



**Jefferson County**  
**Board of Zoning Appeals**  
**Thursday, March 26, 2015, 2:00 p.m.**

Members  
Tyler Quynn, Chair  
Jeffrey Bannon, Vice Chair  
Christy Huddle  
Matt Knott  
Ted Schiltz

The Jefferson County Board of Zoning Appeals will meet in the Charles Town Library Conference Room located at 200 East Washington Street, at the side entrance on Samuel Street, in Charles Town, West Virginia. Unless otherwise noted, all requests are pursuant to the Zoning & Land Development Ordinance.

1. Approval of the minutes from the February 26, 2015 meeting.
2. Swearing in of members of the public intending to provide testimony.
3. Variance request by Peter Corum, applicant, from Section 3.2G for an eighteen (18) month extension for the Morgan's Grove Market Conditional Use Permit #CP12-01, which expires on June 28, 2015. The CUP was approved for an agricultural-based market. Intended uses are to consist of, but are not limited to, a Food Hub, General Merchandise (retail), Professional/Business Offices, Community Amenities, and other associated uses. Owner: Twin Oaks S/D, LLC. Location: 3988 Kearneysville Pk, Shepherdstown, WV. District: Shepherdstown 09; Map: 13; Parcels: 26.1, 26.2, 26.3, 26.4; Zone: R; Size: 13.68 (combined total); File: ZV15-02.
4. **Application withdrawn; deemed unnecessary.** Variance request from Section 5.4B to reduce the rear setback from 20' to 10' for a deck with stairs. Owner: Thomas Marshall. Location: Colonial Hills, 75 Swearingen Way, Shepherdstown, WV. District: Shepherdstown 09; Map: 8E; Parcel: 18; Zone: RG; File: ZV15-03.
5. Request for a change in nonconforming use by Carl Webster & Connie Kitts, applicants, per Section 4.3C to allow for the reconfiguration of an approved Outdoor Flea Market (#ZC13-34). Owner: Gilbert Mobley. Location: 6468 Charles Town Rd, Kearneysville, WV. District: Middleway 07; Map: 4; Parcel: 8; Zone: R; Size: 5 ac; File: ZV15-04.
6. Variance request by Josh Allen, consultant with Cross Development LLC, from the following requirements:
  - a) Section 11A to reduce the required parking from 40 to 30 spaces for a 9,100 sq. ft. dollar store (ZV15-06).
  - b) Section 10.4E to allow a proposed freestanding sign, approved under the Development Review System, to be located less than the required 1000' from the existing signs along Middleway Pike (ZV15-07).Owner: Wilbur A. Alger & Middle of the Way Real Estate. Location: Corner of Middleway Pk (Rt 51) & Leetown Rd, (Rt 1) Kearneysville, WV. District: Middleway 07; Map: 19; Parcels: 16.6, 16.7; Zone: R; Size: 1.69 ac.
7. An appeal of an Administrative Decision by Kenneth Barton, Jr. and Kelsey Swaim, attorneys with Steptoe & Johnson PLLC, regarding the interpretation of 'Signs, Animated' in Section 2.2 pertaining to the Shenandoah Air Conditioning & Heating, Inc Animated Sign Conditional Use Permit #CP15-01. Owner: James Young, Sr. Location: 351 Edmond Rd, Kearneysville, WV. District: Charles Town 02; Map: 1; Parcel: 79; Zone: IC; Size: 1.768 ac; File: AP15-01.

8. Director's Report.
  - a) Monthly Activity Report
9. Legal Update.
  - a) All Good Music Festival Pending Litigation
  - b) William Neufeld Pending Litigation
10. Signing of written decisions from prior Board of Zoning Appeals meetings. None.