



AGENDA - Draft

Jefferson County Planning Commission
Tuesday, September 14, 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/84301191408>

Meeting ID: 843 0119 1408

+13017158592, 89080314783# US (Washington DC)

1. Approval of Meeting Minutes: August 10, 2021; August 31, 2021; and revisions to May 11, 2021
2. Request for postponement.
3. **Public Hearing:** Continued from 8/10/21 Meeting. 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: Shepherdstown (09); Tax Map: 12; Parcel: 8; Size: 12.99 ac; Zoning District: Rural; File: (21-12-Q).
4. **Public Workshop:** Concept Plan for Rexroat Agriculture Special Event Facility (weddings and group gatherings); Farm vacation Enterprises (lodging for guests); Pick your own crop, Bed and Breakfast (possible future expansion). Owner/Applicant: Russel and Cyndi Rexroat; Property Location: 191 Myerstown Rd., Charles Town, WV 25414; Tax District: Kabletown (06); Tax Map: 10; Parcel: 3.2; Parcel Size: 15.78 acres; Zoning District: Rural. (File# 21-6-SP).
5. **Public Workshop:** Concept Plan for Shepherd View Apartment Complex (Minor Site Plan). The proposal consists of 40 2-bedroom apartments in 5 buildings with affiliated open space and infrastructure. Owner/Applicant: AAL, LLC; Property Location: 8285 Martinsburg Pike; Tax District: Shepherdstown (09); Tax Map: 08; Parcels: 17.2 & 17.3; Parcel Size: 3.77 acres (2.21 & 1.56 acres); Zoning District: Residential Growth (eastern half) and Residential-Light Industrial-Commercial (western half). (File #21-9-SP).
6. **Public Hearing:** Waiver from Section 21.401 to allow a 24 ft. pool to be 8 ft. into a platted access easement. Owner/Applicant: Kimberly and Paul Taulton; Property Location: 355 Patriots Way, Harpers Ferry, WV 25425; Tax District: Harpers Ferry District (06); Tax Map: 26; Parcel: 1.3; Parcel Size: 3.03 acres; Zoning District: Rural. (File # 21-14-PCW)
7. **Public Hearing:** Waiver from Section 20.201 to allow properties to process as Minor Subdivision after Transfer of Development Rights under Section 5.7.D.1.b from Parcel 8 to Parcel 12.9. Owner/Applicant: BML LLC; Property Location: 1963 Kearneysville Pike, Shepherdstown, WV 25443; Tax District:

Shepherdstown (09); Tax Map: 15; Parcel 8 (88.205 acres per PB26/PG250) and Parcel 12.9 (3.478 acres per PB26/PG209). Zoning District: Rural. (File # 21-15-PCW)

8. **Public Hearing:** Waiver from Appendix B Section 10.5 to allow additional parking on gravel lot in the rear to reach the appropriate number of spaces. Owner/Applicant: JD Land Holdings Inc./True Performance Fitness LLC; Property Location: 362 W. Burr Blvd. Kearneysville, WV 25430; Tax District: Charles Town (02); Map No: 1; Parcel No: 74; Parcel Size: 3.65 acres; Zoning District: Industrial-Commercial (File # 21-16-PCW).
9. **Public Hearing:** Waiver from Article 24, Section 24.113.B.10 Archeological Survey. Owner/Applicant: Ernest Hunter, et.al./Joshbeen Grewal; Property Location: 4469 Charles Town Road, Kearneysville, WV 25430; Tax District: Charles Town (02); Tax Map: 1; Parcel: 2; Parcel Size: 107+- acres; Zoning District: Residential/Light Industrial/Commercial District. (File# 21-17-PCW)
10. **Public Hearing:** Waiver from Article 24, Section 24.113.B.10 Archeological Survey. Owner/Applicant: David Lutman/Lutman Land Development; Property Location: 8554 Summit Point Road, Charles Town, WV 25414; Tax District: Charles Town (02); Tax Map: 11; Parcel: 30 and 30.2; Parcel Size: 67.6+- acres; Zoning District: Residential Growth. (File# 21-18-PCW)

There is no public comment for the following items.

11. **Review and Discuss:** First draft of proposed zoning text amendment to create provisions to allow short term rentals to process in Jefferson County (PC File #ZTA21-01). The proposed text amendment to the Zoning and Land Development Ordinance includes revisions to Article 2, Section 2.2 “Definitions”; Article 8, Supplemental Use Requirements (proposed Section 8.16 Short Term Rentals); and Appendix C, Principal Permits and Conditional Uses Table.
 12. **Discussion and Possible Direction:** County Commission recommendation re: Comprehensive Plan Amendment to identify and secure the role of solar facilities throughout the rural and residential zoning districts in Jefferson County. In accordance with WV Code 8A-3-11 and 8A-3-6, the Planning Commission shall adopt procedures for public participation throughout the process of amending a Comprehensive Plan. A Public Hearing will also be required.
- 13. Reports from Legal Counsel**
- a. Discuss and review Jefferson County Circuit Court Civil Action No. 2021-C-109.
 - b. Review of Zoning Text Amendment File #ZTA19-03 related to solar energy facilities, including review of Jefferson County Circuit Court Civil Action No. 2021-C-33.

14. Planner’s Memo

15. President’s Report

16. Actionable Correspondence

17. Non-Actionable Correspondence

- a. Ruthlee Holler Email – Short Term Rentals