



**Jefferson County**  
**Board of Zoning Appeals**  
**Thursday, September 23, 2021 at 2:00 p.m.**

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

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

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

**Virtual Meeting Information: The virtual meeting will be conducted via ZOOM.**  
**Please use the following information to join the ZOOM Meeting:**  
<https://us02web.zoom.us/j/88663761683>  
**Meeting ID: 886 6376 1683**  
**Dial by location: 301-715-8592**  
**Find your local number: <https://us02web.zoom.us/u/kb65f6MrBt>**

**If you wish to participate virtually in public comment for one of the agenda items, please type your name, address, and agenda item # in the chat function at the start of the meeting.**

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

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

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

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**Approval of Minutes: August 26, 2021**

**Public Hearing – Administer Oath**

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**ITEM #1 FILE #: 21-28-ZV**

**Request:** Variance request from Appendix B to reduce the front setback from 25' to 21' for a portion of the proposed expansion to the existing TeMa manufacturing facility.

**Owner:** Jefferson County Development Authority

**Applicant:** Howard Shockey & Sons, / Jeffrey Mohn

**Parcel Info:** Burr Business Park, Lot 19, 395 Steeley Way, Kearneysville, WV  
Parcel ID: 02000101190000; Size: 1.22 ac; Zoning District: Industrial Commercial

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**ITEM #2 FILE #: 21-29-ZV**

**Request:** Variance request from Section 5.4B of the Zoning Ordinance, as amended on 04/08/05, to reduce the side setback from 12' to 6' for a 22' x 44' in-ground pool with surrounding concrete.

**Owner:** Kara and Matthew Durrschmidt

**Parcel Info:** Sheridan Subdivision, Lot 21, 441 Chickamauga Dr., Harpers Ferry, WV  
Parcel ID: 04009D00210000; Size: 0.83 ac; Zoning District: Residential Growth

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**ITEM #3 FILE #: 21-30-ZV and 21-31-ZV**

Request 1: Variance request from Section 4.6 and Appendix B to reduce the distance requirement from 75' to 25' for a proposed 1,500 sq ft office/storage building (proposed Contractor's Office with Outdoor Storage) (21-30-ZV).

Request 2: Variance request from Section 4.11 and Appendix B to allow use of existing vegetation in lieu of a planted landscape buffer for a proposed Contractor's Office with Outdoor Storage. The land use includes construction of a 1,500 sq ft office/storage building, associated parking, and gravel equipment storage area (21-31-ZV).

Owner: Dead Rock Contractor Services, LLC / Chris & Charlene Livingston

Parcel Info: Vacant parcels located off Shipley School Road / located between Shipley School and Meadows Farm Nursery, Charles Town, WV  
Parcel ID: 04000900230000 and 04000900270000; Combined Size: .86 ac;  
Zoning District: General Commercial

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**ITEM #4 FILE #: 21-32-ZV**

Request: Variance request from Section 5.4B of the Zoning Ordinance, as amended on 11/07/02, to reduce the rear setback from 20' to 15' for a 25' x 16' deck.

Owner: Kirk and Charlene Lattner

Parcel Info: Deerfield Subdivision, Lot 24, 19 Mossy Oak Dr., Shepherdstown, WV  
Parcel ID: 09014B00240000; Size: 0.33 ac; Zoning District: Residential Growth

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**ITEM #5 FILE #: 21-33-ZV**

Request: Variance request from Section 5.6D of the Zoning Ordinance as amended, to correct previous approval granted by the Board on 02-28-19 (see PC File #19-2-ZV) to reduce the side setback to 21' for an existing 125' tall telecommunications tower, which was built prior to the adoption of zoning in the County. The previous request cited a 75' tall telecommunications tower; however, the correct tower height 125'. The physical attributes of the property will remain the same.

Owner: Paul & Donna Ashbaugh

Parcel Info: 121 Ashland Woods Dr, Harpers Ferry, WV.  
Parcel ID: 02002100350000; Size: 96.22 ac; Zone: Rural

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**Zoning Administrator Report**

- a. Monthly Zoning Certificate Activity Report

**Legal Update**

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

**Meeting: August 26, 2021**

1. Variance from Sec. 5.4B. Owner/Applicant: Martin & Jacqueline Cline. File: 21-27-ZV.