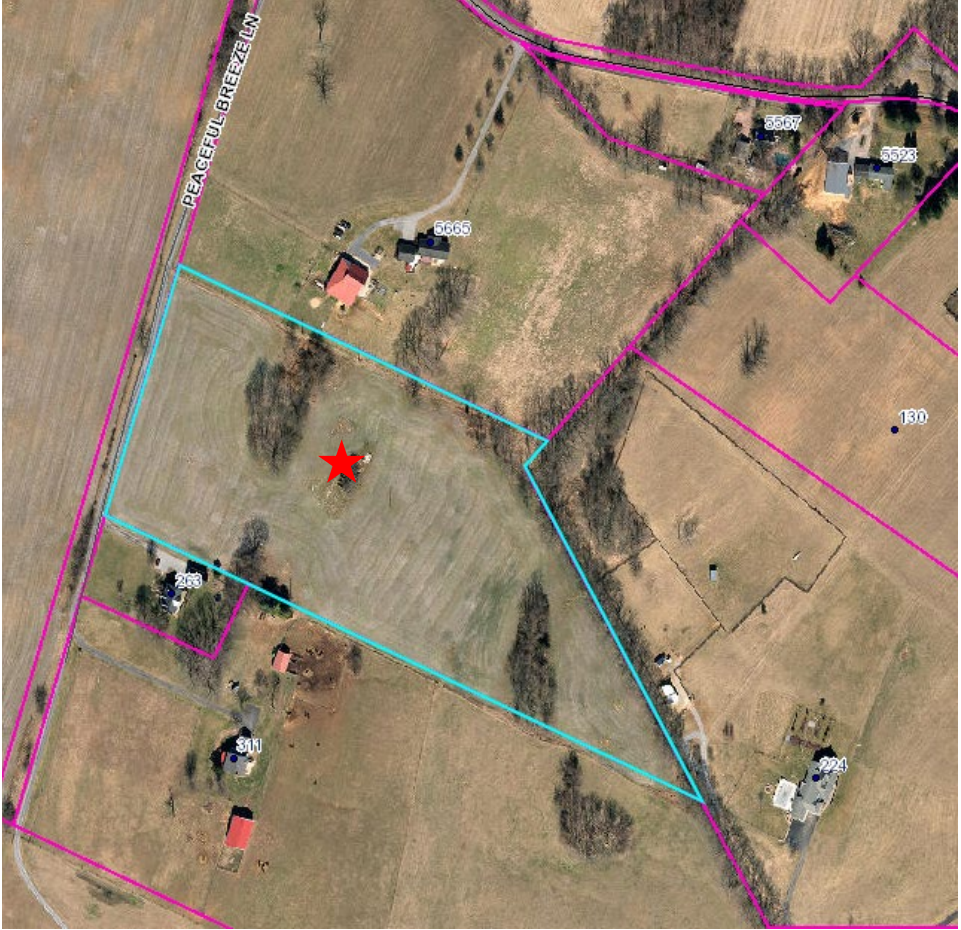
EASEMENT CURVE TABLE						
CURVE DELTA	RADIUS	ARC	TANGENT CHORD	CHORD BKG	CHORD BFG	CHORD BCG
100.0000	100.0000	1.5708	100.0000	100.0000	100.0000	100.0000
100.0000	100.0000	1.5708	100.0000	100.0000	100.0000	100.0000
100.0000	100.0000	1.5708	100.0000	100.0000	100.0000	100.0000

FINAL PLAT showing
 Lots 1-7 & L

Staff Report
 Jefferson County Planning Commission Meeting
 August 10, 2021

John Orndorff Minor Subdivision Final Plat Amendment (21-12-Q)

Item #5: Public Hearing: Request by Nicole Picciotto for a Final Plat Amendment to lift the single family restriction (Note #3) from Lot 1 of John Orndorff Minor Subdivision (File #94-11), Peaceful Breeze Ln, to allow for the construction of a 3 bedroom/2 bath house with a detached 1 bedroom/1 bath in-law suite for a family member.

Applicant/Developer:	Nicole Picciotto	
Property Location and Legal Information	<p style="text-align: center;">John Orndorff Minor Subdivision Lot 1, Peaceful Breeze Ln Tax District: Shepherdstown (09); Tax Map: 12; Parcel: 8; Size: 12.99 ac; Zoning District: Rural</p> 	
Surrounding Properties:	North: Rural South: Rural	East: Rural West: Rural
Approved Activity:	Single Family Residence	
Approvals:	Residue of Parent to Child Subdivision DB1004/PB197 (Approved 02/14/05) Lot 1 of John M. Orndorff Minor Subdivision (File: 94-11) recorded 10/18/94 at PB13/PG10	

Overview of Request

The subject parcel is designated as Lot 1 on the John M. Orndorff Minor Subdivision, which was recorded on October 18, 1994 in Plat Book 13/Page 10. This property is in the Rural Zoning District. At

John Orndorff Minor Subdivision Final Plat Amendment (21-12-Q)

the time the plat was approved, the Subdivision Ordinance required all subdivisions to include a note that restricted each lot to a single-family residence only unless otherwise approved by the Planning Commission in accordance with the County prevailing land development laws. This note is no longer required for subdivisions. This note (Note # 3) is the subject of this plat amendment request.

The applicants would like to lift the single-family home restriction to allow for the construction of a 3 bed/2 bath house with a detached 1 bedroom/1 bath “in-law suite” for the applicant’s sister. A dwelling unit is for a family member (blood relative) and is considered an “in-law suite” in the Zoning Ordinance. Detached in-law suites are permitted in the Rural Zoning District in accordance with Section 8.15A of the current Zoning Ordinance on properties of at least 2 acres in size.

Zoning Ordinance Requirements

If the Planning Commission approves this Final Plat Amendment lifting the single-family restriction for Lot 1 of the John M. Orndorff Minor Subdivision, the applicant may apply for a Zoning Certificate to process under the zoning requirements for In-Law Suites/Accessory Dwelling Units in the Rural Zoning District. Section 8.15A of the Zoning Ordinance has various provisions that must be complied with, including, but not limited to, the requirement that the accessory unit must be secondary in size to the principal dwelling unit, with a maximum size of 1,700 heated square feet, gross floor area.

Plat Amendment Requirements

Section 24.202A of the Jefferson County Subdivision and Land Development Regulations, “Amendment, Modification, and the Vacating of Subdivision Plats”, states that the Planning Commission (or staff, in the case of a minor subdivision plat) may approve an amendment to a subdivision plat in the same manner as the plat was originally approved, provided:

1. All of the property that is affected by the amendment is under the ownership of the applicant;
2. The amendment will not affect the ownership or right of convenient access of persons owning other parts of the subdivision; and
3. The amendment complies with all of the standards of these Regulations, including verification of compliance with the Zoning Ordinance.

Because all plats were approved by action of the Planning Commission under the 1979 Subdivision Ordinance, this amendment was required to be placed on the Planning Commission agenda for a Public Hearing and Planning Commission action. The required 30-day public notice has been advertised in the July 7, 2021 edition of the Spirit of Jefferson newspaper for the August 10, 2021 Planning Commission meeting.

Recommendation

Staff recommends approving the requested Final Plat Amendment to lift the single-family restriction (Note #3) for the sole purpose of constructing an accessory dwelling unit on Lot 1 of the John M. Orndorff Minor Subdivision. If approved, the applicant will need to apply for a Zoning Certificate for the Accessory Dwelling Unit prior to applying for a Building Permit.



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor, P.O. Box 716
 Charles Town, West Virginia 25414

File #: _____
 Date Rec'd: _____
 Mtg Date: _____

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Final Plat Amendment Application

A request to amend, modify and/or vacate an approved plat must comply with Section 24.202 of the Jefferson County 2008 Subdivision Regulations, as amended.

Property Owner Information

Owner Name: Nicole Picciotto
 Business Name: _____
 Mailing Address: 336 Stony Ln. Ranson, WV 25438
 Phone Number: 410-688-9606 Email: ncpicciotto@gmail.com

Applicant Information

Applicant Name: Nicole Picciotto Same as owner:
 Business Name: _____
 Mailing Address: Same as Property Owner
 Phone Number: 410-688-9606 Email: ncpicciotto@gmail.com

Consultant Information

Consultant Name: N/A
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Physical Property Details

Physical Address: Lot 1 Elmwood Farm, Peaceful Breeze Ln. Shepherdstown, WV
 Parcel ID: 19-09-0012-0008-0000 Parcel Size: 12.99 ac
 Zoning District: Shepherdstown Deed Book: 1014 Page No: 291

Plat Information

Plat Title: _____ Note No: _____
 Recordation Date: _____ Plat Book: _____ Page No: _____

Describe the nature of your proposed amendment.

Lift single family home restriction to allow for 3bed/2bath house with 1bed/1bath Fr-law suite.

Sketch the shape and location of the lot. Show the location of the proposed construction/land use. Include building setbacks, size, and height. Identify existing easements, roads, buildings/structures, or land uses on the property. Note: septic or well relocations require a survey plat and approval by the Health Department.

Included Not applicable (include a vicinity map if a sketch is not applicable)

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.

Nicole Picciotto 6/22/21 _____
 Property Owner/Applicant Signature Date Property Owner/Applicant Signature Date

N

Lot 1 Elmwood Farm
Peaceful Breeze Ln
Shepherdstown, WV

W

500'

244'

3bd
2ba
house

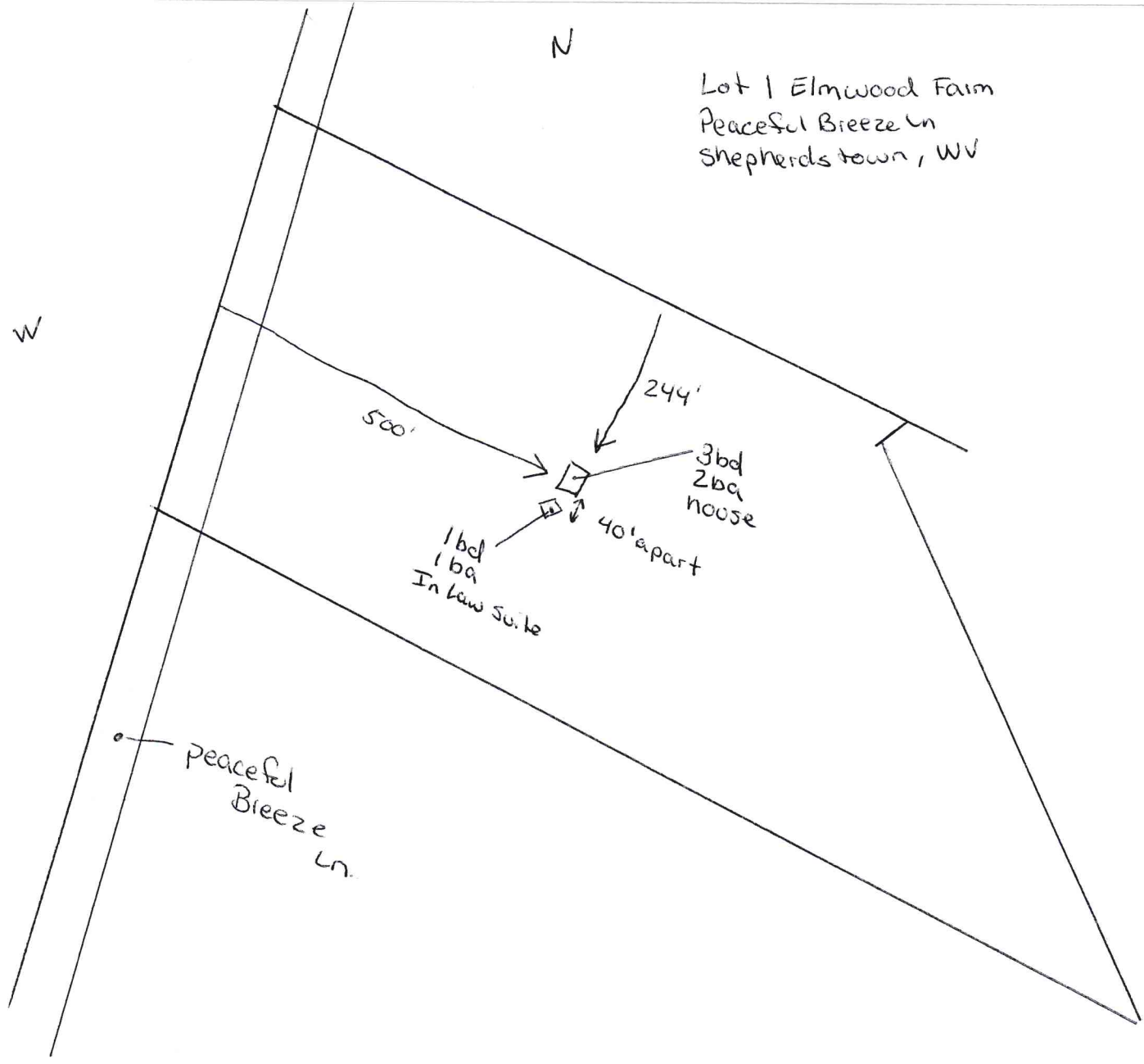
1bd
1ba
In Law Suite

40' apart

E

Peaceful
Breeze
Ln.

S



LEGEND

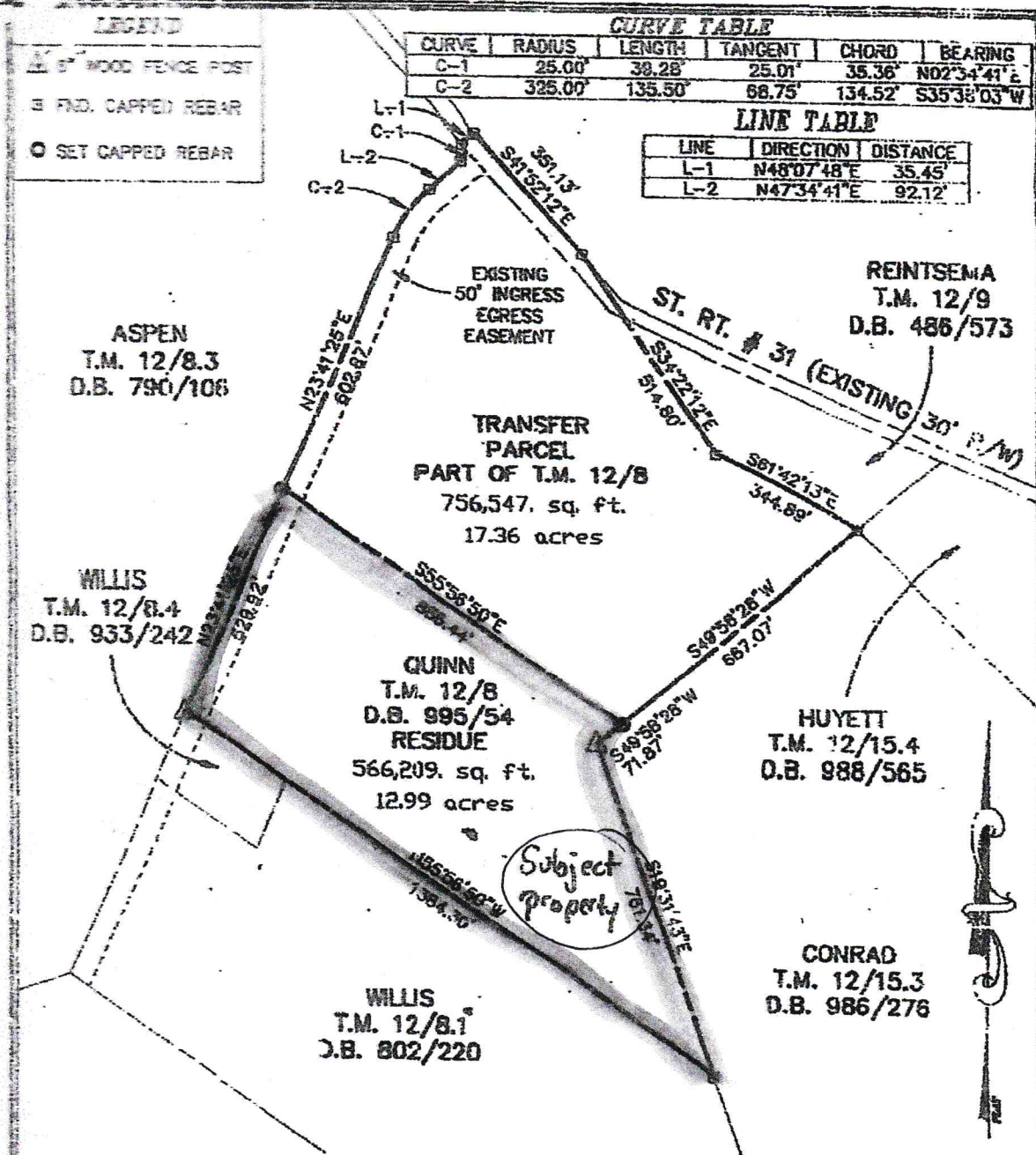
- ▲ 6" WOOD FENCE POST
- FND. CAPPED REBAR
- SET CAPPED REBAR

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING
C-1	25.00'	38.28'	25.01'	35.36'	N02°34'41"E
C-2	325.00'	135.50'	68.75'	134.52'	S35°38'03"W

LINE TABLE

LINE	DIRECTION	DISTANCE
L-1	N48°07'48"E	35.45'
L-2	N47°34'41"E	92.12'



PARENT TO CHILD TRANSFER

PLAT SHOWING PARENT TO CHILD TRANSFER OF A PORTION OF T.M. 12/8, PROPERTY STANDING IN THE NAME OF JOHN J. JR. & DORETHEA L. QUINN, AS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF JEFFERSON COUNTY IN DEED BOOK 995/54, LOCATED IN SHEPHERDSTOWN DISTRICT, JEFFERSON COUNTY, WEST VIRGINIA. NO SETBACK VIOLATIONS WOULD OCCUR AS A RESULT OF THIS TRANSFER.

DWG # 4316

DATE-10/18/04

GRAPHIC SCALE



(IN FEET)
1 inch = 300 ft.

SURVEYED BY:


PETER H. LORENZEN & S.



Staff Report
 Jefferson County Planning Commission Meeting
 August 10, 2021

Lutman (Fennec Fox Lane) Waiver Request (File #21-13-PCW)

Items #6: Public Hearing: Waiver of Section 20.201.A.2 of the Subdivision Regulations to allow a 6th lot to access Fennec Fox Lane which was created as a part of a Minor Subdivision serving the maximum 5 lots. (21-13-PCW).

Applicant	David Lutman/Lutman Land Development	
Property Location & Information	<p style="text-align: center;">7029 Flowing Springs Road and Fennec Fox Lane Shepherdstown (09); Map: 17; Parcel: 4.8; Size: 1.54 acres ; Zoning District: Rural</p> 	
Adjacent Zoning Districts	<i>North:</i> Rural <i>South:</i> Rural	<i>East:</i> Rural <i>West:</i> Rural
Proposed Activity	To permit Parcel 4.8 to have access to Fennec Fox Lane, creating a 6 th lot on a road created as a part of a Minor Subdivision.	
Previous Approvals Impacting this Request	<ul style="list-style-type: none"> • Lots 2, 3 - Residue, 4 & 5 Howard R. Quynn II & Patricia A. Quynn Minor Subdivision Final Plat (PB25/PG 659-659A) – 50’ Access Easement • Final Plat Lots 1, 2, 3-Residue - Gray Rudisill LLC (PB23/PG59) – 40’ Access • Lot A & B & Residue Lot 17, Plot 4.6 & 4.9 (PB17/PG62) 	

Summary of the Request:

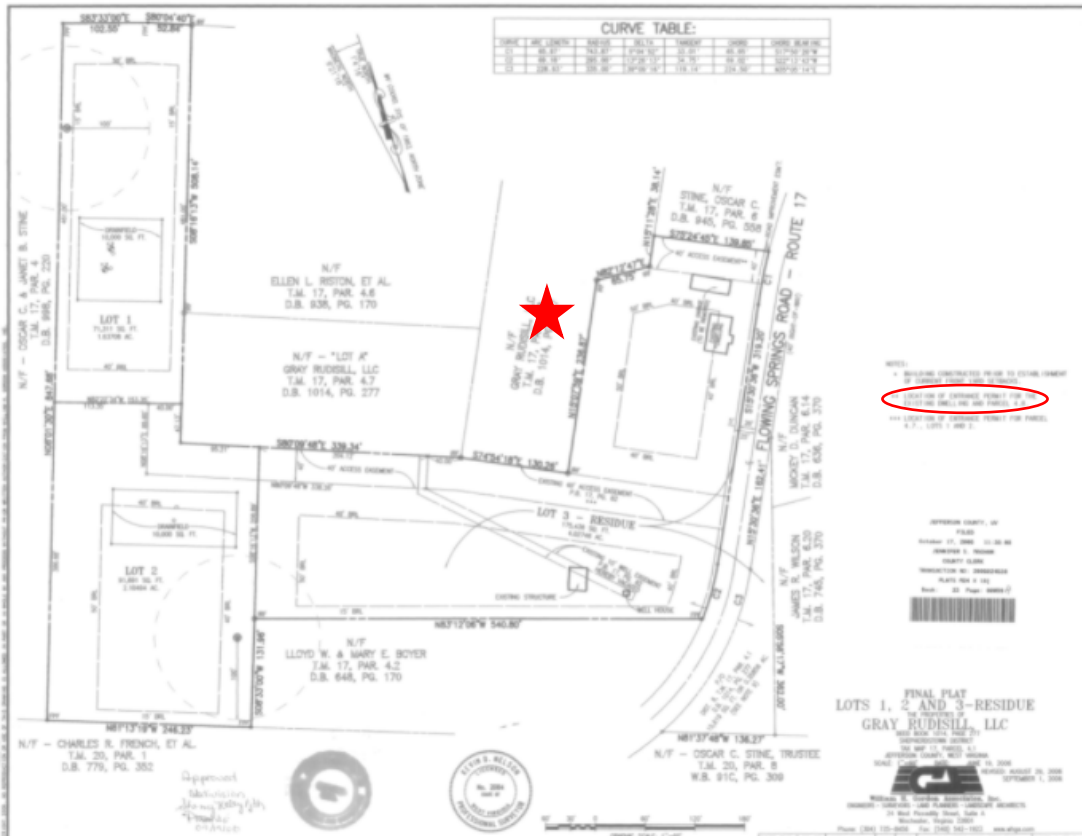
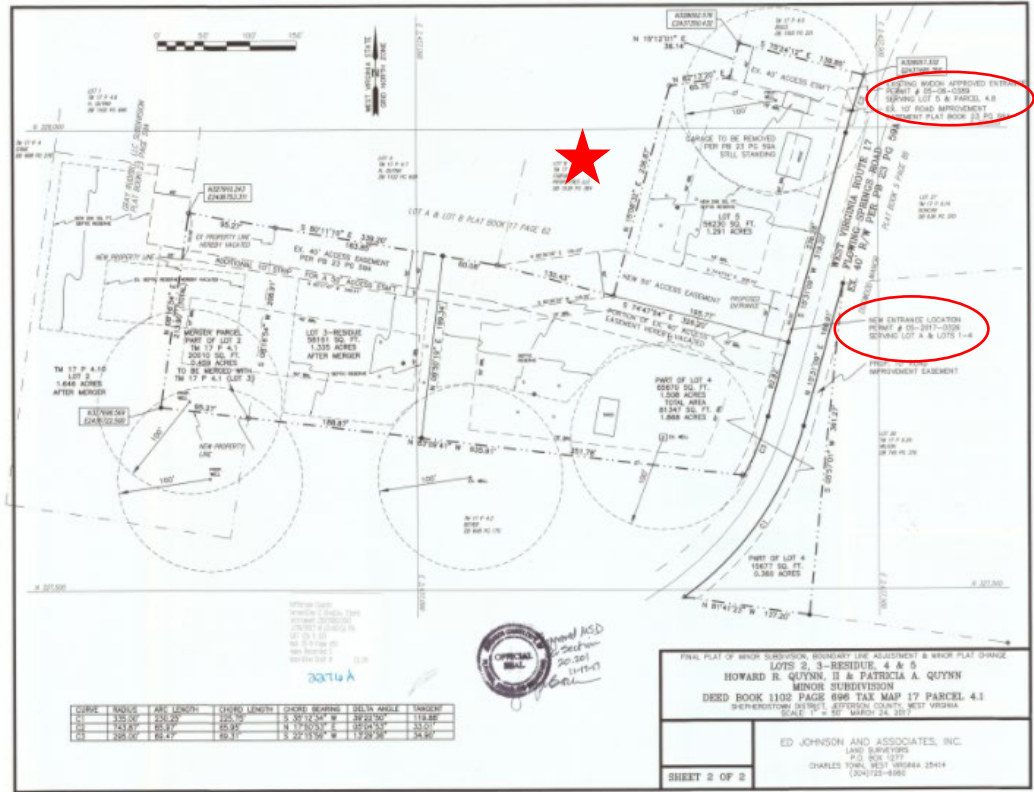
The applicant is requesting a waiver from the provisions in the Subdivision Regulations that state that the required 50’ access easement that serves Minor Subdivisions is restricted to 5 lots. The applicant explained that when the lot in question was originally created in 2000, the easement that became Fennec Fox Lane was intended to serve the lot. When the residue was further subdivided in 2017, access to this lot was moved and this location has become problematic. The following plats depict the history of the lots and accesses for this subdivision.

Staff Report
 Jefferson County Planning Commission Meeting
 August 10, 2021

Lutman (Fennec Fox Lane) Waiver Request (File #21-13-PCW)

History of Lot and Access Creation:

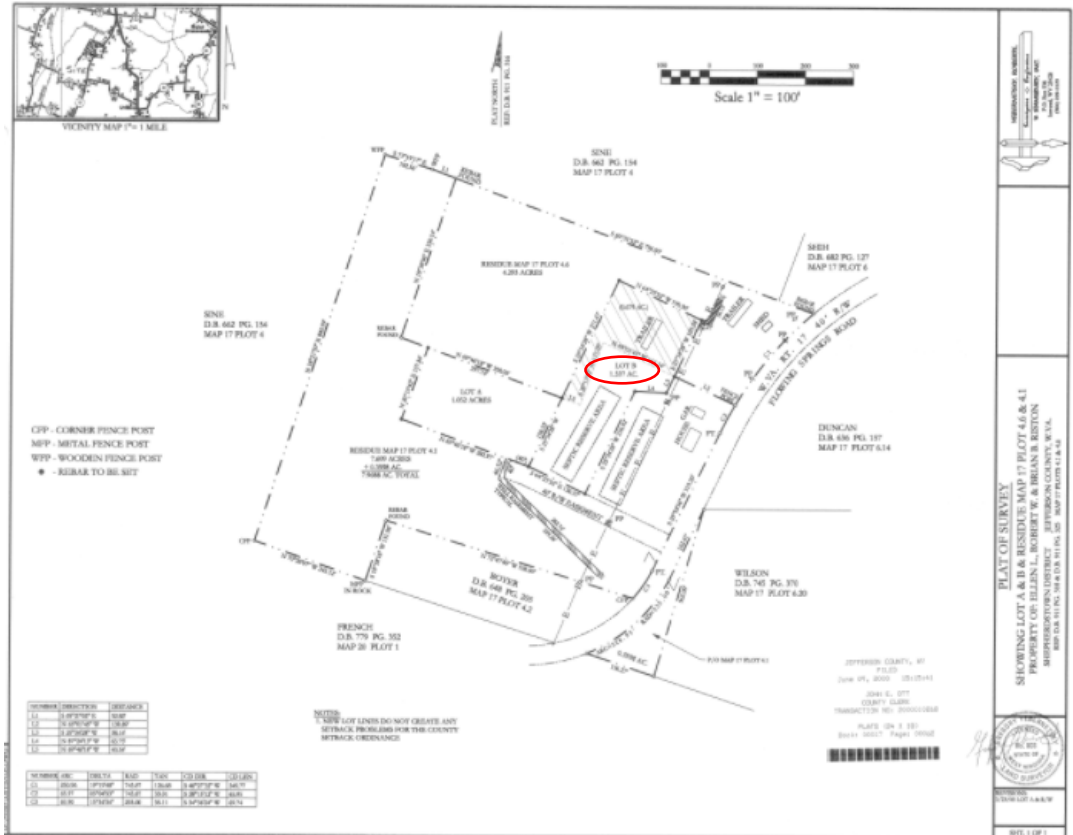
PB25/PG659 –
 Restricted the access to Parcel 4.8 to the existing northern 40' access easement; and access to the new lots to the widened southern 50' access easement (now named Fennec Fox Drive).
 (approved 2017)



PB23/PG59 – 59A
 – Created 3 lot minor subdivision on southern 40' access easement with a note requiring Parcel 4.8 to access the northern 40' access easement.
 (Approved 2006)

Staff Report
 Jefferson County Planning Commission Meeting
 August 10, 2021
Lutman (Fennec Fox Lane) Waiver Request (File #21-13-PCW)

PB17/PG62 –
 Plat showing Lot
 B with access to
 40' access
 easement where
 Fennec Fox Lane
 now exists.
 (Approved 2000)



Subdivision Regulations’ Requirement:

The applicant is requesting a waiver of Section 20.201.A.2 of the Subdivision Regulations which states the following:

“Sec. 20.201 Minor Subdivisions

Minor subdivisions are those that do not require the development of new off-tract infrastructure, the extension of existing off-tract infrastructure, or the creation of common areas, and result in the creation of five (5) residential lots or less,

A. Residential

All minor residential subdivisions shall conform with the following:

2. All lots, regardless of the zoning district, shall have motor vehicle access via a 50’ access easement, provided that the access easement serves no more than 5 lots to either:
 - a. A WV DOH road right-of-way or easement; or
 - b. A road in a major subdivision that meets county roadway design standards (Table 2.2-1)”

Minor subdivisions are approved administratively and require no engineered plans for infrastructure improvements such as roads, stormwater or public utilities. Often the roads in minor subdivisions are dirt or gravel and maintenance is shared by the property owners. For this reason, the number of lots within a minor subdivision is limited to 5 lots to limit the wear and tear on the minor subdivision roads. Subdivisions with greater than 5 residential lots and/or the extension of off-site infrastructure are considered major subdivision and require engineered plans for roads, stormwater and other infrastructure.

Staff Report
Jefferson County Planning Commission Meeting
August 10, 2021

Lutman (Fennec Fox Lane) Waiver Request (File #21-13-PCW)

In this case, the applicant is asking to be permitted to allow a 6th lot to use the 50' access easement known as Fennec Fox Lane and still be considered a Minor Subdivision. In order to do this, the Planning Commission will need to approve a waiver of this requirement.

Waiver Requirements:

The applicant provides a response to the requirements found in “Division 24.300 Waivers” of the Subdivision Regulations, which is attached to the application. Waivers from the minimum standards in these Regulations may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- (1) that the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature;
- (2) that the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- (3) that the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and
- (4) that the waiver if granted will result in a project of better quality and/or character. Process and procedural waivers shall be reviewed and found consistent with the above criteria prior to approval.

Staff Comments:

Minor Subdivisions are restricted to five lots due to the fact that there are no engineered improvements required related to the road, stormwater management or other utilities. The greater the number of lots utilizing the road, the greater the impact on the unimproved road. In this case, the applicant purchased a few of the lots to build houses on and improved the road by paving it. The lot in question is actually crossed by the 50' access easement in question and has direct access to the newly paved road. The lot in question currently has access to Flowing Springs Road via a less safe gravel road. The applicant contends that allowing this lot to access Fennec Fox Lane is safer for both the resident of this lot and traffic on Flowing Springs Road.

Staff Recommendation:

As Fennec Fox Lane has been paved, Planning and Zoning staff does not object to granting the waiver to allow one additional lot to have access to the road, provided that the owner of this lot is required to participate in a road maintenance agreement with the other lots on this road.



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: 21-13-PCW
 Mtg Date: 08-10-21
 Date Rec'd: 07-09-21
 Fees Paid: \$100 cash
 Staff Int: AB/AJ
 List of Adjoiners: ✓

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Planning Commission Waiver Request

Waivers must comply with Division 24.300 of the 2008 Subdivision Regulations, as amended.

Property Owner Information

Owner Name: David Lutman
 Business Name: Lutman Land Development
 Mailing Address: 610 N Mildred Street, Charles Town, WV 25414
 Phone Number: 304/702-2500 Email: rent01@frontiernet.net

Applicant Contact Information

Applicant Name: _____ Same as owner:
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Consultant Information

Name: _____
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Physical Property Details

Physical Address: 7029 Flowing Springs Road and Fennec Fox Lane Vacant Lot:
 Tax District: Shepherdstown Map No: 17 Parcel No: 4.8
 Parcel Size: 1.54 Acres +- Deed Book: 1259 Page No: 660
 Zoning District: Rural District

On a separate sheet of paper sketch the shape and location of the lot. Show the location of the intended construction or land use and indicate building setbacks, size, and height. Identify existing easements, roads, buildings, structures, or land uses on the property. Sign and date the sketch.

Included Not applicable (include a vicinity map if a sketch is not applicable)

What Section of the Subdivision Regulations and year of the Regulations are you requesting to Waive?

Section 20.201.A.2.

Briefly Describe the Nature of Your Waiver Request:

The original Developer shifted the entrance to this existing lot to a different ROW to Flowing Springs Road because they were creating a total of 5 lots on an existing lane. However, the developer sold the lots and this parcel was purchased by the Applicant. The Applicant paved Fennec Fox Lane while construction a house on another parcel on Fennec Fox Lane. As such, the Applicant would like to use this Lane for access as the Lot was originally intended. Furthermore, the alternative ROW provided enters onto Flowing Springs Road in a less desirable location due to a garage and a tree that are too close to both the ROW and Sight Distance on Flowing Springs Road. The waiver will allow the 6th lot on an access. However, in this case, the access (Fennec Fox Lane) has been improved by widening and paving so it provides a much better situation if the waiver is granted.

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

There is no impact on County or State Maintenance if the Waiver is granted. However, it will provide one less driveway entrance onto Flowing Springs Road if Granted. Plus, since this access (Fennec Fox Lane) is now paved, it would provide less of an impact to Flowing Springs Road (and State Maintenance) than an additional gravel access drive onto the State Road.

Explain how the waiver, if granted, will not adversely affect the public health, safety, or welfare or the rights of adjacent property owners or residents.

There would be no adverse affect to public health, safety or welfare of the adjacent properties, since a house will be constructed on the lot regardless of the access. However, if the waiver is granted, the Applicant believes that it will provide for a safer approach to Flowing Springs Road for this lot. In fact, this Lot had access on Fennec Fox Lane until the last subdivision of the original owner. Furthermore, this applicant paved the Lane to provide a safer access lane with less maintenance costs to the other users. This lot will also contribute to any maintenance association that is created for this Lane.

Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

Again, this parcel always had access to this lane. The Intent of the ordinance is to provide for safe access points for lots. The granting of the waiver will allow the lot to use the access lane that is in fact, in part, on this lot. The Ordinance also promotes less access points onto State Roads and the waiver will allow for this lot to use the existing paved access lane known as Fennec Fox Lane.

Explain how the waiver, if granted, will result in a project of better quality and/or character.

A sixth lot on an newly paved road (paved by the applicant) would provide for a much better result than to require the construction and new access for this lot on what the Applicant considers a less safe entrance. Again, this isn't a request to create an additional lot. It is just a request to allow the pre-existing lot to continue to be allowed to use the ROW and Lane that is now partially on the Applicant's parcel.

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.

	7.9.21		
Property Owner/Applicant Signature	Date	Property Owner/Applicant Signature	Date

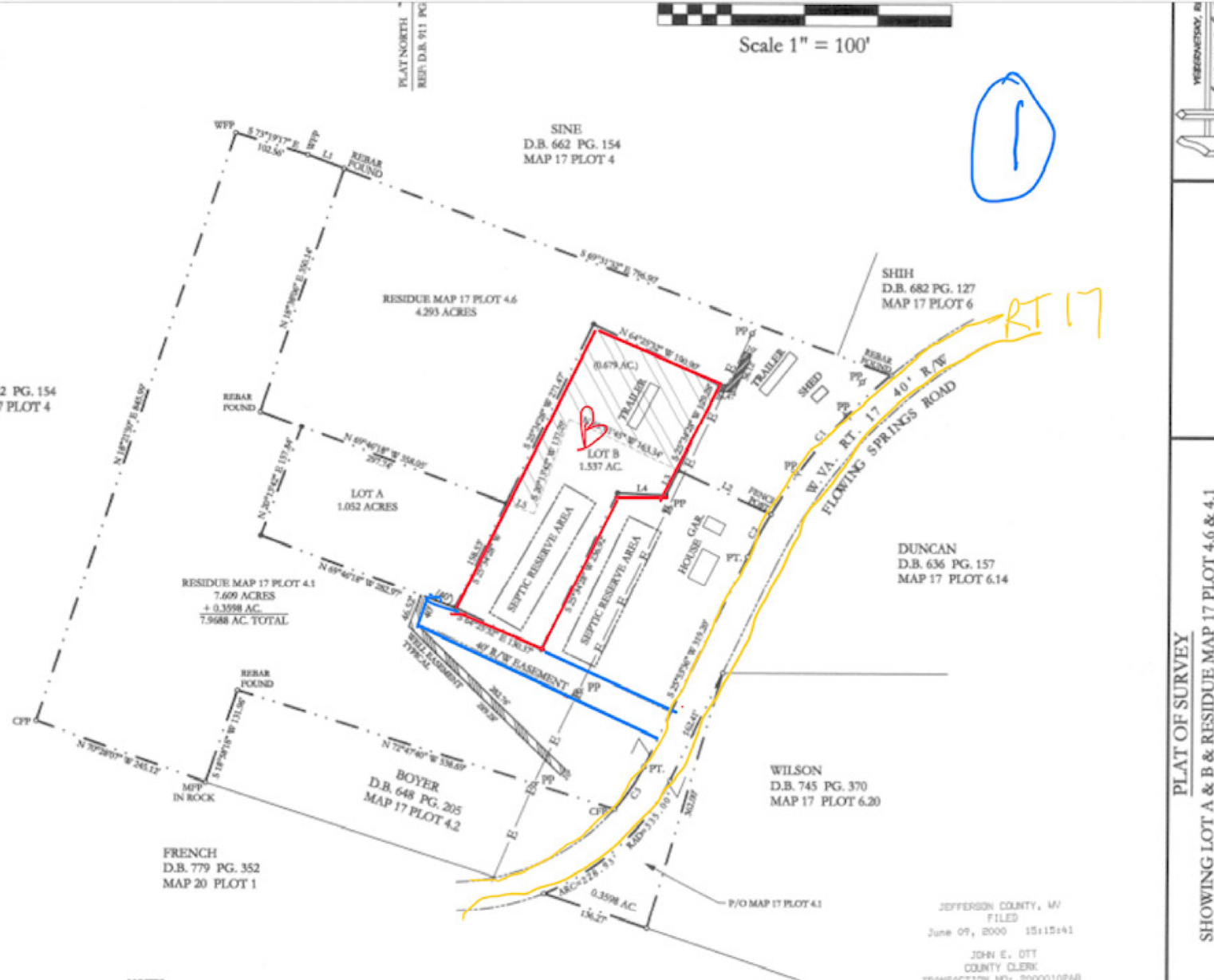
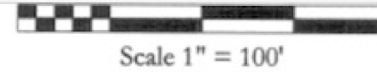
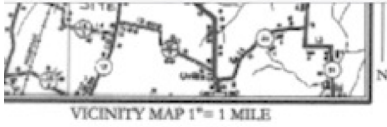
Notification Requirements

The subject parcel shall be posted with a minimum of one 28" x 22" placard at least 14 days prior to the public hearing. The placard(s) will be prepared by the Staff and posted by the applicant. Adjacent property owner name and address information shall be provided by the applicant so that notification letters can be mailed by Staff least 14 days prior to the public hearing.

August 10, 2021	July 27, 2021	July 27, 2021
Public Hearing Date	Date Placard Posted	Date Adjoiners Mailed

Planning Commission Determination

Approved Denied Date: ___ / ___ / ___



- CFP - CORNER FENCE POST
- MFP - METAL FENCE POST
- WFP - WOODEN FENCE POST
- - REBAR TO BE SET

NUMBER	DIRECTION	DISTANCE
L1	S 69°27'02" E	52.82'
L2	N 69°01'45" W	139.89'
L3	S 25°34'28" W	38.14'
L4	N 87°28'13" W	65.75'
L5	N 69°40'18" W	40.54'

NUMBER	ARC	DELTA	RAD	TAN	CD DIR	CD LEN
C1	290.96	19°19'48"	743.87	126.68	S 40°27'32" W	249.77
C2	65.97	05°04'33"	743.87	33.01	S 28°15'12" W	65.95
C3	69.90	13°34'54"	293.00	35.11	S 54°36'26" W	68.74

NOTES:
 1. NEW LOT LINES DO NOT CREATE ANY SETBACK PROBLEMS FOR THE COUNTY SETBACK ORDINANCE.

JEFFERSON COUNTY, WV
 FILED
 June 09, 2000 15:15:41
 JOHN E. OTT
 COUNTY CLERK
 TRANSACTION NO: 2000010268
 PLATS (24 X 18)
 Book: 00017 Page: 00062

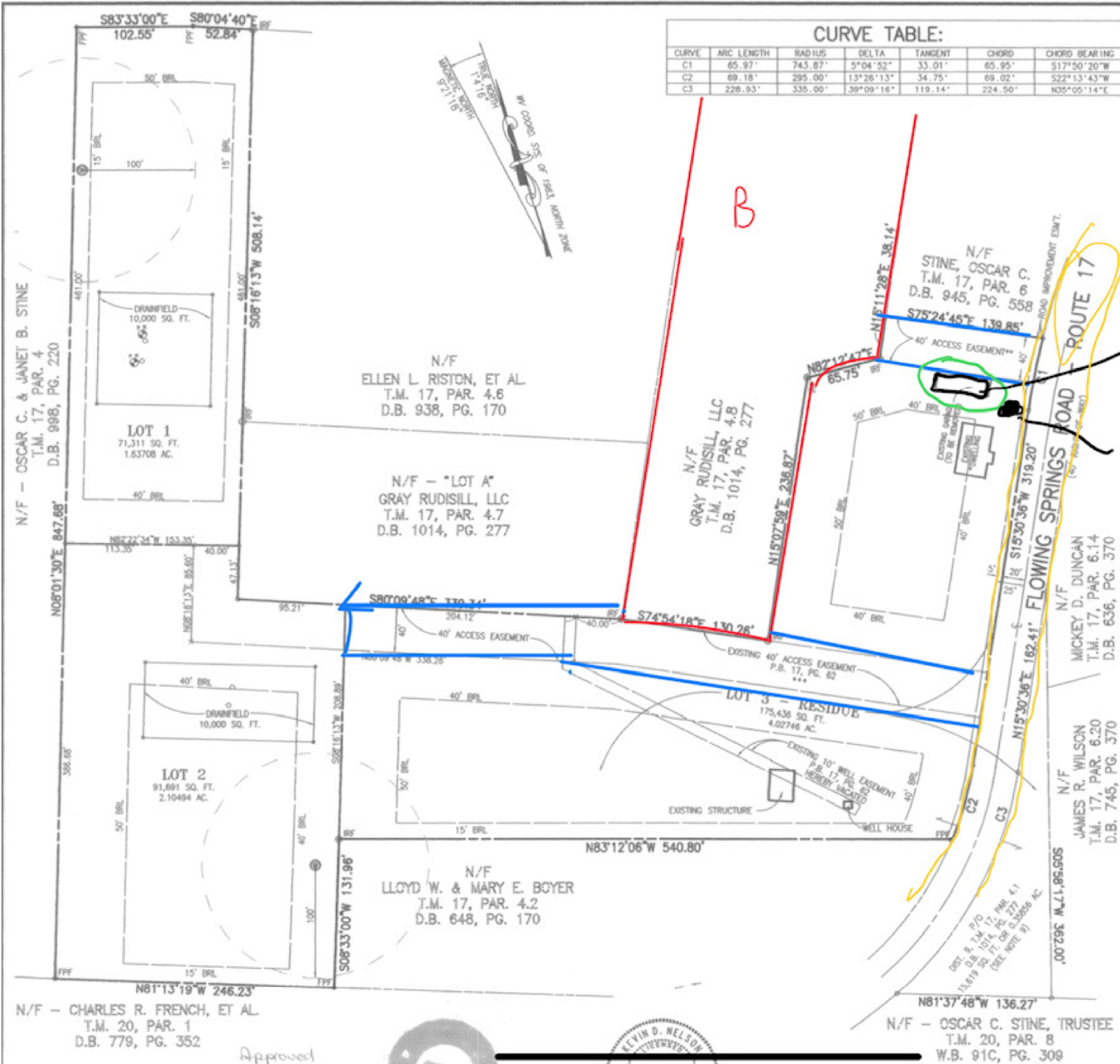


PLAT OF SURVEY
 SHOWING LOT A & B & RESIDUE MAP 17 PLOT 4.6 & 4.1



CURVE TABLE:						
CURVE	ARC LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	65.97'	743.87'	5°04'52"	33.01'	65.95'	S17°50'20"W
C2	69.18'	295.00'	13°26'13"	34.75'	69.02'	S22°13'43"W
C3	228.93'	335.00'	39°09'16"	119.14'	224.50'	N35°05'14"E

2



garage

T. Rel

- NOTES:
- * BUILDING CONSTRUCTED PRIOR TO ESTABLISHMENT OF CURRENT FRONT YARD SETBACKS.
 - ** LOCATION OF ENTRANCE PERMIT FOR THE EXISTING DWELLING AND PARCEL 4.8.
 - *** LOCATION OF ENTRANCE PERMIT FOR PARCEL 4.7., LOTS 1 AND 2.

JEFFERSON COUNTY, WV
 FILED
 October 17, 2006 11:38:00
 JENNIFER S. HUGHEN
 COUNTY CLERK
 TRANSACTION NO: 2006024630
 PLATS M24 X 18J
 Book: 23 Page: 00059 P



23 59A

FINAL PLAT
 LOTS 1, 2 AND 3-RESIDUE
 THE PROPERTIES OF
 GRAY RUDISILL, LLC

DEED BOOK 1014, PAGE 277
 SHEPHERDSTOWN DISTRICT
 TAX MAP 17, PARCEL 4.1
 JEFFERSON COUNTY, WEST VIRGINIA
 SCALE: 1"=80' DATE: JUNE 19, 2006
 REVISED: AUGUST 21, 2006



Approved

N/F - CHARLES R. FRENCH, ET AL.
 T.M. 20, PAR. 1
 D.B. 779, PG. 352

N81°37'48"W 136.27'
 N/F - OSCAR C. STINE, TRUSTEE
 T.M. 20, PAR. 8
 W.B. 91C, PG. 309

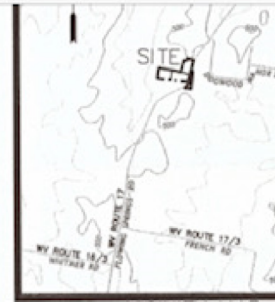
LINE	BEARING	DISTANCE
L1	S 74°47'54" E	130.43'
L2	N 82°13'20" E	65.75'
L3	N 15°12'01" E	38.14'

deed of record in the Clerk's Office of said County in Deed Book 1102, Page 696 and this conveyance is made for the purpose of adjusting the boundary line(s) of said presently owned land of the grantees.

Howard R. Quynn II
HOWARD R. QUYNN II

Patricia A. Quynn
PATRICIA A. QUYNN

NONE



- LEGEND:
- ◆ FENCE POST
 - ◆ FOUND 3/4" IRON PIPE
 - ▲ FOUND PK NAIL
 - ▲ SET 5/8" REBAR & CAP
 - ◆ PERKOLATION TEXT HOLE
 - ◆ OBSERVATION HOLE
 - * PROPOSED ENTRANCE

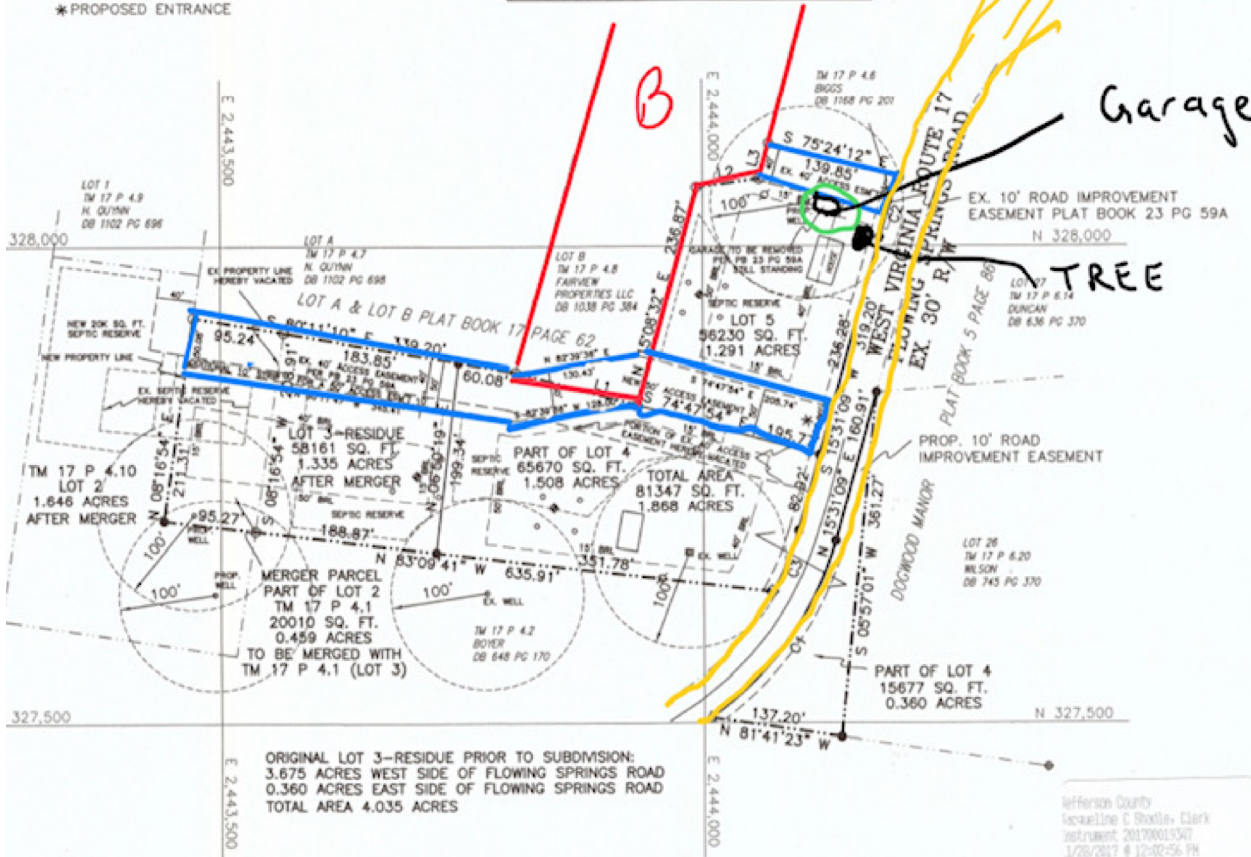
AREA TABULATION:

LOT #	2	3
EXISTING	2.105 AC.	4.035 AC.
MERGER	-0.459 AC.	+0.459 AC.
FINAL AREA	1.646 AC.	4.494 AC.

AREA TABULATION (AFTER MERGER):

LOT 3-RESIDUE	1.335 ACRES
LOT 4	1.868 ACRES
LOT 5	1.291 ACRES
TOTAL	4.494 ACRES

3



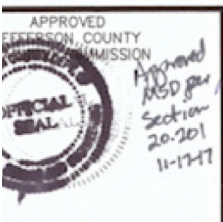
- NOTES:
- PROPOSED EASEMENTS OR RIGHTS-OF-WAYS: 50' ACCESS EASEMENT & 10' ROAD IMPROVEMENT EASEMENT
 - THERE ARE NO FUTURE EASEMENTS OR RIGHTS-OF-WAYS PROPOSED
 - THERE ARE NO LANDS RESERVED FOR PUBLIC OR SEMI-PUBLIC USE
 - PROPERTY DOES NOT LIE IN A 100-YEAR FLOOD PLAIN AND LIES IN ZONE X OF FIRM COMMUNITY PANEL NUMBER 5403700040E EFFECTIVE DECEMBER 18, 2009.
 - THE SELLER OF ANY LOT WITHIN THIS SUBDIVISION SHALL PROVIDE THE BUYER WITH A REASONABLE OPPORTUNITY, BEFORE SETTLEMENT, TO DETERMINE THAT THE LOT IS SUITABLE FOR THE CONSTRUCTION OF A SEPTIC DISPOSAL SYSTEM. IF, BEFORE SETTLEMENT, THE BUYER IS DENIED A SEPTIC CONSTRUCTION PERMIT BY THE JEFFERSON COUNTY HEALTH DEPARTMENT, THE BUYER MAY REFUSE TO PURCHASE THE LOT WITHOUT PENALTY.
 - THERE ARE NO RESTRICTIVE COVENANTS PLANNED FOR THESE LOTS.
 - NO WAIVERS HAVE BEEN APPLIED FOR OR GRANTED
 - THERE ARE NO DRAINAGE EASEMENTS
 - NO STRUCTURES, FENCES OR LANDSCAPING SHALL BE LOCATED IN THE EASEMENTS.
 - THE COST AND EXPENSE OF MAINTAINING THE PRIVATE ROAD EASEMENT SHALL BE DIVIDED EQUALLY AMONG THE LOT OWNERS IN THE SUBDIVISION AND PAID BY THE LOT OWNER OR HEIRS, ASSIGNS AND SUCCESSORS IN INTEREST OF EACH SUCH OWNER.
 - THE PARTIES HERETO STATE AND ACKNOWLEDGE THAT SAID ACCESS ROAD OR ACCESS EASEMENT IS PRIVATE AND ITS MAINTENANCE, INCLUDING SNOW REMOVAL, IS NOT A PUBLIC RESPONSIBILITY OR THE RESPONSIBILITY OF JEFFERSON COUNTY, WEST VIRGINIA.
 - ALL LOTS SHALL HAVE A DRIVEWAY CULVERT WITH A MINIMUM 15" CMP OR EQUIVALENT.
 - JEFFERSON COUNTY HEALTH DEPARTMENT APPROVAL FOR WELLS AND SEPTIC RESERVES PERMIT # SDA 19-1617 013
 - BUILDING SETBACKS ARE: 40' - FRONT, 15' - SIDES, 50' - REAR
 - EXISTING EASEMENTS - AS SHOWN ON PLAT
 - VERIFICATION FROM A WELL DRILLER THAT A PRESSURE GROUTED WELL IS DRILLED AND IS PRODUCING WATER AT A QUANTITY APPROVED BY THE JEFFERSON COUNTY HEALTH DEPARTMENT AND/OR THE WEST VIRGINIA BUREAU OF HEALTH SHALL BE SUBMITTED TO THE PLANNING COMMISSION PRIOR TO THE ISSUANCE OF AN IMPROVEMENT LOCATION PERMIT. CERTIFICATION THAT THE WATER IS POTABLE MUST BE SUBMITTED TO THE PLANNING COMMISSION WITHIN 6 MONTHS OF THE ISSUANCE OF AN IMPROVEMENT LOCATION PERMIT.
 - THE PUBLIC SERVICE DISTRICT MAY REQUIRE IN THE FUTURE EACH PROPERTY OWNER TO ABANDON EXISTING WELL AND SEPTIC SYSTEMS AND TO CONNECT TO A CENTRALIZED SYSTEM AND IF IT BECOMES AVAILABLE.
 - ALL RESIDENTIAL AND NON-RESIDENTIAL BUILDING LOTS SHALL HAVE A STABILIZED CONSTRUCTION ENTRANCE INSTALLED PRIOR TO BEGINNING CONSTRUCTION ON A LOT.
 - THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY MAP INDICATES THAT THERE ARE NO WETLANDS.
 - A BLANKET EASEMENT IS GRANTED TO THE APPROPRIATE PUBLIC SERVICE DISTRICT IN ALL 1/4 RIGHT-OF-WAYS FOR CONSTRUCTION AND MAINTENANCE OF WATER AND SANITARY SEWER LINES
 - LOT 4 WILL ONLY HAVE ACCESS TO THE 50' ACCESS EASEMENT, LOT 5 & PARCEL 4.8 WILL ACCESS TO THE EXISTING 40' ACCESS EASEMENT, NO SEPARATE ENTRANCE TO WV ROUTE 17

ORIGINAL LOT 3-RESIDUE PRIOR TO SUBDIVISION:
3.675 ACRES WEST SIDE OF FLOWING SPRINGS ROAD
0.360 ACRES EAST SIDE OF FLOWING SPRINGS ROAD
TOTAL AREA 4.035 ACRES

Jefferson County
Jacqueline C. Stead, Clerk
Instrument 20170001547
1/20/2017 @ 12:02:56 PM
LAT 04 X 180
BOOK 25 4 Page 659
Pages Recorded 2
Recording Dist # 11.00

25 659

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	335.00'	230.25'	225.75'	S 35°12'34" W	39°22'50"	119.88'
C2	743.87'	65.97'	65.95'	N 17°50'53" E	05°04'53"	33.01'
C3	295.00'	69.47'	69.31'	S 22°15'59" W	13°29'36"	34.90'



OWNER'S CERTIFICATE:
THE DEVELOPER, IN SIGNING THIS PLAT, AGREES TO ABIDE BY ALL CONDITIONS, TERMS AND SPECIFICATIONS PROVIDED HEREON.

Howard R. Quynn II
HOWARD R. QUYNN II

Patricia A. Quynn
PATRICIA A. QUYNN

SURVEYOR'S CERTIFICATE:
I, EDWARD L. JOHNSON JR., DO HEREBY CERTIFY THAT THE PROPERTY DELINEATED BY THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT IT REPRESENTS A SURVEY MADE IN THE FIELD WITH A RELATIVE ERROR OF CLOSURE EXCEEDING 1:7,500 AND THAT #5 REBAR WILL BE SET AS SHOWN.



22758

FINAL PLAT OF MINOR SUBDIVISION, BOUNDARY LINE ADJUSTMENT & MINOR PL

LOTS 2, 3-RESIDUE, 4 & 5
HOWARD R. QUYNN, II & PATRICIA A. QUYNN
MINOR SUBDIVISION
DEED BOOK 1102 PAGE 696 TAX MAP 17 PARCEL

SHEPHERDSTOWN DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA
SCALE: 1" = 100' MARCH 24, 2017

OWNERS/DEVELOPERS HOWARD R. QUYNN II & PATRICIA A. QUYNN PHYSICAL ADDRESS PO BOX 1374 7017 FLOWING SPRING HARPERS FERRY, WV 25425 SHENANDOAH JUN (301)514-4721

REVISIONS:

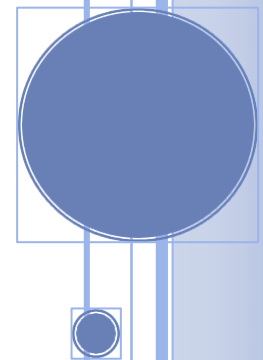
ED JOHNSON AND ASSOCIATES, INC.
LAND SURVEYORS
P.O. BOX 1277
CHARLES TOWN, WEST VIRGINIA 25414

ANNUAL REPORT FOR PLANNING AND ZONING

FY 2021 (July 1, 2020 – June 30, 2021)

West Virginia Code §8A-2-11, “Planning Commission's Powers and Duties” states that a planning commission is required to “make an annual report to the appropriate governing body concerning the operation of the planning commission and the status of planning within its jurisdiction”.

To that end, the following is an overview of the major activities undertaken over the past fiscal year by the Jefferson County Office of Planning and Zoning, Planning Commission, and Board of Zoning Appeals, prepared by the Office of Planning and Zoning and approved to be forwarded to the County Commission of Jefferson County by the Planning Commission on August 10, 2021.



FY 2020 Annual Report for Planning and Zoning (July 1, 2020 – June 30, 2021)

Attached is an electronically generated report of all applications submitted and reviewed within FY2021. This data is being provided as a part of the Annual Report from the Planning Commission and Offices of Planning and Zoning to the County Commission as required by State Law. The items below reflect actions of the Planning Commission and Board of Zoning Appeals in this same time period and related meetings attended by Planning and Zoning staff.

PLANNING COMMISSION ITEMS

Planning Commission Meetings: **12 Meetings**

Subdivision Regulations Text Amendments **1**

Subdivision Regulations Reorganization and Amendments – revisions on hold

Zoning Ordinance Text Amendments **5**

#ZTA20-01: Zoning Ordinance Text Amendment to create provisions to allow Commercial Cemeteries to process as a Conditional Use in the Rural zoning district and a Principal Permitted Use in the RLIC and IC zoning districts.
PC PH 9/8/20; recommendation to CC 10/13/20; CC PH 12/3/20; CC disapproved 12/17/20

#ZTA20-02: Zoning Ordinance Text Amendment to change the classification for Drive-Through Restaurants in the Residential-Light Industrial-Commercial (RLIC) zoning district from Conditional Use (CU) to Permitted Use (P).
PC PH 10/13/20; recommendation to CC 10/13/20; CC PH 12/3/20; CC approved 12/17/20

#ZTA19-03: Zoning Ordinance Text Amendment to allow Solar Energy Facilities to process as a Principal Permitted Use and/or a Conditional Use in the various zoning districts (sent back to PC by CC).
PC PH 2/9/21; recommendation to CC 2/23/21; Approved 4/13/21

#ZTA21-01: Planning Commission added to their work plan Zoning Ordinance Text Amendments related to Short-Term Rentals at their 6/8/21 PC Meeting

#ZTA21-02: Planning Commission added to their work plan Zoning Ordinance Text Amendments related to Reducing Setbacks in the Residential Growth Zoning District at their 6/8/21 PC Meeting

- #20-1-Z:** Zoning Map Amendment: Planning Commission review and recommendation regarding whether the petition for a Zoning Map Amendment by property owner James W Van Evera III (et al) to rezone 5.4 ac, of the total 22.17 ac subject parcel, from Residential Growth to Residential-Light Industrial-Commercial is consistent with the *2035 Comprehensive Plan*. Property Owner: James W Van Evera III Et Al.; Property Location: 7948 Middleway Pike, Shepherdstown, WV.
PC review and recommendation to the CC that the requested rezoning is consistent with the Envision Jefferson 2035 Comprehensive Plan 11/10/20; CC PH 12/3/20; Approved 12/17/20.
- #20-2-Z:** Zoning Map Amendment: Planning Commission review and recommendation regarding whether the petition for a Zoning Map Amendment by property owner Chris Livingston, Dead Rock Contractor Services to rezone 0.88 acres (total of Parcels: 23 and 27), from Residential Growth to General Commercial is consistent with the *2035 Comprehensive Plan*. Property Owner/Applicant: Chris Livingston, Dead Rock Contractor Services. Property Location: Vacant parcel located immediately north of the intersection of Shipley Road and US Route 340. Tax District: Harpers Ferry (04); Map: 9; Parcels: 23 & 27.
PC review and recommendation to the CC that the requested rezoning is consistent with the Envision Jefferson 2035 Comprehensive Plan 2/9/21; CC PH 2/18/21; Approved 3/4/21.
- #21-1-Z:** Zoning Map Amendment: Planning Commission review and recommendation regarding whether the petition for a Zoning Map Amendment by Applicant: Bob Franks, Sheetz, Inc to rezone 2.5 acres of a 4.42 acre site from Rural to Highway Commercial is consistent with the *2035 Comprehensive Plan*. Property Owner: Guy Chicchirichi. Property Location: NE of Augustine Ave. and Rt 340 intersection in Charles Town. Tax District: Charles Town (02); Tax Map: 16; Parcel: 1.
PC review and recommendation to the CC that the requested rezoning is consistent with the Envision Jefferson 2035 Comprehensive Plan 3/9/21; CC PH 3/18/21; Approved 3/18/21.
- #21-2-Z:** Zoning Map Amendment: Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone the subject 238.9-acre (based on a survey) property from Rural to Light Industrial (43.7 acres) and Residential Growth (195.2 acres) is consistent with the *2035 Comprehensive Plan*. Owner/Applicant: Mark Ralston, Jefferson Orchards Inc. Property Location: two vacant parcels located east of Route 480 (Kearneysville Pike) and one mile north of the Route 9 interchange. Tax District: Middleway (07); Map: 3; Parcels: 29 and 35. Combined acreage: +/- 238.9 acres. Zoning District: Rural.
PC review and recommendation to the CC that the requested rezoning is not consistent with the Envision Jefferson 2035 Comprehensive Plan, however there have been major changes of economic, fiscal or social nature within the area involved which were not anticipated when the Comprehensive Plan was adopted and these changes have substantially altered the basic characteristics of the area. 5/11/21; CC PH 6/3/21; Approved 6/3/21.

- #20-4-SP:** Smartlink, LLC. AT&T 199 ft. monopole Cell Tower (195' monopole with a 4' lighting rod) which will include 6 antennas and a 3,600 sq. ft. fenced compound on a vacant parcel located on the corner of South Childs Road and Leetown Road.
PC accepted the Concept Plan as submitted with a recommendation to include a landscape buffer 10' wide and 6' tall along the sides that face S. Childs Road and Leetown Road and that an easement be established for the fall zone of the monopole tower.
- #20-7-SP:** Concept Plan for a Shepherdstown Professional Center (a Major Nonresidential Site Development) consisting of one two-story building with 5,100 sf retail space (first floor) and 5,100 office space (second story); one 6,000 sf single-story building divided into six (6) 1,000 sf retail/office units and associated parking spaces and signage. Property Owner: Rankin Properties, LLC. Property Location: Vacant parcel on the NE corner at the intersection of Potomac Farms Dr. and Kearneysville Pike (Route 480); Size: 3.56 acres; Zoning District: General Commercial.
Public Workshop 11/10/20; PC accepted the Concept Plan as submitted as complete with no conditions.
- #20-18-SD:** Concept Plan for the re-subdivision of Lot 28 Summit View Estates into three (3) total lots and the required 224 acres of associated green space on adjacent Parcels 6 & 7, under Section 5.7D.2 Cluster Provisions. Property Owner: Hy-Crest Farms, LLC. Property. Property Location: Summit View Estates, Lot 28 Located at the end of Keith Dr.; Size: 8.5 acres; Zoned: Rural.
Public Workshop 11/10/20; PC accepted the Concept Plan as submitted as complete with no conditions.
- #20-9-SP:** Concept Plan for the Stiles Agriculture Enterprises, Agricultural Event Center, and Farm Vacation Enterprises. The proposal consists of an Agricultural Event Center for up to 800 guests and Farm Vacation Lodging with up to five (5) units (or more, if Ordinance allows) with associated parking and signage. Property Owner: Stanley and Barbara (deceased) Stiles. Property Location: 118 Goshen Arrabon Ln, Charles Town, WV. Tax District: Kabletown (06); Tax Map: 21; Parcel: 4; Size: 17 acres; Zoning District: Rural.
Public Workshop 1/12/21; PC accepted the Concept Plan as submitted with the condition that should the WV Division of Highways (DOH) require a traffic study that the applicant will comply.
- #20-10-SP:** Concept Plan for the Shepherdstown Sheetz (Store 160). The project is a Gas Station, Large to consist of a 6,100 sq. ft. Convenience Store with drive-thru, five (5) fueling islands with canopy, car wash, new roadway, upgraded to traffic signal for Martinsburg Pike, open space, stormwater management areas, the construction of associated utilities, plus associated parking spaces and signage. Owner: James W Van Evera III et al. Developer: Bob Franks, Sheetz Inc. Property Location: 7948 Martinsburg Pike, Shepherdstown WV. Tax District: Shepherdstown (09); Tax Map: 8; Parcels: 13, 15.2 and portions of Parcels: 10.2 and 14. Total Project Size: 5.4 acres; Zoning District: Residential-Light Industrial-Commercial.
Public Workshop 2/9/21; PC accepted the Concept Plan as submitted with no conditions.

- #21-1-SP:** Concept Plan for the Road Runner Wrecker Service, Inc. The proposal for the Road Runner Wrecker Service (salvage yard) consists of the following: Sidewalks, curbs, scale house, car crusher, decommissioning rack, 2 AST's, 54 (9' x 40') storage containers, 181 proposed parking spaces with 12.5 acres of gravel (includes existing gravel/paved area to be renovated) and 2.6 acres of proposed paving. Owner/Applicant: DLGA, LLC; David & Lisa Butcher. Property Location: 2282 Summit Point Road, Summit Point; Tax District: Kabletown (06); Map: 16; Parcel 10; Total Project Size: 25 acres; Zoning District: Rural.
Public Workshop 5/11/21; PC accepted the Concept Plan as submitted.
- #21-8-SD:** A Concept Plan for the King's Crossing Subdivision. The Proposal consists of a Major Residential Subdivision with 404 lots (175 SFD and 229 SSD) and associated infrastructure. Owner/Applicant: DR Acquisitions LLC. Property Location: West of Charles Town Rd, next to St. James Catholic Church Charles Town WV 25414. Tax District Charles Town (02); Map 17; Parcel 22. Total Project Size: 86 acres. Zoning District: Residential Growth. File: 21-8-SD.
Public Workshop 5/11/21; PC accepted the Concept Plan as submitted.
- #21-3-SP:** A Concept Plan for the Wild Hill Solar Energy Facility. The Proposal consists of the construction of a 92.5-megawatt alternating current solar energy facility with a substation connecting to the existing overhead electrical transmission line. The project will be developed across six contiguous parcels comprised of approximately 841 acres owned by five separate property owners: Zigler, Inc., Clarence & Donna S. Hough, Charles L. & Marie S. Hough, T. Todd & Susan B Hough, John Samuel & Alice J. Rissler Estate, and Clarence & Donna S. Hough. . Tax District: Kabletown (06); Map 4/Parcel 9, Map 11; Parcels 7.1 & 8; Map 5; Parcels 1 & 6; and Tax District: Charles Town (02); Map 16; Parcel 18. Developer: Wild Hill Solar, LLC an indirect subsidiary of EDF Renewables, Inc.;
Public Workshop 6/8/21; PC accepted the Concept Plan as submitted.
- #21-4-SP:** Concept Plan for the Charles Town Sheetz Store (a Major nonresidential Site Development). The proposal consists of Gas Station, Large, including a 5,437 sq. ft. convenience store with drive-thru, 5 fueling islands with canopy, new roadway, open space, stormwater management areas and the construction of associated utilities. Owner: Guy Chicchirichi; Developer: Bob Franks, Sheetz Inc. Property Location: Northeast corner of US 340 and Augustine Avenue intersection, Charles Town. Tax District: Charles Town (02); Tax Map: 16; Parcel: 1. Total Project Size: 2.5 acres portion of a 4.42 acre site; Zoning District: Highway Commercial .
Public Workshop 6/8/21; PC accepted the Concept Plan as submitted.

BOARD OF ZONING APPEALS (BZA) ITEMS

Board of Zoning Appeals Meetings:	12 meetings
Zoning Appeal of Administrative Decision:	none this year

PLANNING & ZONING STAFF ITEMS

Pre-Proposal Conference (PPC) Meetings:	92 Total (49 Subdivision & 43 Site Plan)
Information Request Forms (IRFs) -- general inquiries from the public:	131 Total
Zoning and Land Development Fees Collected:	\$ 116,886.21

PLANNING COMMISSION MEMBERS – FY 2021

1. Mike Shepp, President (term expires 03/31/24)
2. Donnie Fisher, Vice President (term expires 03/31/23)
3. Wade Louthan, Secretary (term expires 03/31/22)
4. Steve Stolipher (County Commission Liaison, 2021)
5. Ron Thomas (term expires 03/31/23)
6. Matt Knott (term expires 03/31/24)
7. Jack Hefestay (term expires 03/31/22)
8. J Ware (term expires 03/31/22)
9. Shane Roper (term expires 3/31/23)
10. Ralph Lorenzetti (County Commission Liaison, 2020)

BOARD OF ZONING APPEALS MEMBERS – FY 2021

1. J. Tyler Quynn Chair (term expires 01/01/22)
2. Deidre Catterton, Vice Chair (term expires 01/01/24)
3. Leeds Corbin, (term expires 01/01/23)
4. Matt McKinny (term expires 01/01/21)
5. Steven Guier (term expires 01/01/22)
6. Jeff Bannon (through 12/31/20)
7. Two vacant alternate positions, one expires January 1, 2022 and one expires 2024

DEPARTMENTS OF PLANNING & ZONING STAFF – FY 2021

1. Jennifer M. Brockman, AICP, County Planner
2. Alexandra Beaulieu, Zoning Administrator
3. Jennilee Hartman, Zoning Clerk
4. Rachael Burke, Planning Clerk (through Oct 2020)
5. Alice Johns, Planning Clerk (start Feb 2021)

Regional Transportation Planning Meetings	
Eastern Panhandle Transit Authority (EPTA) Board and Safety Committee Meetings	7/20/20; 8/4/20; 8/17/20; 9/21/20; 10/19/20; 11/5/20 (safety); 11/16/20; 12/14/20; 1/11/21; 2/8/21; 3/15/21; 3/19/21 (safety) ; 4/19/21; 5/17/21
Martinsburg Pike Corridor (University Dr to Alt 45) Discussion	7/9/2020; 2/4/21; 3/25/21 (in person/ all day); 3/26/21 (a.m.); 5/18/21; 5/15/21
Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) Technical Advisory Committee (TAC) Meetings	8/19/2020; 10/21/20; 1/20/21; 3/17/21; 5/19/21
Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) Long Range Transportation Plan	1/27/21; 6/23/21
WV DOH/Regional Planners Roundtable	3/31/21
Loudoun County Route 9 Safety and Operational Study regional input meeting	11/6/21
WV51/W. Washington Street, traffic safety, pedestrian mobility improvements plan	3/4/21; 4/8/21; 5/3/21
WV DOH/Regional Planners Roundtable	3/31/21

Regional/State Planning Related Meetings	
Potomac Basin Comprehensive Water Resource Plan (Virtual Meetings)	8/14/20; 8/21/20; 9/11/20
WV APA Chapter Transition Leadership Meetings	8/25/20; 9/2/20; 9/15/20; 9/29/20; 10/27/20; 11/17/21; 12/3/21 (Chapter); 1/14/21; 2/17/21; 2/5/21 (Chapter); 4/27/21; 5/25/21;
WV APA participation in Mid-Atlantic Consortium reception as a part of APA National Conference	5/6/21
Safe Water Conservation Collaborative Meeting	9/1/20; 10/1/20; 4/29/21; 6/29/21
Mid-Atlantic Planning Collaboration Land Use Planning Webinar Series	11/5/21; 11/10/21; 11/12/21; 11/24/21; 12/1/21; 12/8/21; 12/15/21; 12/17/21
Jefferson County Multi-Jurisdictional Hazard Mitigation Plan Annual Review	1/19/21
Jefferson County Parks and Recreation Infrastructure Committee	1/27/21
WV APA Strategic Planning Effort	3/16/21; 4/8/21; 4/20/21; 5/13/21
APA Chapter Presidents Council	2/4/21; 2/18/21; 2/19/21; 5/13/21
Land Use Planning Webinars	1/14/21; 1/21/21; 2/24/21; 5/11/21

**Planning and Zoning FY 2021 Annual Report
7/1/2020 to 6/30/2021**

Type	Project Number	Creation Date	Owner Name	Location	Status	Description
Conditional Use Permit	20-5-CUP	7/30/2020	I&K FARM LLC	5409 CHARLES TOWN RD, KEARNEYSVILLE, WV 25430	Open	Request for a Conditional Use Permit for Valley Used Cars to operate an Automobile Repair, Sales, and Service business utilizing the existing structures and parking areas.
	20-6-CUP	7/31/2020	MAIN ANDREW W & NARIMAN N	Lewisville Road, Summit Point, WV 25446	Open	Request for a Conditional Use Permit for Teyta's Treats to operate as a Restaurant.
	20-7-CUP	8/31/2020	Bret de Pedro - Bret de Pedro	Summit Point Road, Summit Point, WV 25446	Open	Request for a Conditional Use Permit to operate an Automotive Repair, Sales and Service.
	20-8-CUP	10/2/2020	STEVENS NANCY E	1122 DUNCAN RD, HARPERS FERRY, WV 25425	Closed	Request by River Chase Wedding Venue for a Conditional Use Permit to operate a Special Event Facility consisting of hosting up to 15 wedding receptions and other events per year with a
					Type Total:	4
Easements	20-2-E	10/28/2020	MAGAHA T L SONS INC	EARLE RD, CHARLES TOWN, WV 25414	Open	Magaha Easement - Farmland Conservation Easement, Phase 3
	21-3-E	5/12/2021	SNYDER WILLIAM N & MARY S	839 MCCORMACK LN, CHARLES TOWN, WV	Open	306.674 acre Farmland Preservation Easement
					Type Total:	2
Merger or Boundary Line Adjustment	20-7-M	7/10/2020	MILTON JAMES NEVIN	8554 SUMMIT POINT RD, CHARLES TOWN, WV 25414	Open	Boundary Line Adjustment of 16.82 acres from Parcel 30.2 to Parcel 30.
	20-8-M	7/16/2020	SNYDER RODNEY J	116 WILDWOOD FARM LN, SHENANDOAH JUNCTION, WV 25442	Open	BLA between Parcels 4, 4.1, and 4.2
	20-9-M	7/20/2020	LUTMAN LAND DEVELOPMENT LLC - DAVID LUTMAN	389 HACKNEY LN, CHARLES TOWN, WV 25414	Open	.04 acre BLA between Parcel 89 and 109
	20-10-M	7/23/2020	LLD LLC - Dave Lutman	Old Cave Road, Charles Town, WV 25414	Closed	BLA between Lots 1 - 5 Strider Cluster Subdivision
	20-11-M	7/24/2020	CAGE LLC	171 EUCLID AVE, CHARLES TOWN, WV 25414	Open	BLA between Lots 11 and 12, Euclid Avenue
	20-12-M	7/28/2020	KNOLL CLIFFORD H & HILLARY BANACHOWSKI	1799 PERSIMMON LN, SHEPHERDSTOWN, WV 25443	Open	1799 Persimmon Lane & Lot 4 Residue
	20-13-M	8/10/2020	MCCRACKEN DORIS E - TR	1457 AVON BEND RD, CHARLES TOWN, WV 25414	Open	Lots 2005 & 2006 Section 20 Avon Bend
	20-14-M	8/31/2020	FLEMING ANDREW P & SARAH	345 SHVEDA WAY, SHEPHERDSTOWN, WV 25443	Open	BLA between Family Parcel 1 and Lot 4
	20-15-M	9/3/2020	LOCK BRYAN S & THERESA S	20449 CHARLES TOWN RD, HARPERS FERRY, WV 25425	Open	To merge 5.6172 acres from parcel 56 (Hott) to parcel 47 (Lock)
	20-16-M	10/2/2020	RINALDI-ALT BEVERLY	339 WHITE DOGWOOD RD, HARPERS FERRY, WV 25425	Open	Keyes Ferry Acres Consolidation Deed - no plat required.
	20-17-M	11/4/2020	TOWNHOMES RENTAL LLC	4115 CHARLES TOWN RD, KEARNEYSVILLE, WV 25430	Open	Boundary line adjustment of three parcels into two. *A portion of the BLA crosses into Berkeley County*
	20-18-M	11/12/2020	LUTMAN PROPERTIES LLC	2 JOELENES WAY, SHENANDOAH JUNCTION	Open	Lutman-Lutman BLA (Lots 1 and 2)
	20-19-M	11/12/2020	LUTMAN PROPERTIES LLC	104 JOELENES WAY, SHENANDOAH JUNCTION	Open	Lutman-Lutman BLA (Lots 3 and 5)
	20-20-M	12/3/2020	CRAWFORD KAREN L	212 LOCUST KNOLL DR, CHARLES TOWN, WV 25414	Open	Boundary line adjustment between Parcels 4.2 and 4.6
	20-21-M	12/28/2020	HY-CREST FARMS LLC - Arnold Dailey	END OF KEITH DR SUMMIT VIEW ESTATES	Open	Boundary line adjustment between Lots 27 & 28
	17-20-M	5/18/2021	ROMAN RAFAEL A III - RAFAEL ROMAN	150 AVON BEND RD, CHARLES TOWN, WV 25414	Open	.02 acre merger from Rafael Roman (Parcel 19.19) to Mark Cerasi (Parcel 14)
	21-11-M	4/2/2021	HENRY JAMES S & JENNIFER L	85 ROUND OAK LN KEARNEYSVILLE, WV	Closed	Tabb Henry BLA
21-12-M	4/12/2021	PTM, L.P. - Joseph S. Sheetz	Lots 13 /14 Burr Business Park Kearneysville, WV	Closed	Deed of consolidation from PTM LP to PTM LP.	
21-13-M	4/26/2021	SWARTZ RANDAL S & MELISSA S	1717 PERSIMMON LN SHEPHERDSTOWN, WV	Open	Swartz-Swartz BLA	

**Planning and Zoning FY 2021 Annual Report
7/1/2020 to 6/30/2021**

Type	Project Number	Creation Date	Owner Name	Location	Status	Description
	21-14-M	4/29/2021	BURCH PAULA - Thomas Burch	935 BOX FACTORY RD SUMMIT POINT, WV	Open	Burch Boundary Line Adjustment
	21-15-M	4/30/2021	Lutman Land Development - Dave Lutman	492 TUSCAWILLA DR CHARLES TOWN, WV	Closed	BLA between two lots owned by Lutman Land Development, LLC in the Tuscawilla Hills Subdivision
	21-16-M	5/7/2021	OAK MEADOW LLC	42 WAGON TRAIL RD HARPERS FERRY, WV	Open	Merging a portion of Lot 9 into Lot 8 and the remainder of Lot 9 into Lot 10
	21-17-M	5/17/2021	Jefferson Orchard, Inc. - M Ralston	Kearneysville Pike (WV 480) and Northport Ave Ranson, WV	Open	Merger/BLA of a portion of Roxul property in Ranson with Jefferson Orchard property
	21-18-M	5/17/2021	Jefferson Utilities Inc. Stephanie Reel	Cobalt Lane Charles Town, WV	Open	Merger/BLA from LK Land Holdings LLC to Jefferson Utilities Inc.
	21-19-M	5/27/2021	VAN EVERA JAMES W III ET AL	7948 MARTINSBURG PIKE SHEPHERDSTOWN, WV	Open	Merger of portions of lots for Shepherdstown/Martinsburg Pike Sheetz lot
	21-20-M	6/22/2021	BARLOW HAROLD S	215 TWISTED OAK LN, SHEPHERDSTOWN, WV	Open	Proposed BLA between Parcels 10 and 10.7
	21-21-M	6/23/2021	Vacant parcel across from 4115 Charles Town Rd	Kearneysville, WV	Open	BLA between Berkeley County Parcel 7 (Murrall Limited Partnership) & Jefferson County Parcel 1.1 (F2L3 Developers)
					Type Total:	27
Miscellaneous Fees	20-4-Q	7/30/2020	LUTMAN LAND DEV.	770 S CHILDS RD, KEARNEYSVILLE, WV 25430	Closed	Laycock, Lot 2 MPC: Relocating septic reserve area
	20-5-Q	8/17/2020	Christopher & Kimberly Purvis	30 Balsam Ct., Charles Town, WV 25414	Closed	Minor Plat Change: Relocating the septic reserve
	20-6-Q	9/21/2020	N/A		Open	Printed Map for GIS of Subdivisions
	20-7-Q	9/30/2020	N/A		Closed	24x36 zoning map
	20-9-Q	12/8/2020	MCGAUGHEY SHANNA E & JOEL M	2138 SMITH RD, CHARLES TOWN, WV 25414	Open	Lift the single family restriction for Lot 8 in the Smith Mountain Subdivision for the purpose of constructing a detached accessory dwelling unit for a family member
	21-7-Q	5/14/2021	SAB REAL ESTATE 2 LLC	8310 MARTINSBURG PIKE SHEPHERDSTOWN, WV	Closed	ABC Letter for ROCS convenience store and gas station
	21-8-Q	6/14/2021	WHISNER CANTON E	1491 SHIRLEY RD SUMMIT POINT, WV	Open	Minor Plat Change: modify easement location and setbacks.
	21-9-Q	6/14/2021	Troy Mann & Debra Ann Napier	MISSION RD HARPERS FERRY, WV	Open	Mann Napier Septic Reserve Change
	21-10-Q	6/16/2021	NORTOM INVESTMENTS LLC	69 CLENDENING DR, KEARNEYSVILLE, WV	Open	No Site Plan review
	21-11-Q	6/17/2021	Lutman Land Development - Dave Lutman	0.3 miles west of Summit Pt Rd & Washington Street, Charles Town	Open	Lift single family restriction from Trough Bend, Lot 1 for an attached in-law suite.
	21-12-Q	6/28/2021	Nicole Picciotto	Lot 1 Elmwood Farm Peaceful Breeze Ln Shepherdstown, WV	Open	Lift SF Restriction Peaceful Breeze Ln
						Type Total:
	20-4-PCW	7/16/2020	VARIETY PROPERTIES LLC - BRET HALE	25 MA AND PA PKWY, KEARNEYSVILLE, WV 25430	Open	Waiver from Section 20.201A(2) to reduce the required access easement width from 50' to 40' for a proposed two lot minor subdivision.
	20-5-PCW	8/18/2020	ILA Properties, LLC. - Joshbeen Grewal	4115 CHARLES TOWN RD, KEARNEYSVILLE, WV 25430	Open	Waiver from Appendix B Sect. 2.5I driveway slope
	20-6-PCW	9/15/2020	SIRBAUGH TAMMY & LARRY	45 EDWARDS CASTLE CT, CHARLES TOWN, WV 25414	Open	Waiver from Section 20.201B3, that requires access via a 50' access easement (File # 20-6-PCW) to access via a state road.
	20-7-PCW	9/21/2020	Butler Family Investments, LLC.	Old Country Club Rd Charles Town, WV 25414	Open	Waiver from Section 20.201A to have direct access to Old Country Club Road, without a 50' access easement to the residue property.
	20-8-PCW	9/22/2020	Kenneth F. Lowe Revocable Trust - Kenneth Lowe, Jr.	Lowe Drive, Shepherdstown, WV	Open	Waiver from Section 20.201 to process as a Minor Subdivision for 6 duplexes, on 2 parcels.

Planning and Zoning FY 2021 Annual Report
7/1/2020 to 6/30/2021

Type	Project Number	Creation Date	Owner Name	Location	Status	Description
Planning Commission Waiver	20-9-PCW	10/5/2020	BURKETT ERNEST L & APRIL A	10668 LEETOWN RD, KEARNEYSVILLE, WV 25430	Open	Waiver from Section 20.201A.2 to use 40' access for minor subdivision.
	20-10-PCW	10/19/2020	RANKIN PROPERTIES LLC - Christopher Rankin	POTOMAC FARM DRIVE, SHEPHERDSTOWN, WV 25443	Open	Waiver from Section 20.204 to process a Minor Site Plan with a Concept Plan instead of a Major Site Plan for the Shepherdstown Professional Center (File: 20-7-SP).
	20-11-PCW	10/20/2020	FIDDLERS 1 LLC	54 FIDDLERS WAY, SHEPHERDSTOWN, WV	Open	Waiver from Section 20.201A.2 to allow for a two (2) lot subdivision, which will create a total of six (6) lots on the existing access easement (Fiddlers Way).
	20-12-PCW	11/16/2020	DAVID ACLY	SOUTHEAST CORNER OF King Lear Dr and Stratford Lane, Avon Bend Subdivision	Open	Waiver from Section 20.201 to allow the creation of an additional three lots as a minor subdivision instead of processing a major subdivision.
	20-13-PCW	11/16/2020	Margaret Link (Estate)	French Road, Shenandoah Junction	Open	Waiver from Section 20.201 to allow the creation of an additional five lots as a minor subdivision as opposed to a processing a major subdivision.
	21-9-PCW	4/20/2021	Margaret Hoffman - Margaret Hoffman	Round Rock Lane Charles Town, WV	Open	Utilize an existing 30' R/W to Route 25/7 instead of needing to widen the said R/W to 50.'
	21-10-PCW	6/4/2021	VAN EVERA JAMES W III ET AL - James Van Evera	7948 MARTINSBURG PIKE SHEPHERDSTOWN, WV	Open	Waiver to alter the existing process for plan review and approval in order to begin site grading prior to full site plan approval.
	21-11-PCW	6/22/2021	Lutman Land Development - David Lutman	Summit Point Rd Charles Town, WV	Open	Waiver of Section 2.3.A.3 "Single Entrance Requirement" is a request to utilize a single entrance for Milton's Landing Subdivision
	21-12-PCW	6/22/2021	Lutman Land Development - David Lutman	Summit Point Rd Charles Town, WV	Open	Waiver of Section 22.206.B to exceed the maximum number of lots permitted on a Cul-de-Sac and to exceed the maximum 800-foot requirement.
						Type Total:
Site Plan	20-5-SP	7/31/2020	FEDERAL GROUP INC	233 LOWE DR, SHEPHERDSTOWN, WV 25443	Open	Clarion Hotel Site - VA Parking Lot Expansion
	20-6-SP	9/2/2020	Jefferson County Development Authority	Lots 13 & 14 Burr Business Park James Burr Boulevard	Open	Proposed transfer depot and trailer storage with a 2,400 SF office building.
	20-7-SP	9/25/2020	RANKIN PROPERTIES LLC - Christopher Rankin	POTOMAC FARM DRIVE, SHEPHERDSTOWN, WV 25443	Open	Professional Center to consist of one 2-story building with a 5,100 sf retail space (first floor) and 5,100 office space (second story); one 6,000 sf single-story building divided into six (6) single-story building 1,000 sf retail/office spaces and parking and signage.
	20-8-SP	10/23/2020	SUDHIR RANA	James Burr Blvd, Kearneysville, WV 25430	Open	Construction of three warehouses totalling 28,740 sq ft with a 200 sq ft office in each structure and related parking.
	20-9-SP	11/25/2020	STILES STANLEY E & BARBARA R	118 GOSHEN ARRABON LN, CHARLES TOWN, WV 25414	Open	Agricultural Event Center for up to 800 guests and Farm Vacation Lodging up to 5 units with associated parking and signage.
	20-10-SP	12/21/2020	VAN EVERA JAMES W III ET AL	7948 MARTINSBURG PIKE, SHEPHERDSTOWN, WV 25443	Open	Gas Station, Large including a 6,100 sq. ft. Convenience Store with drive-thru, five (5) fueling islands with canopy, car wash, new roadway, upgraded to traffic signal for Martinsburg Pike, and related site improvements, parking spaces, and signage
	21-2-SP	4/7/2021	JEFFERSON COUNTY DEV AUTHORITY	JAMES BURR BLVD, KEARNEYSVILLE	Open	Slonakers Custom Paving
	21-3-SP	4/19/2021	Six parcels comprised of approximately 841 acres owned by five property owners	between Roper North Fork Rd, Old Shennandale Rd, Kabletown Rd, Uinta Farm Lane south of Charles Town, WV	Open	Wild Hill Solar Energy Facility on approximately 841 acres of leased land across six parcels to connect to the existing 138k overhead elec transmission line.
	21-4-SP	4/23/2021	Guy Chicchirichi	NE corner of US 340 and Augustine Ave Charles Town, WV	Open	Augustine Ave Sheetz (Gas Station, Large)
	21-5-SP	5/27/2021	Epic at Burr Park LLC - Andre Fontaine	NE corner of Wiltshire/W Burr Blvd KEARNEYSVILLE, WV	Open	Two flex use buildings, drive aisles, and parking (Lots 17A & 17B Ph 1 Burr Industrial Park)
	21-6-SP	6/30/2021	Rexroat - Cindy Rexroat	191 MEYERSTOWN RD CHARLES TOWN, WV	Open	Weddings and group gatherings, farm vacation enterprise, lodging for guests, pick your own crop, bed and breakfast, possible future expansion
					Type Total:	11
	20-10-SD	7/10/2020	FRENCH CHARLES R ET AL	6803 FLOWING SPRINGS RD, SHENANDOAH JUNCTION, WV 25442	Open	Family Transfer
	20-11-SD	7/14/2020	James and Mary Kallenborn - James Kallenborn	Hidden River Farm River Bend Rd & Wide Horizon Blvd	Open	Minor Subdivision: Resubdivision of lots 10 and 11 in Hidden River Farm
	20-12-SD	8/24/2020	GOODE MICHAEL C TR	487 MILL LN, CHARLES TOWN, WV 25414	Open	2 lot minor subdivision

**Planning and Zoning FY 2021 Annual Report
7/1/2020 to 6/30/2021**

Type	Project Number	Creation Date	Owner Name	Location	Status	Description
Subdivision	20-13-SD	9/1/2020	SHENANDOAH PROPERTIES WV LLC - Vincent and Alicia Secatello	3495 OLD LEETOWN PIKE, RANSON, WV 25438	Open	2 Lots + Residue (MSD)
	20-14-SD	9/4/2020	SILLS STEPHANIE N	329 BORDER RD, KEARNEYSVILLE, WV 25430	Open	Stephanie Silks MSD, Lot 2-Residue and Lot 3
	20-15-SD	9/10/2020	Magnolia WV, LLC.	Between Euclid Ave and Citizen's Way	Open	Phase 3: Proposed 97 single family lots plus Residue.
	20-16-SD	9/10/2020	VARIETY PROPERTIES LLC - William Walls	25 MA AND PA PKWY, KEARNEYSVILLE, WV 25430	Open	2 lot MSD
	20-17-SD	9/18/2020	RAI PROPERTIES LLC	130 E BURR BLVD, KEARNEYSVILLE, WV 25430	Open	2 lot Minor Commercial Subdivision
	20-18-SD	9/25/2020	HY-CREST FARMS LLC - Arnold Dailey	KEITH DR, SUMMIT POINT, WV 25446	Open	Subdivision of Lot 28 in Summit View Estates into 3 new lots.
	20-19-SD	9/25/2020	BRIAN AND ANGELA WILT	JOHN BROWN FARM RD, HARPERS FERRY, WV 25425	Open	Lot 1, 2 and 3-Residue MSD
	20-20-SD	10/19/2020	SIRBAUGH TAMMY & LARRY	45 EDWARDS CASTLE CT, CHARLES TOWN, WV 25414	Closed	Proposed 3 lot MSD.
	20-21-SD	10/26/2020	BOYD LARRY H & DONNA K	Ancient Oaks Court, Charles Town, WV 25414	Closed	Family Transfer Lots 5, 6, 7 and Lot 8-Residue
	20-22-SD	11/6/2020	TIFFANY E LAWRENCE ET AL	Martinsburg Pike, Shepherdstown, WV 25443	Closed	MSD of one lot and a residue (2 total lots).
	20-23-SD	11/12/2020	LUTMAN LAND DEVELOPMENT LLC - DAVID LUTMAN	2751 ENGLE MOLERS RD, HARPERS FERRY, WV 25425	Closed	LLD Uvilla Cluster MSD: 4 total lots
	20-24-SD	11/13/2020	BML, LLC - BRANT LOWE	1967 KEARNEYSVILLE PIKE, SHEPHERDSTOWN, WV	Open	Project consists of a boundary line adjustment and the creation of 3 total lots.
	21-12-SD	4/8/2021	New Hope Farm, Inc. - New Hope Farm	419 Pheasant Run Drive Kearneysville, WV	Open	Lot 1 (Residue) & Lots 2-5
	21-13-SD	4/8/2021	New Hope Farm, Inc. - New Hope Farm	503 Pheasant Run Drive Kearneysville, WV	Open	Lots 6 - 9 and Lot 10 (Residue)
	21-14-SD	4/12/2021	DBA ACLY ENTERPRISE - David Acly	Hyde Park Lane Charles Town, WV	Open	Lots C-3 (Residue), C-4, and C-5
	21-15-SD	4/12/2021	David Lutman - David Lutman	French Road Shenandoah Junction, WV	Closed	Creation of 4 total lots and a boundary line adjustment of ~24 acres.
	21-16-SD	4/23/2021	James Gibson	Shepherdstown Pike (WV 230) Harpers Ferry, WV	Open	MSD of Lots 1 and 2-Residue
	21-17-SD	5/21/2021	GROVE ALTON R & BARBARA J	14024 LEETOWN RD KEARNEYSVILLE, WV	Open	Grove Family Transfer - MSD Lots 1 & 2
	21-18-SD	5/24/2021	Magnolia WV, LLC.	Belvedere Farm Ct Charles Town, WV	Open	Magnolia Springs Phase 2 (Lots 192 - 296 Open Space parcels A & B) Final Plat
	21-19-SD	5/26/2021	BML, LLC - Brant Lowe	1963 KEARNEYSVILLE PIKE, SHEPHERDSTOWN, WV 25443	Open	MSD of Lot 1-Residue, and 3-4
	21-20-SD	5/27/2021	DuBois Living Trust - Dubois Living Trust	Persimmon Lane Shepherdstown, WV	Open	Dubois MSD - Lot A and Lot B - Residue
	21-21-SD	5/28/2021	Ernest Hunter, et. al. - Ernest Hunter	4469 Charles Town Road, Kearneysville, WV	Open	Hunter Hills Major Subdivision: 642 lots including townhouse & single family detached lots
	21-22-SD	5/28/2021	Lutman Land Development - David Lutman	0.3 miles west of Summit Pt Rd & Washington Street, Charles Town	Open	Milton's Landing Major Subdivision: 51 single family detached (including 1 existing home)
17-06-SD	6/23/2021	KE Colonial, LLC	Lowe Drive, Shepherdstown, WV	Open	Colonial Hills 3A Townhouse Development (Rev 3 -- prior versions before MGO)	
					Type Total:	27
	20-18-ZC	7/1/2020	NORTOM INVESTMENTS LLC - ROBERT MALONEY	69 CLENDENING DR, KEARNEYSVILLE, WV 25430	Closed	Office Space for the Veterans Administration, Veteran Health Administration, and Office of Emergency Management for approximately 45 employees, with up to 60 during a disaster; warehouse space for general storage or supplies.
	20-19-ZC	8/11/2020	JORDAN AND CHLOE BUTTS	6433 MARTINSBURG PIKE, SHEPHERDSTOWN, WV 25443	Closed	Agricultural Special Event Facility Wedding Venue. Operating weekends. Approximately 100 grass parking spaces.
	20-20-ZC	8/21/2020	RUSHIZKY GEORGE W & MARY L - Matthew Rushizky	8428 SHEPHERDSTOWN PIKE, SHEPHERDSTOWN, WV 25443	Closed	AT&T Replace antennas on an existing tower.
	20-21-ZC	9/3/2020	AMERICAN TOWERS INC	17340 POPPY RD, BLUEMONT, VA 20135	Closed	Proposed work on the existing 364' nonconforming tower: 1) Remove (2) existing radios. 2) Install new pipe mount. 3) Install (2) pair fiber & coax cables on existing waveguide ladder using 8 hole grommets. 4) Install (1) new radio on horizontal port on dish. 5) Install (1) new radio on vertical. Port on dish. 6) Complete closeouts.
	20-22-ZC	9/2/2020	Road Runner Wrecker Service, Inc. - David Butcher	2282 Summit Point Rd, Summit Point, WV 25446	Closed	Road Runner Wrecker Service Change in Owner - nonconforming salvage and recycling yard
	20-23-ZC	9/4/2020	KROP PROPERTIES LLC	640 WAR ADMIRAL BLVD, CHARLES TOWN, WV 25414	Open	To operate Retail Sales
	20-24-ZC	9/11/2020	KYPER RONALD J	1060 OLD CAVE RD, CHARLES TOWN, WV 25414	Postponed	Accessory Dwelling Unit: Personal Use
	20-25-ZC	9/18/2020	ROGER LEE SHELTON AND MICHELLE KRASSOWSKI	1339 JOHN BROWN FARM RD, HARPERS FERRY, WV 25425	Open	Home Occupation, Level 2: Pet Sitting/Doggie Daycare and Internet Pet Supply Business. Including owner's dogs, pet sitting is limited to a six (6) dog total. No kennels permitted. Relocation of existing dog sitting business (See ZC10-08).

Planning and Zoning FY 2021 Annual Report
7/1/2020 to 6/30/2021

Type	Project Number	Creation Date	Owner Name	Location	Status	Description
Zoning Certificate	20-26-ZC	9/30/2020	Cristhian Torrico-Caceres	358 JEFFERSON AVE, CHARLES TOWN, WV 25414	Open	Day Care Center, Large: A facility: (1) licensed by the state, if applicable; (2) providing care for six or more children or adults who do not reside in the facility, are present primarily during daytime hours, and do not regularly stay overnight; and (3) which may include some instruction. To operate Monday - Friday. One employee. Up to 4 parking spaces.
	20-27-ZC	11/4/2020	B33 Jefferson Crossing LLC	91 SARATOGA DR STE D, CHARLES TOWN, WV 25414	Closed	Shopping Center: change in tenant to nail salon
	20-28-ZC	12/21/2020	JEFFERSON UTILITIES INC	307 W BURR BLVD, KEARNEYSVILLE, WV 25430	Closed	Project consists of swapping six antennas/relocating three (3) existing antennas; removing six RRHs, and installing nine (9) RRHs for a co-located telecommunications facility on an existing 160' water tank.
	20-29-ZC	12/21/2020	RAI PROPERTIES LLC	130 E BURR BLVD, KEARNEYSVILLE, WV 25430	Closed	Medical Office: In-home intermittent skilled services by nursing, rehab, and social workers to address the post acute need of patients recently discharged or experiencing declining health.
	21-14-ZC	4/2/2021	BAJADA NICHOLAS & ERIN N F	321 PEACE RIDGE RD, HARPERS FERRY, WV 25425	Closed	Peace Ridge Gardens Center for Sustainable Agriculture: 60' x 60' barn for summer school program and adult programming; weekend classes; produce sales 2-days/week on farm; agricultural accessory dwelling unit.
	21-15-ZC	4/12/2021	G&S Properties	179 E BURR BLVD UNIT N KEARNEYSVILLE, WV	Closed	Change In Tenant: Retail Sales and Services, General / Medical Cannabis Dispensary
	21-16-ZC	4/15/2021	KIDWELL RODNEY W	35 HALLTOWN RD HARPERS FERRY, WV	Closed	Change in Tenant: Real Estate Brokerage Office. Operation: Monday-Friday, 9:00 am to 5:00 pm. Employees: 5 people
	21-17-ZC	4/16/2021	STRUVE DAVID L & VALERIE C	357 HAPPY RETREAT LN CHARLES TOWN, WV	Closed	Accessory Dwelling Unit: In-Law Suite
	21-18-ZC	4/22/2021	AMERICAN TOWERS INC	17340 POPPY RD BLUEMONT, VA	Closed	Modifications to existing telecommunications tower site to include: installation of a generator
	21-19-ZC	4/22/2021	KENTLAND FOUNDATION INC - Jack Walker	98 SOMERSET BLVD CHARLES TOWN, WV	Closed	Temporary sale of legal fireworks: two 8' x 40' temporary stands (06/01/21 to 07/31/21)
	21-20-ZC	4/23/2021	SUMMIT POINT AUTOMOTIVE RESEARCH CENTER LLC	770 HARDESTY RD SUMMIT POINT, WV	Closed	Existing Telecommunications Tower: AT&T to install additional cabinet, concrete pad, diesel generator, 6 antennas, 6 future antennas, and RRHs.
	21-21-ZC	4/30/2021	HARPERS FERRY HOLDINGS LLC MATT KNOTT	1816 POTOMAC ST HARPERS FERRY, WV	Closed	Expansion of a Nonconforming Campground: up to 11 campsites, 950 sq ft structure for events. *Total campsites after issuance: 44 sites
	21-22-ZC	5/4/2021	ORTEZ SANTOS I C & TAYDE R RAMIREZ	677 MILLVILLE RD MILLVILLE, WV	Open	Ice Cream Stand: Operation Monday to Sunday from 8:00 am to 11:00 pm. Two employees.
	21-23-ZC	5/4/2021	GALLUP MICHAEL & JENNIFER HILLMANN	4174 FLOWING SPRINGS RD, SHENANDOAH JUNCTION, WV	Closed	Cottage Industry: Dog Kennel (up to 6 dogs)
	21-24-ZC	5/7/2021	SUSO 2 ALABAMA LP	96 PATRICK HENRY WAY CHARLES TOWN, WV	Closed	Temporary sale of state legal fireworks from a 20' x 40' tent. Proposed daily operation 06/15/21 through 07/05/21, 9:00 a.m. to 10:00 p.m. Tent to be removed from the property no later than July 10, 2021. A 10' x 20' storage container/pod will be provided for overstock
	21-25-ZC	5/10/2021	JD LAND HOLDINGS INC - Randie Lawson	362 W BURR BLVD, KEARNEYSVILLE, WV 25430	Closed	Change in Tenant: Commercial Use (Fitness Center) 45 existing parking spaces
	21-26-ZC	5/18/2021	Carter and Blair Dubois	Persimmon Lane Shepherdstown, WV	Open	Home Occupation Level 2: Appraisal Office with 2 employees
	21-27-ZC	5/18/2021	LEFEVRE THOMAS E	237 TEL FARM LN KEARNEYSVILLE, WV	Closed	Tower equipment modification (antennas) on an existing 196' telecommunication facility.
	21-28-ZC	5/26/2021	ESPINOSA KRISTEN R	6485 SUMMIT POINT RD CHARLES TOWN, WV	Closed	Accessory Dwelling Unit (In-Law Suite) (Varinace to lift SF restriction received)
	21-29-ZC	6/9/2021	Richard and Phillip Childs	S. Childs Road Kearneysville, WV	Open	AT&T is proposing to build a 195ft monopole Cell tower which will include 6 Antennas and a 3,600 square foot fenced compound on the ground.
	21-30-ZC	6/16/2021	SHANNONDALE ENTERPRISES, INC	1329 LAKESIDE DR HARPERS FERRY, WV	Closed	Nonconforming Use - Change in Owner
21-31-ZC	6/22/2021	340 RAINBOW LLC - Rob Frogale	3511 BERRYVILLE PIKE CHARLES TOWN, WV	Closed	Change in Owner: Nonconforming Use: Mobile Home Park for four (4) mobile homes	
				Type Total:	30	
	20-25-ZV	7/20/2020	LEE JOSEPH R - JOSEPH LEE	206 MEADOW BLUFF LN, KEARNEYSVILLE, WV 25430	Open	Variance from Section 9.6C and 9.7 to reduce the front setback from 40' to 20' to construct a single-family dwelling unit.
	20-26-ZV	7/24/2020	CAGE LLC	171 EUCLID AVE, CHARLES TOWN, WV 25414	Open	Variance from Section 9.7 to reduce the side setback for proposed Lot 11A from 8' to 5.4'; to reduce the front setback for proposed Lot 12A from 20' to 2.8' to allow for a proposed boundary line adjustment.
	20-27-ZV	8/4/2020	ASBURY METHODIST CHURCH TRUSTEES	4257 KEARNEYSVILLE PIKE, SHEPHERDSTOWN, WV 25443	Open	30x40 steel building for storage
	20-28-ZV	8/21/2020	PAUL LANCE A & MICHELLE L	70 KILLIAN LN, CHARLES TOWN, WV 25414	Open	Variance from Section 5.4B to reduce the side setback from 12' to 8' and the rear setback from 20' to 8' for a 12' x 16' (192 sf) accessory structure.

Planning and Zoning FY 2021 Annual Report
7/1/2020 to 6/30/2021

Type	Project Number	Creation Date	Owner Name	Location	Status	Description
Zoning Variance	20-29-ZV	8/24/2020	PURVIS CHRISTOPHER M & KIMBERLY A - Kimberly Purvis	30 BALSAM CT, CHARLES TOWN, WV 25414	Open	Variance from Section 5.4B of the Zoning Ordinance (amended 05/11/03) to reduce the side setback from 12' to 7' and the rear setback from 20' to 11' for a 12' x 20' (240 sf) accessory structure.
	20-30-ZV	8/31/2020	NEUBAUER SHARON A	59 SWEARINGEN WAY, SHEPHERDSTOWN, WV 25443	Open	Variance from Section 5.4B to reduce the rear setback from 20' to 11' for a 16' wide deck.
	20-31-ZV	8/31/2020	Lutman Land Development	2751 ENGLE MOLERS RD, HARPERS FERRY, WV 25425	Open	Variance from Section 5.7D.2.b.i(b) to allow the required 50% green space to be allocated on four of the proposed lots within the cluster.
	13-37-ZV	9/22/2020	RAI Group 41, LLC - Jim Ruland	130 & 150 E. Burr Blvd, Kearneysville, WV 25430	Closed	Variance request from Section 4.11A for a reduction of the required parking and access drive setbacks from 10' to 0'; and from Section 5.6D.5 for a reduction of the required landscape buffer between two commercial uses from 10' to 0', for the purpose of subdividing Parcel 93 (referred to as Lot 41) to create two individual commercial lots (Lots 40 and 41).
	20-32-ZV	9/25/2020	HDW LLC	104 MADDEX SQUARE DR, SHEPHERDSTOWN, WV 25443	Open	Variance from Section 10.4B.3 to reduce the front setback from 25' to 1.5' for a 64" W x 84" H (35 sf) double-sided monument sign.
	20-33-ZV	9/30/2020	HDW LLC	104 MADDEX SQUARE DR, SHEPHERDSTOWN, WV 25443	Open	Variance from Section 4.6B.2 to reduce the distance requirement from 75' to 65' along the rear property line for an 8' x 12' (96 sf) accessory structure.
	20-34-ZV	10/5/2020	DERRICK NICHOLAS E & MEGAN R	300 BROOKLINE DR, CHARLES TOWN, WV 25414	Withdrawn	Variance from Section 5.4B (01/10/2002 Zoning Ordinance) to reduce the side setback from 12' to 6' to allow for the construction of a stairway from an existing second-story deck to a proposed 20' x 26' concrete slab.
	20-35-ZV	10/9/2020	PAIGE SHARON L & WAVERLY T	14 STILES WAY, RANSON	Open	Variance from Section 5.4B to reduce the rear setback from 20' to 11' for a 10' x 20' deck.
	20-36-ZV	10/15/2020	HERBERT HOWARD	60 BRENTWOOD CT, HARPERS FERRY, WV 25425	Open	Variance from Section 9.7 to reduce the north side setback from 25' to 6' for a 14' x 28' accessory structure.
	20-37-ZV	10/16/2020	HANIGAN KEVIN M & TINA M SINNETT	33 JENNY LIND DR, HARPERS FERRY, WV 25425	Open	Variance from Section 5.4B and Section 9.6C (Zoning Ordinance, as amended 10/4/90) to reduce the front setback from 25' to 2' for a 42' x 20' in ground pool and surrounding concrete.
	17-11-ZV	10/30/2020	COLLIS HOLDINGS, LLC	DEERFIELD VILLAGE RD, SHEPHERDSTOWN, WV 25443	Closed	Variance from Section 5.4B to reduce the rear setback from 20' to 8' to construct a 12' x 12' deck.
	20-38-ZV	11/4/2020	RADUNS JAMES & DEIRDRE EYCHNER	647 NEW MEADOW DR, KEARNEYSVILLE, WV 25430	Closed	Variance from Section 9.7 to reduce the side setback from 15' to 10' and the rear setback from 50' to 13' for a 12' x 20' accessory structure.
	20-39-ZV	11/12/2020	MARGIE AND SCOTT BROWN	45 BRIAR PATCH LN, HARPERS FERRY, WV 25425	Closed	Variance from Section 9.7 to reduce the front setback from 20' to 16' and the rear setback from 12' to 7' for a 16' x 18' addition to the existing house.
	20-40-ZV	11/13/2020	POTOMAC EDISON COMPANY	1320 OLD COUNTRY CLUB RD, CHARLES TOWN, WV	Closed	Request to increase the height restriction from 100' to 150' for a telecommunications tower (Section 4B.7J.2.a)
	21-16-ZV	4/9/2021	Chad and Kimberly McGarrah	711 APPLE CROSS RD HARPERS FERRY, WV	Open	Variance from Section 9.6C to allow accessory structure in the required front yard; and Section 9.7 to reduce the front setback from 25' to 2' for a 10' x 20' accessory structure (shed).
	21-17-ZV	4/16/2021	BEAHM NORMAN A & CHARLOTTE K	382 MISSION RD HARPERS FERRY, WV	Closed	Variance from Appendix A to reduce the minimum lot size from 40,000 sf to 16,800 sf to allow for the creation of a lot to be donated to the Mission Tabernacle Holiness Church for the purpose of creating an overflow parking area.
	21-18-ZV	4/20/2021	SUTTON FRANCIS N III & LISA M	178 DEVONSHIRE DR CHARLES TOWN, WV	Closed	Variance from Section 5.4B of the Zoning Ord., as amended 07/15/93, to reduce the rear setback from 20' to 10' for a 12' x 16' accessory structure (shed).
	21-19-ZV	4/20/2021	BOUNDS HERMAN JR & ROBIN A	43 KILLIAN LN CHARLES TOWN, WV	Closed	Variance from Section 5.4B of the Zoning Ord., as amended on May 1, 2003, to reduce the rear setback from 20' to 5' for a 12' x 24' in-ground pool.
	21-20-ZV	4/26/2021	WHISNER CANTON E	1491 SHIRLEY RD SUMMIT POINT, WV	Closed	Variance from Section 9.6C to allow an accessory structure (barn) in the required front yard; Section 8.2 to reduce the distance requirement from 50' to 10'; and Appendix A to reduce the front setback from 40' to 10' for a 64' x 40' barn.
	21-21-ZV	4/28/2021	DAVIS RANDOLPH S & MELINDA L	Sydney Cir. Harpers Ferry, WV	Closed	Variance from Section 9.6C to allow an accessory structure in the required front yard; and Section 9.7 to reduce the front setback from 25' to 10' for a 30' x 50' accessory structure.
	21-22-ZV	4/29/2021	Guy Chicchirichi	Augustine Ave. Charles Town, WV	Closed	Variance from Section 8.9A.9 to eliminate the requirement to provide a 60' easement along a limited access highway; Section 8.9A.10 to eliminate the landscape buffer requirement along a limited access highway for a proposed Large Gas Station (Sheetz).
21-23-ZV	4/30/2021	Stepping Stones Cottages, LLC - Doreen Schaffner	Bower Road Kearneysville, WV	Closed	Variance from Section 9.7 to reduce the side setback from 6' to 2' for a 12' x 16' accessory structure.	

**Planning and Zoning FY 2021 Annual Report
7/1/2020 to 6/30/2021**

Type	Project Number	Creation Date	Owner Name	Location	Status	Description
	21-24-ZV	4/30/2021	DR Acquisitions LLC - Matt Powell	Vacant Lot West of Charles Town Road, Charles Town, WV	Closed	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)
	21-25-ZV	5/4/2021	PHELPS BOBBI L & TYLER W	109 JOHNS CT CHARLES TOWN, WV	Closed	Variance from Section 9.7 to reduce the side setback from 6' to 1' for a 12' x 32' accessory structure.
	21-26-ZV	6/28/2021	YEAGER BARBARA & THOMAS - BARBARA YEAGER	157 VICTORIA LN CHARLES TOWN, WV	Open	Variance from Section 5.4B of the Zoning Ordinance, as amended on May 1, 2003, to reduce the side setback from 12' to 10' and the rear setback from 20' to 10' for a 38' x 30' in-ground pool.
					Type Total:	29
Planning Commission Variance (1979 ZO)	20-4-PCV	10/8/2020	ESPINOSA KRISTEN R	6485 SUMMIT POINT RD, CHARLES TOWN, WV 25414	Open	Variance from Section 2.1(b) of the 1979 Subdivision Ordinance to lift the single family restriction to allow for an In-Law Suite.
	20-5-PCV	12/22/2020	BEALLAIR HOMES LLC	BEALLAIR MANOR DRIVE	Open	Request to extend the deadline for final plat recordation from 01/11/2021
					Type Total:	2
Zoning Map Amendment	20-1-Z	10/22/2020	VAN EVERA JAMES W III ET AL	7948 MARTINSBURG PIKE, SHEPHERDSTOWN, WV	Closed	Request to rezone 5.4 acres from RG to RLIC.
	20-2-Z	12/28/2020	Dead Rock Contractor Services, LLC - Chris Livingston	ShIPLEY School Road east of ShIPLEY Elementary School	Open	Request to rezone the parcels from Residential Growth to General Commercial.
	21-2-Z	4/8/2021	Jefferson Orchards Inc - MARK RALSTON	Kearneysville Pike Kearneysville, WV	Open	To rezone two vacant parcels from Rural to: Light Industrial: 43.7 acres Residential Growth: 195.2 acres
					Type Total:	3
					Grand Total:	160



Jefferson County, West Virginia
Department of Engineering, Planning, and Zoning
Office of Planning and Zoning
116 East Washington Street, 2nd Floor
Charles Town, WV 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email: zoning@jeffersoncountywv.org

Fax: (304) 728-8126

Planner's Memorandum
Planning Commission Meeting
August 10, 2021

1) Status of Engineering, Planning and Zoning County Offices during COVID-19 Virus Pandemic

In accordance with Direction from the Office of the Governor, the Department of Engineering, Planning and Zoning Mason Building is open to the public. Masks must be worn at all times, unless you are fully vaccinated, and social distancing will be observed.

BUILDING PERMITS & INSPECTIONS 304-725-2998 permits@jeffersoncountywv.org

IMPACT FEES 304-728-3331 - mmason@jeffersoncountywv.org

ENGINEERING 304-728-3257 - engineering@jeffersoncountywv.org

PLANNING & ZONING 304-728-3228 - planningdepartment@jeffersoncountywv.org,
zoning@jeffersoncountywv.org

GIS & ADDRESSING 304-724-6759 - gis@jeffersoncountywv.org

2) West Virginia Ethics Commission virtual training open to ALL public officials and employees:

Topic: The Ethics Act & the Open Meetings Act

Date: Wednesday, August 11, 2021 @ 12:00 p.m.

Location: Virtual*

Cost: Free

*If interested in this training, please email Kimberly.b.weber@wv.gov for an invitation to participate in the virtual training.

For more information regarding the West Virginia Ethics Commission, please visit their website: <https://ethics.wv.gov/Pages/default.aspx>

3) Upcoming PC meeting

a) Next Regular meeting: **September 14, 2021**

- Rexroat Wedding Venue Concept Plan (21-6-SP) Public Workshop
- Shepherd View Apartments Concept Plan (21-9-SP) Public Workshop