



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, P.O. Box 338

Charles Town, WV 25414

File Number: 21-5-Z

Staff Initials: JMB

Application Fee: \$ \$4,850.00
Chk #1015

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

zoning@jeffersoncountywv.org

Fax: (304) 728-8126

Zoning Map Amendment (Rezoning)

Pursuant to Article 12, a Zoning Map Amendment is a procedure to amend the official Zoning Map of the County by changing the zoning designation of a property. In order for a proposed amendment to be approved, the County Commission, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan, or if it is inconsistent, must make findings in accordance with the requirements of 8A-7-8 et seq of the WV State Code. All Amendments to the Zoning Map require a Public Hearing to be held by the Planning Commission for the purpose of making a recommendation to the County Commission. Subsequently, all recommended map amendments require a Public Hearing before the County Commission prior to a final determination.

Property owner information

Name: Arnold Holden
Mailing Address: 5958 Roseto Place; Sarasota, FL 34238
Phone Number: 941-400-5345 Email: arnie941@verizon.net

Applicant contact information

Name: Arnold Holden
Mailing Address: 5958 Roseto Place; Sarasota, FL 34238
Phone Number: 941-400-5345 Email: arnie941@verizon.net

Applicant representative

Name: Integrity Engineering; Chad Wallen
Mailing Address: 148 S. Queen Street; Martinsburg, WV25401
Phone Number: 304-725-8456 Email: cwallen@ifs-ae.com

Physical property details

Physical Address: Northwest of the Shenandoah Rd & Ridge Rd intersection.
City: Shenandoah Junction State: WV Zip Code: _____
Tax District: 02 - Charles Town Map No: 1 Parcel No: 29 & 45
Parcel Size: 76.22 Deed Book: 1111 Page No: 394

Current Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential- Light Industrial- Commercial (RLIC)	Village (V)	Neighborhood Commercial (NC)	General Commercial (GC)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planned Neighborhood Development (PND)		Office/ Commercial Mixed-Use (O/C)				
Highway Commercial (HC)		Light Industrial (LI)		Major Industrial (MI)		
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

RECEIVED
DECEMBER 8, 2021
Jefferson County, WV
Office of Planning & Zoning

Place Received Date Stamp Here

Proposed Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential- Light Industrial- Commercial (RLIC)	Village (V)	Neighborhood Commercial (NC)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General Commercial (GC)	Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/ Commercial Mixed-Use (O/C)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For a Zoning Map Amendment request, the "burden of proof" is on the applicant to show why the proposed zoning is more appropriate than the existing zoning. Accordingly, please explain how the following factors support your proposal.

Describe your proposed use (and/or project) and describe why the Zoning Map Amendment is necessary for the proposed use (and/or project) described.

See Attached

Describe how the Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan.

See Attached

Discuss any change(s) of transportation characteristics (i.e., type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original ordinance was adopted.

See Attached

Do you request that the Planning and Zoning Staff present the petition to the Planning Commission for the purpose of setting the public hearing date?

☒ Yes, I request that the Planning and Zoning Staff present the petition

☐ No, I prefer to present the petition

Plat or Sketch Plan (provide as an attachment to this application)

The plat or sketch must be pursuant to Zoning Ordinance, Section 7.4 (b). The sketch plan shall include the entire original parcel as it appeared on the date this ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines should be superimposed on the sketch plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes and quarries shall be delineated.

Is Plat or Sketch Plan attached?

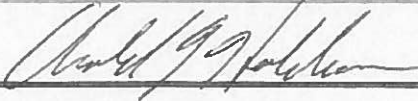


Yes



No

Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).

 NOVEMBER 4, 2021

Signature of Property Owner

Date

Signature of Property Owner

Date

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

The Planning Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.



Recommended



Not Recommended

The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.



Approved



Disapproved

Final Determination/Other Comments

Plat or Sketch Plan (provide as an attachment to this application)

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Is Plat or Sketch Plan attached?

☒ Yes ☐ No

Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).

A. Phillip Caswell 11/15/21

Signature of Property Owner

Date

Signature of Property Owner

Date

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☐ Recommended ☐ Not Recommended

The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.

☐ Approved ☐ Disapproved

Final Determination/Other Comments

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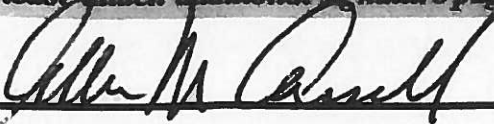


Yes



No

Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).



4 Nov '21

Signature of Property Owner

Date

Signature of Property Owner

Date

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

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Recommended



Not Recommended

The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote _____ for and _____ against, this day of _____, _____, _____.



Approved



Disapproved

Final Determination/Other Comments

Zoning Map Amendment Application Addendum

Ridge Road Rezoning

December 3, 2021

Owner / Applicant:

Arnold Holden
5958 Roseto Place
Sarasota, FL 34238

Property Tax Identification:

Charles Town District (2), Map Number 1, Parcel 29 – 1.05 Acres
Charles Town District (2), Map Number 1, Parcel 45 – 75.17 Acres

Deed Information:

Deed Book 1111, Page Number 394

Property Characteristics:

Location: Northwest of the Shenandoah Junction Rd & Ridge Rd intersection.
Current Zoning: Industrial / Commercial (IC)
Current / Historic Use: Residential and Agricultural
Area of Rezoning: 76.22+/- Acres

Requested Zoning District:

Residential Growth (RG)

Table of Exhibits

1. Vicinity Map
2. Aerial Overlay
3. Existing Conditions Map
4. Concept Sketch

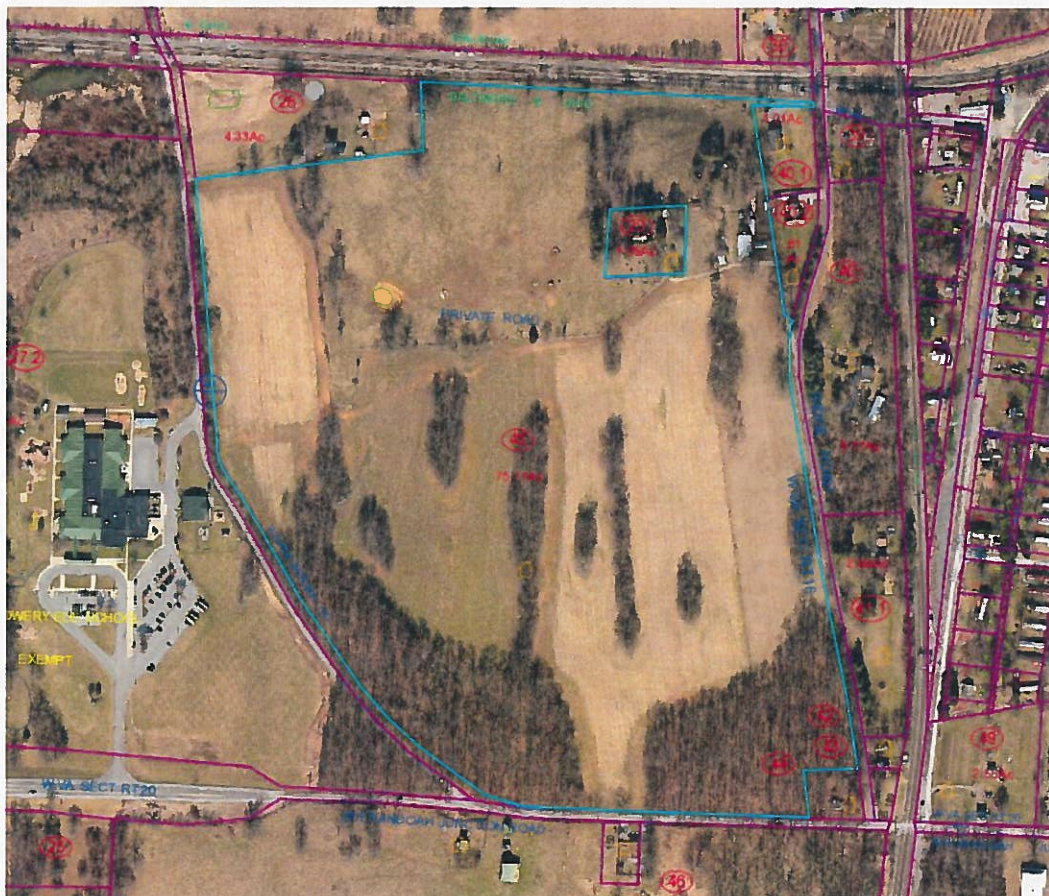
Substantiation for Request

Existing Characteristics

The properties are located along Shenandoah Junction Road between its intersections with Ridge Road and Warm Springs Road, approximately 1-mile from the Bardane exit of Route 9.

The properties are a mixture of agricultural and wooded lands and contain one residential structure. The properties are 0.6 miles from Jefferson High School and Wildwood Middle School. T.A. Lowery Elementary School is located across Warm Springs Road.

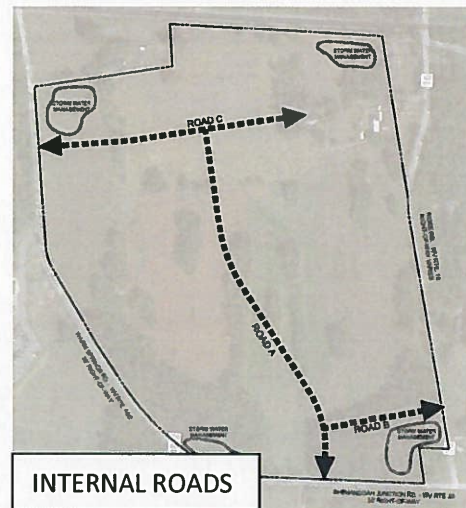
Potential permitted uses under the existing Industrial/Commercial (IC) zone include heavy industrial, salvage yards, manufacturing, and most commercial uses. The IC zone does not allow for residential development.



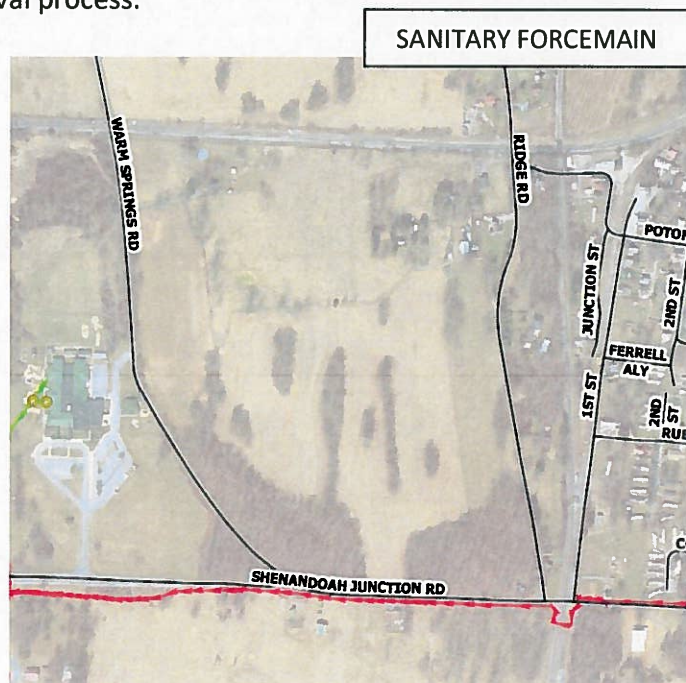
Describe your proposed use (and/or project) and describe why the Zoning Map Amendment is necessary for the proposed use (and/or project) described.

The proposed residential use of the property is not a permitted use in the current IC district. The Residential Growth district will allow the properties to be developed as envisioned by the comprehensive plan.

It is proposed that the property be developed as a residential community under the regulations of the Residential Growth (RG) zoning district. It is anticipated the development will include a mix of townhomes and single-family detached homes, but any uses under the RG district will be permitted. The development will include open spaces, storm water management facilities, utilities, and roads. Access will be provided from entrances from Shenandoah Junction Road, Ridge Road and Warm Springs Road. Like all similar developments in Jefferson County, the proposed development of the property will be subject to the County's regulations, review and approval process.



Jefferson Utilities and the Charles Town Utility Board were contacted to verify that both water and sanitary sewer service is available for the property. Water will be provided from an existing 12" water main located along Shenandoah Junction Road and will be looped through the properties and connect in to an existing water line located at T.A Lowery Elementary. Sanitary sewer from the property will tie into an existing sanitary forcemain located



along the eastbound side of Shenandoah Junction Road.

Describe how the Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan (the Plan).

1. Preferred Growth Areas (Page 22)

- f. Shenandoah Junction PGA/School Based Growth Area
(from TA Lowery Elementary School to Flowing Springs Road, encompassing Shenandoah Junction and Wildwood Middle School and Jefferson High School)

This PGA abuts the Ranson UGB and includes the village of Shenandoah Junction, TA Lowery Elementary School, Wildwood Middle School, Jefferson High School, and the existing Duffields train stop and parking lot. Considerable input was received as to the desirability of siting schools in locations that are walkable and/or bikeable to the neighborhoods that the school serves. This PGA allows the development of such walkable neighborhoods around schools that currently exist. Planning growth around existing schools decreases bus and vehicular traffic and allows for connectivity including walking and biking trails. The recommended land uses in this area include Medium Density Residential around the schools which should be in a pattern and scale compatible with the village of Shenandoah Junction, transitioning to Low Density Residential abutting the Rural/Agricultural land uses. Densities of this scale would require access to public water and sewer which currently serve the schools and the village area. A map of the Shenandoah Junction PGA/School Based Growth Area can be found in Appendix F – Maps.

The inclusion of the property within the Shenandoah Junction / Schools PGA demonstrates the Plans vision for development to occur on the subject property.

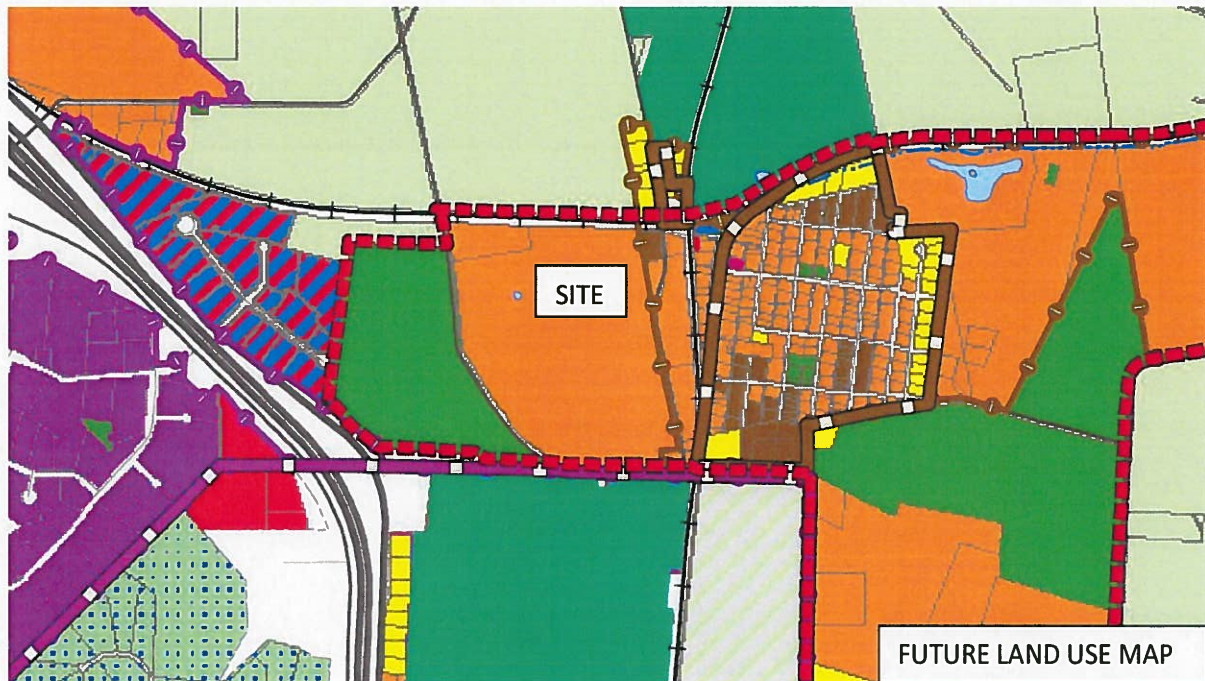
2. Future Land Use Guide – (Pages 26 & 235)

Medium Density Residential

This category is defined as three units per acre to 6.99 units per acre and reflects land occupied by a single development or a mixture of densities and housing types, including single-family detached, duplex, condominium, or townhome development. This type of development pattern would be required to be served by a public water and sewer system.

A Medium Density Residential use is identified by the Plan for the subject property. The proposed residential mix of townhomes and single-family residential units is both consistent and supported by the comprehensive plan. The Plan states on page 26 that

"Land Use Classifications are intended to provide guidance to the Planning Commissions when considering owner initiated zoning map amendments".



Preferred Growth Area

3. Urban Level Development Recommendations (Page 30)

2.	Recognize that the County Commission has the authority to make land use decisions including Zoning Map Amendments based upon the finding of consistency with the Future Land Use Guide and the recommendations of this Plan; the County Commission may determine that petitions or decisions for zoning map amendments are consistent with the Comprehensive Plan if any of the following conditions are met after the entire Plan is taken into consideration:
	a. Economic Well-Being of the County; or
	b. Error or Under Scrutinized Property on the Future Land Use Guide; or
	c. Change in Neighborhood; or
	d. Any Other Circumstance that the Governing Body determines should have been considered when drafting the Future Land Use Guide; and/or
	e. Environmental impacts are considered.

- a) Economic Well Being: Residential Land Use in Jefferson County has not met the comprehensive plans growth projections of 0.95% per year and is only at 0.55% as of 2019. The lack of residential growth has impacted the strength of the local economy. While there are pockets of residential activity, the County is not benefiting from a robust residential economy.
- b) Future Land Use Guide: Medium Density Residential is identified as the appropriate use of the property by the comprehensive plan. The proposed RG district is consistent with this future land use.
- c) Environmental Impacts: The existing IC district permits more intense development on the subject property than would be allowed under the proposed RG district. While there are no known sensitive natural features on the properties, the change in zoning will reduce the potential impact to the property and surrounding properties.

Discuss any change(s) of transportation characteristics (i.e., type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original ordinance was adopted.

The Original Zoning Ordinance was adopted on July 7, 1988. Some changes in the immediate area of the properties include:

1. Schools: T.A. Lowery Elementary is located across Warm Springs Road from the properties and did not exist when the ordinance was adopted. The location of an Industrial zoned property could allow for uses, if not planned/designed properly, to create a conflict between uses. There are three schools located within 0.6 miles of the properties, including Wildwood Middle School which also did not exist when the ordinance was adopted.
2. Adjacent Development: The property is located next to the Village Shenandoah Junction and an elementary school. Additional development has occurred along Charles Town Road which includes businesses located in the Burr Business Park east of Route 9 (Kings Pizza, café, office...). These facilities will both serve and provide employment opportunities for the future residents of the properties.



3. Transportation: A 4-lane divided Route 9 was constructed, providing a high-capacity road corridor between Jefferson County and Interstate 81. An interchange (Bardane exit) is in close proximity to the properties.

As required with any property, an entrance permit from the West Virginia Department of Transportation (WVDOT) will be needed. Obtaining an entrance permit requires the review by the WVDOT to ensure that safe and adequate access can be provided. It is anticipated that improvements to the traffic signal and intersection will be requested by WVDOT.

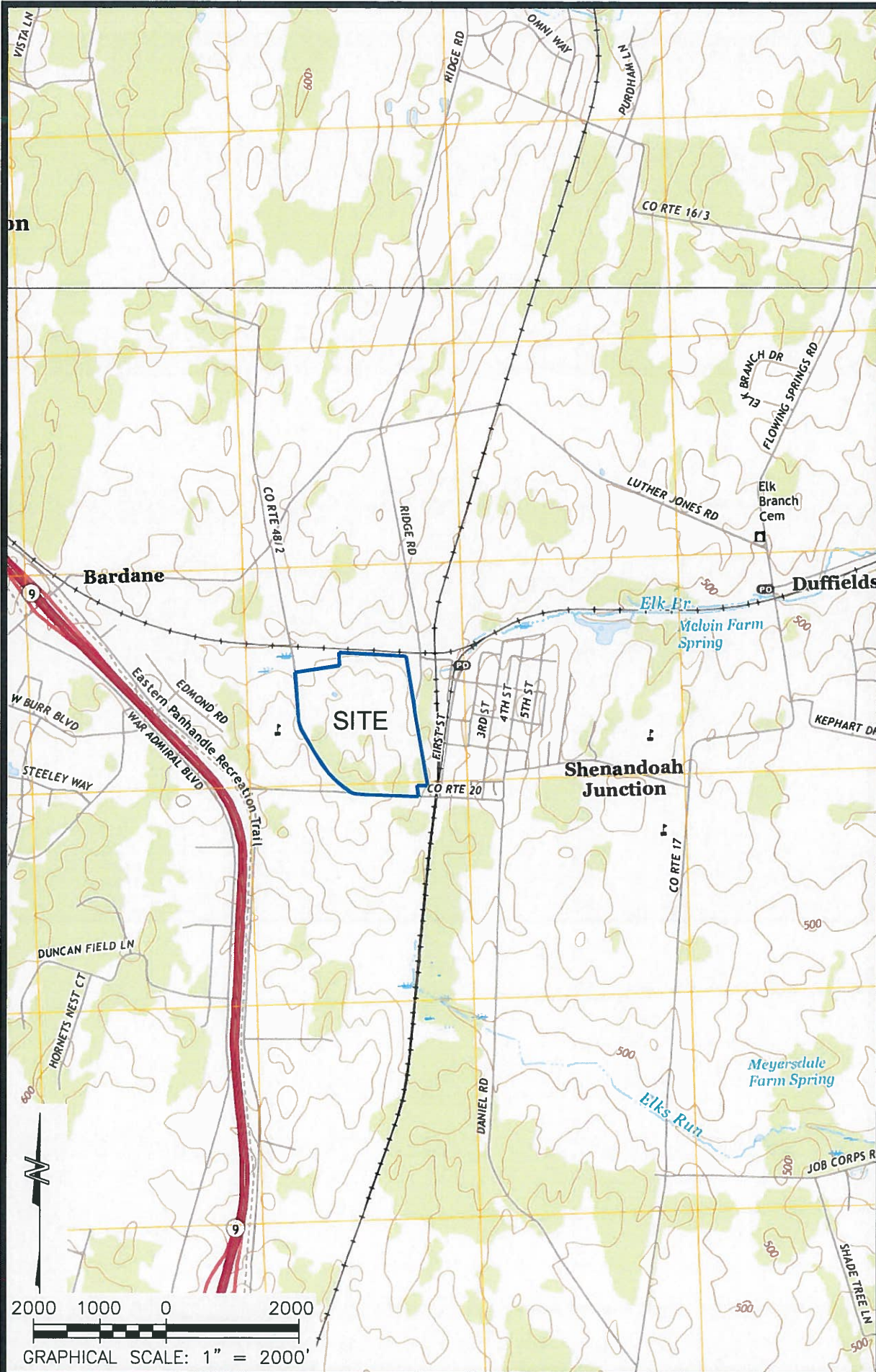


ZONING MAP AMENDMENT EXHIBIT 1 - VICINITY MAP

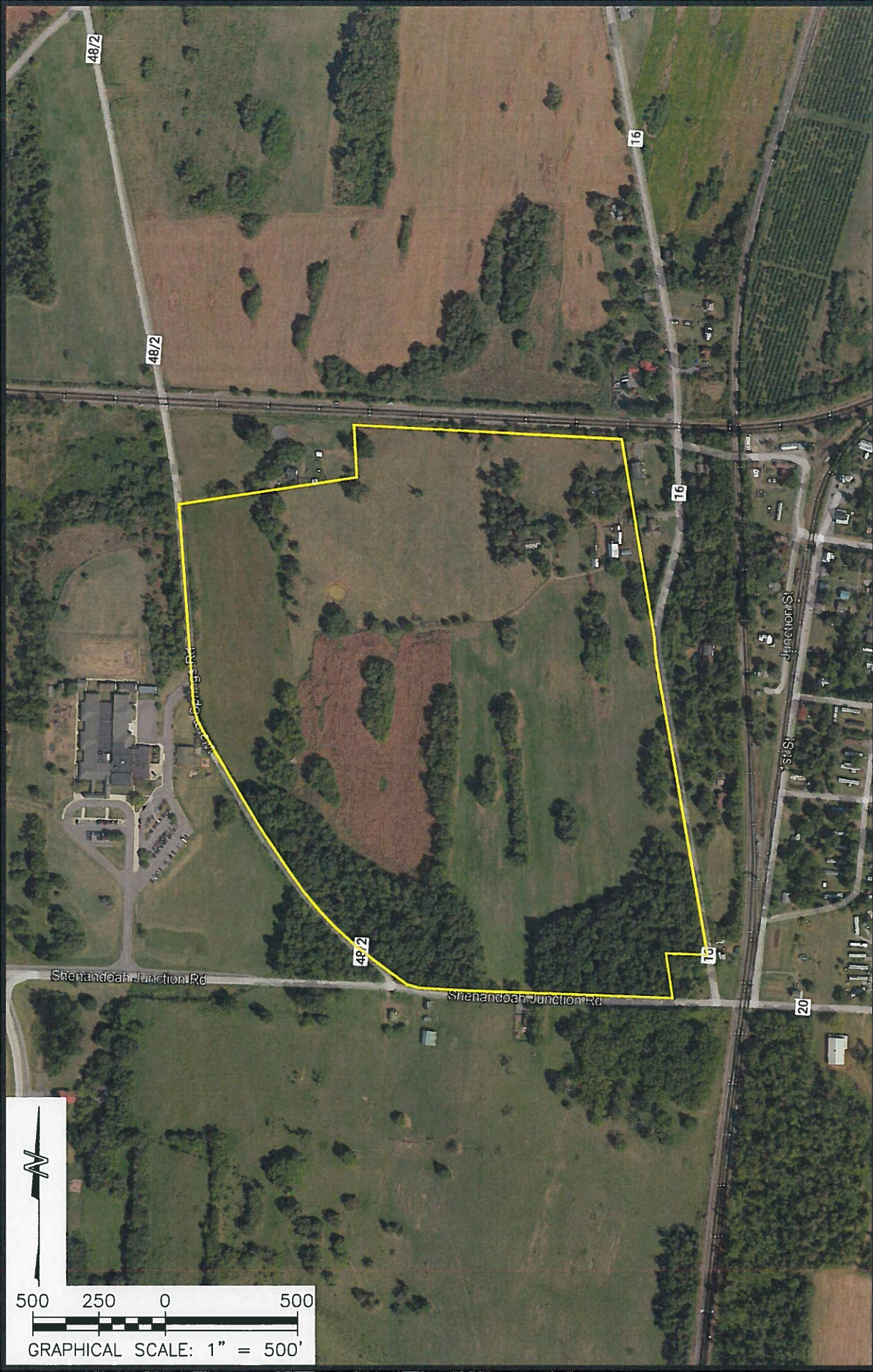
12-03-2021

RIDGE ROAD REZONING
JEFFERSON COUNTY, WV

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 IFS-AE.com	<h1>ZONING MAP AMENDMENT</h1> <h2>EXHIBIT 2 - AERIAL OVERLAY</h2>	<h3>RIDGE ROAD REZONING</h3> <p>JEFFERSON COUNTY, WV</p>
12-03-2021		

