

Minutes
Jefferson County Board of Zoning Appeals

1 Meeting Date: August 26, 2021
2 Meeting Location: By order of the Chair, the Board of Zoning Appeals meeting was held
3 in-person in the Charles Town Library Conference Room; and virtually
4 via ZOOM.
5 Board Members Present: Tyler Quynn, Chair; Deirdre Catterton, Vice Chair (via ZOOM);
6 Leeds Corbin, Steve Guier, Matt McKinney, and Mikala Shremshock,
7 Alternate
8 Board Members Absent: None
9 Staff Members Present: Alexandra Beaulieu, Zoning Administrator; Nathan Cochran, Assistant
10 Prosecuting Attorney; Stephen Groh, Assistant Prosecuting Attorney;
11 and Jennilee Hartman, Zoning Clerk

12 All requests were pursuant to the Jefferson County Zoning and Land Development Ordinance.

13 Mr. McKinney moved to call the meeting to order at 2:00 pm. Mr. Quynn called for a vote, which
14 carried unanimously.

15 Mr. Quynn reviewed meeting protocol for those in attendance. Ms. Beaulieu swore in members of
16 the public.

17 **Approval of Minutes: July 22, 2021 and August 11, 2021**

18 Mr. Quynn noted that his name was spelled incorrectly in line 24 of the August 11, 2021 minutes.

19 Ms. Beaulieu stated that Staff would correct the spelling error.

20 Mr. Corbin moved to approve the July 22, 2021 minutes, which carried unanimously.

21 Mr. McKinney moved to approve the August 11, 2021 minutes, which carried unanimously.

22 **ITEM #1 FILE #: 21-27-ZV**

23 Request: Variance request from Section 5.4B of the Zoning Ordinance, as amended on May 18,
24 1998, to reduce the side setback from 12' to 7' 4" for an existing 12' x 16' (192 sf)
25 accessory structure.

26 Owner: Martin & Jacqueline Cline

27 Parcel Info: Eastland Subdivision, Lot 73, 558 Eastland Dr., Charles Town, WV

28 Parcel ID: 02001600960000; Size: 0.92 ac; Zoning District: Residential Growth

29 Ms. Jacqueline Cline, property owner, was present to address the Board. Ms. Beaulieu provided an
30 overview of her staff report. Ms. Beaulieu noted that the shed was located outside of the 30'
31 drainage easement and the 10,000 square foot septic reserve area. Ms. Cline explained the nature of
32 the request, stating that she was unaware that a building permit was required for a pre-built shed.

33 Ms. Cline represented that the adjacent property owner had provided verbal consent to the request.

34 Mr. Quynn confirmed there were no members of the public signed up to speak for this item.

35 Mr. McKinney moved to approve the variance with the condition that the applicant be bound by
36 their testimony. Mr. Quynn called for a vote, which carried unanimously.

37 Mr. Groh introduced himself to the Board as their new legal counsel.

38 **Zoning Administrator's Report**

39 a) Monthly Zoning Certificate Activity Report. The Report was included in the mailed packet.

1 Ms. Beaulieu provided an overview the Zoning Administrator report. She noted that it was her
2 intent to have a draft of both zoning text amendments (ZTA21-01 and ZTA21-02) available in
3 September. Ms. Beaulieu stated that the next Board meeting would be on September 23, 2021.

4 **Legal Update**

5 a) Discussion of the following pending lawsuit:

6 1. Discussion/Action: Neighbors Against River Chase Event Center v BZA re: 20-8-CUP
7 (Civil Action No.: CC-2021-C-22).

8 Mr. Cochran provided the Board with an update on the case.

9 b) Discussion with possible deliberative session and signing of draft Findings/Decisions.

10 **Meeting: July 22, 2021**

11 1. Variance from Sec. 5.4B. Owner: Thomas and Barbara Yeager. File: 21-26-ZV.

12 Mr. Groh provided Mr. Quynn a copy of the draft Findings for his review and signature.

13 Ms. Catterton moved to adjourn the meeting at 2:23 pm. Mr. Quynn called for a vote, which carried
14 unanimously.