



Jefferson County
Board of Zoning Appeals
Thursday, January 27, 2022 at 2:00 p.m.

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

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/88281924689>
Meeting ID: 882 8192 4689
Dial by location: 301-715-8592
Find your local number: <https://us02web.zoom.us/u/kdoWqVxO>

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.

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

Election of Officers

Approval of Minutes: October 28, 2021

Public Hearing – Administer Oath

ITEM #1 FILE #: 21-37-ZV and 21-38-ZV

Request 1: Variance from Appendix B to reduce the non-residential side setback requirement from 50' to 15' along the northern property line to allow for placement of a 12' x 24' pre-built shed to be used for equipment storage related to a proposed landscaping business (21-37-ZV).

Request 2: Variance from Section 10.4B.3 to reduce the front setback from 25' to 10' for a 6' x 19" free-standing sign; and, Section 10.4B.4 to allow said freestanding sign to face a residence (21-38-ZV).

Owner: Stephen Patrick Snyder, Snyder's Property Squad, LLC

Parcel Info: Riverside Subdivision, Sec. 7A, Lot 735, 38 Marcum Lane, Harpers Ferry, WV
Parcel ID: 06002601510000; Size: 1.18 ac; Zoning District: Rural

ITEM #2 FILE #: 21-39-ZV

Request: Variance from Section 9.6C to allow an accessory structure within the required front yard; and Section 9.7 to reduce the front setback from 25' to 10' and the side setback from 12' to 10' along the western boundary line for a proposed 24' x 24' detached garage with an apartment.

Owner: Brandon and Alexi Darr

Parcel Info: Hidden River Subdivision, Sec. 1, Lot 7, Our Lane (vacant lot), Kearneysville, WV
Parcel ID: 07001800300000; Size: 1.08 ac; Zoning District: Rural

ITEM #3 FILE #: 21-40-ZV

Request: Variance from Section 11.1A – Non-Residential Parking Standards to request that the requirement to install permanent off-street parking on the property be waived. The applicant has obtained approval from the WV State Rail Authority to utilize the existing Duffields train station parking lot on weekends.

Subject Parcel Information:

Owner: Historic Landmarks Commission

Parcel Info: 84 Melvin Rd., Shenandoah Junction, WV

Parcel ID: 09024A00110000; Size: .36 ac; Zoning District: Rural

Duffields Parcel Information:

Owner: WV DOT State Rail Authority

Parcel Info: 5027 Flowing Springs Rd., Shenandoah Junction, WV; Parcel ID: 09002400080001 and

09002400080002; Combined acreage: 4.7 ac; Zoning District: Rural

ITEM #4 FILE #: 21-41-ZV

Request: Request from Section 9.6C to allow an accessory structure within the required front yard; and Section 9.7 to reduce the front setback requirement from 40' to 20' for proposed 32' x 26' accessory structure (carport).

Owner: Kelly Mahoney (Nolder)

Parcel Info: Rolling Stone Est., Lot J-3, 211 John Brown Farm Ct., Harpers Ferry, WV

Parcel ID: 06000800080009; Size: 5.19 ac; Zoning District: Rural

ITEM #5 FILE #: 22-1-ZV

Request: Variance from Section 9.6C to allow an accessory structure within the required front yard; and Section 9.7 to reduce the front setback from 20' to 15' for a proposed 28' x 30' detached garage.

Owner: Tommy & Kimberlin Staubs

Parcel Info: Cavalier Subdivision, Lot 5, 88 Cavalier Dr., Harpers Ferry, WV

Parcel ID: 04007A00200000; Size: .41 ac; Zoning District: Rural

ITEM #6 FILE #: 22-2-ZV

Request: Variance request from Section 5.4B (01/10/02 Zoning Ordinance, as amended) to reduce the side setback from 12' to 4'; and the rear setback from 20' to 13' for a proposed 16' x 40' in-ground pool with surrounding concrete.

Owner: Joel Menges

Parcel Info: Maddex Farm Subdivision, Lot 100, 222 Maddex Dr, Shepherdstown, WV

Parcel ID: 09008C01600000; Size: .27 ac; Zoning District: Residential-Light Industrial-Commercial

ITEM #7 FILE #: 22-3-ZV

Request: Variance request from Sections 9.5(b) and 5.7(b) (04/08/05 Zoning Ordinance, as amended), to reduce the side setback from 15' to 0' for a 9' tall privacy fence.

Owner: Donald Pine

Parcel Info: John and Barbara Plunket Minor Subdivision, Lot 2, 989 Engle Molers Rd, Harpers Ferry, WV

Parcel ID: 04000300010007; Size: 1.48 ac; Zoning District: Rural

ITEM #8 FILE #: 22-1-CUP and 22-4-ZV

Request 1: Request for a Conditional Use Permit to operate as a Contractor with Outdoor Storage, as defined in Article 2. The applicant is proposing to expand an existing emergency vehicle outfitting and retrofitting professional office. The proposal consists of constructing a new 1,500 square foot building to house vehicles and a workshop for the outfitting work.

Request 2: Variance request from Section 4.10A to waive the requirement to process a site plan for a proposed expansion to an existing commercial building.

Owner: Raymond & Kerry Muth / Executive Emergency Lighting LLC

Parcel Info: Wilmoth Construction Subdivision, Lot 1, 21 Southpaw Lane, Shepherdstown, WV
Parcel ID: 09014BWAT10000; Size: 1.54 ac; Zoning District: Rural

Zoning Administrator Report

- a. Monthly Zoning Certificate Activity Report
- b. 2022 Board of Zoning Appeals Meeting Schedule

Legal Update

- a. Discussion of the following pending lawsuits:
- b. Discussion with possible deliberative session and signing of draft Findings/Decisions

Meeting: September 23, 2021

- 1. Variance from Sec. 9.6A. Owner: M. Arvin. File: 21-34-ZV.
- 2. Variance from Sec. 9.6A. Owner: M. Arvin. File: 21-35-ZV.
- 3. Variance from Sec. 9.6C & 5.4B. Owner: J. Bowers. File: 21-36-ZV.