



# JEFFERSON COUNTY, WEST VIRGINIA

## Departments of Planning and Zoning

116 East Washington Street, P.O. Box 338

Charles Town, WV 25414

File Number:

#215-02

Staff Initials:

W/C

Application Fee: \$

1,250.00

[www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html](http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html)

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)

Phone: (304) 728-3228

[zoning@jeffersoncountywv.org](mailto: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: Charles M. Carter

Mailing Address: 7174 Martinsburg Pike, Shepherdstown, WV 25443

Phone Number: 304/676-8607

Email:

#### Applicant contact information

Name: Harry F. (Butch) Catrow, Jr.

Mailing Address: 443 Sandpiper Lane, Shepherdstown, WV 25443

Phone Number: 304/676-8607

Email: [hgcarrow@aol.com](mailto:hgcarrow@aol.com)

#### Applicant representative

Name: Annette Van Hilst, R.A., The Crossroads Group

Mailing Address: 22 Van Clevesville Road, Kearneysville, WV 25430

Phone Number: 571/428-7054

Email: [agvh@frontiernet.net](mailto:agvh@frontiernet.net)

#### Physical property details

Physical Address: 7174 Martinsburg Pike

City: Shepherdstown

State: WV

Zip Code: 25443

Tax District: Shepherdstown

Map No: 7

Parcel No: 23 and 32.1

Parcel Size: 3.85 & 0.16 acres = 4.01

Deed Book: 161 & 275

Page No: 264 & 194

#### 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planned Neighborhood Development (PND)		Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Office/ Commercial Mixed-Use (O/C)	
<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Place Received Date Stamp Here

JUL 07 2015

JEFFERSON COUNTY PLANNING,  
ZONING & ENGINEERING

**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 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 checked="" 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.*

No Proposed Use. The General Commercial Zone was not available in the past. However, the General Commercial Zone is now authorized for this area in both the 2015 Comprehensive Plan and the Current Zoning Ordinance. As discussed with the Director and Staff, the property will also be used to provide an access point to the growth area in the rear of this property which is owned by the Applicant. Some property will also be merged to this property as discussed.

*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).**

CM RUTER JR.

7/1/15

Hay 4 Carter

7-1-15

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**

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#71502

MAP AMENDMENT REQUEST  
Article 12, Jefferson County Zoning Ordinance  
Charles M. Carter  
July 1, 2015

**Owner:**

Charles M. Carter  
7174 Martinsburg Pike  
Shepherdstown, WV 25443

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**Applicant:**

Harry F. (Butch) Catrow, Jr.  
443 Sandpiper Lane  
Shepherdstown, WV 25443  
304/676-8607

JEFFERSON COUNTY PLANNING,  
ZONING & ENGINEERING

**Ordinance Citation:**

Article 12 of the Jefferson County Zoning and Development Review Ordinance, as amended.

**Map Amendment Definition:**

“An amendment to the Zoning Map which is adopted by reference in the Zoning Ordinance that consists of a change that only applies to a specific property, changing from one existing zoning designation to another existing zoning designation. A map amendment does not permit changes, conditions or alterations to uses permitted within an existing zoning designation as all zoning designations must be uniformly applied to all property which are subject to said designation.”

**Substantiation for the Request:**

1. The properties owned by Mr. Carter are currently zoned Residential Growth and the Owner and the Applicant are seeking a map amendment to the General Commercial District. As explained in this Application, the Applicants believe that this change is consistent and compatible with the 2015 Jefferson County Comprehensive Plan. This Comprehensive Plan compatibility is evidenced by the fact that the County Commission specifically added these properties into the Preferred Growth Area and Commercial area upon request of the owner during the recently completed Envision 2035 Comprehensive Plan effort;

2. There have been significant changes in this area, since the Jefferson County Zoning Ordinance was adopted in 1988. The most significant change was the construction of the Connector Road which functions as a bypass around Shepherdstown. Other changes in the neighborhood include the development of the Maddex Commercial Area (Food Lion, etc.); the construction of the Clarion Conference Hotel and National Training Center; the enhancement to the entrance to the western campus of Shepherd University; and, the rezoning of the Lowe Parcel on the Connector Road to Residential/Commercial and Light Industrial. These changes are addressed in this Petition;
3. The General Commercial District is a newly created District and both the Comprehensive Plan and current Zoning Ordinance endorses this District for these properties. The property will still be considered in the Growth Area and will connect to the area that will remain Residential Growth by Easement or ROW for interconnectivity;
4. The properties were located in the 2004 Comprehensive Plan Growth Area and are now located in the 2015 Comprehensive Plan's Preferred Growth Area. Currently, these properties are located in the existing Residential Growth District, which allows for extremely high density residential development; and,
5. The properties were previously used for commercial purposes. In fact, the owner thought the property was already zoned for commercial because of the previous uses. The uses on the property in the past included a tavern and a retail establishment.

**Tax District, Map and Parcel Number:**

Shepherdstown Tax District, Map 7, Parcels 23 and 32.1

**Deed Book Reference:**

Parcel 23: Deed Book 161 at Page 264  
Parcel 32.1: Deed Book 275 at Page 194

**Sketch Plat:**

Attached

**Tract Size:**

Parcel 23: 3.85 Acres  
Parcel 32.1: 0.16 Acre  
Total: 4.01 Acres

**Discussion on:**

Comprehensive Plan compatibility of the proposed change: Included in this Petition.

Any Change of transportation characteristics and neighborhood from when the original ordinance was adopted: Included in this Petition.

*A. Comprehensive Plan Compatibility*

According to page 13 of the 2105 Comprehensive Plan, there are only 6 Preferred Growth Areas (PGAs) in Jefferson County that are targeted for urban scale growth. The subject parcels are within one of these PGAs. As a matter of fact, because of the properties' history, current zoning, past designation in the 2004 Comprehensive Plan, these properties were specifically added to this PGA during the just completed Comprehensive Plan Process. The County Commission added the properties as a result of the attached letter by Mr. Carter. The purpose of Mr. Carter's letter and the County Commission's action was a precursor to this map amendment request. It is only natural that map amendments are requested shortly after the adoption of a new Comprehensive Plan.

Along with the new Comprehensive Plan, the Zoning Ordinance has been amended over the last several years to slowly evolve into a more traditional zoning ordinance that has more available zones and districts. These amendments included the creation of the General Commercial District. This district is for low to medium level commercial development along primary and good secondary roadways. As the owner requested a commercial and/or residential classification in the new Plan and the County Commission granted the request, the owner picked the most appropriate district for this property. The Zoning Ordinance specifically states that the General Commercial Zone should be utilized in the following locations:

“B. Location. This zoning category is intended for use on properties:

1. In the Growth Area as shown in the most recently adopted Comprehensive Plan, if the plan does not include a future land use map; or
2. In locations where the appropriate land use category is designated on the future land use map (and related text) in the most recently adopted Comprehensive Plan.”

As previously described, the subject property is in the Growth Area in the 2004 Comprehensive Plan and is properly located on the future land use map (Guide) as Commercial and/or Residential in the 2015 Comprehensive Plan. As also stated, the property was specifically included into these areas by the County Commission at Mr. Carter's request. So, while many properties on the map were located generally, Mr. Carter's and Mr. Catrow's properties were specifically located by the County Commission for this purpose.

The subject property is located in the most developable category in the County's jurisdiction on the Future Land Development Map on Page 15 of the Plan (attached). The property is also shown in the Shepherdstown Area's PGA and listed as Commercial/Residential on the attached Future Land Use Guide.

Finally, with regard to maps, the property is currently located in one of the most intense available zones on the existing Zoning Map. This property has been located in the high density Residential Growth District in Jefferson County since the adoption of Zoning in 1988. This portion of the Zoning Map is also attached.

All three maps show that this property continues to be slated for urban level development. The requested General Commercial District would really be no more impacting than a high density residential development such as apartments for which the property is currently zoned. The connection with the property to the rear will allow any growth in that area to have direct access to this commercial area. This is what the Commission intended when it was added.

Page 20 of the Comprehensive Plan describes this PGA as follows:

**"a. Shepherdstown PGA**  
*(an area located south and west of Shepherdstown)*

This PGA is defined predominately by existing residential and commercial development, existing zoning, and access to water and sewer services. It encompasses an area broadly described as properties on either side of WV 45 past the west end of Old Martinsburg Road to Venice Way and to the south along the west side of WV 480 including land on either side of Potomac Farms Road. This area is included within Shepherdstown's Growth Management Boundary (GMB) and is the primary area outside of Shepherdstown that this Plan anticipates developing at an urban level even if it remains in the unincorporated area."

Such description makes it clear that this Map Amendment Request is very consistent with the New Envision Jefferson 2035 Comprehensive Plan.

The new 2015 Comprehensive Plan (Page 25) also strongly encourages that the newer zones that have been created, such as the requested General Commercial

District be utilized instead of the Mixed Use Zone and the Residential Growth Zone. The Comprehensive Plan states that the older zones should be discouraged because they allow too much flexibility and broadness in these categories. Accordingly, the Plan encourages rezoning requests for the newer categories such as General Commercial. The County Commission specifically adopted the separate commercial districts to limit the broadness of an all-encompassing Residential Growth or Mixed Use classification. This aspect, again, demonstrates that the requested map amendment is consistent with the Comprehensive Plan.

The following recommendations are found in the Urban Level Development Recommendations Table starting on Page 30 of the Plan:

**“5. Create urban level land uses within the municipalities, UGBs, PGAs, or Villages through rezoning that is consistent with the Plan recommendations.**

**a. Direct new urban level residential developments to locate in preferred areas within the municipalities, UGBs, PGAs, or Villages where water and sewer services are available.**

**c. Establish a greater variety of zoning district options (in commercial, residential, and mixed-use zoning categories) that adhere to predictability of land use options and outcomes based on the Plan recommendations.**

**7. Encourage the location of new infrastructure (water, sewer, utilities) within municipalities, UGBs, PGAs, or Villages.**

**a. Direct new development to be contained in municipalities, UGBs, PGAs, Villages, and areas zoned for Residential Growth (RG), where public water and sewer will be available.**

**14. Require all commercial/industrial zoning map amendment requests to utilize new zoning categories adopted on June 1, 2014 (or later) and discourage the use of the existing Residential-Light Industrial-Commercial (R-LI-C) District as a zoning category for zoning map amendment requests.**

**a. Encourage any development in a zone that permits mixed use to be developed according to the Mixed Residential/Commercial or Mixed Office/Commercial ratios found in the land use category recommended by this Plan, unless otherwise provided in the Zoning Ordinance.”**



The requested Map Amendment is also supported by the following Economic Development portions of the 2015 Comprehensive Plan by both the narrative (Page 69) and recommendations (starting on Page 70):

**“Focusing Economic Development in Municipalities, Urban Growth Boundaries, and Preferred Growth Areas**

Envision Jefferson 2035 expects urban level commercial, office, and industrial activity to be located in the municipalities, within the Urban Growth Boundary and Preferred Growth Areas, where the infrastructure is expected to be available to support these uses.” (Page 69)

Recommendations:

“5. Create a business friendly environment in Jefferson County.

6. Develop methods to promote local business growth which include providing research, support, and marketing resources that would assist business start-ups in Jefferson County.”

Based on these portions of the Envision Jefferson 2035 Comprehensive Plan, the Future Land Use Guide, the Future Development Area Map, the 2004 Comprehensive Plan Growth Area Map, the original 1988 Zoning Classification and the Current Zoning Map, this map amendment is extremely consistent and compatible with the Plan. The adjacency of the Carter Property and the Catrow property was discussed during this process. The Carter and Catrow properties were added specifically to the growth area with Catrow to remain residential and Carter to be added to the Commercial area. The interconnectivity of these properties through a ROW or Easement will meet the goals of the Comprehensive Plan

**B. Change of Neighborhood**

The neighborhood has undergone significant changes since the zoning ordinance was adopted. In 1988, the Shepherdstown Wastewater Treatment Plant was nearing capacity and that is probably one of the reasons that more land wasn't zoned for commercial and mixed uses at that time. That Shepherdstown Treatment Facility is now nearing the completion of a major upgrade and can now support additional growth. Another major change in the neighborhood is that the Route 45 Connector Road (Potomac Farms Drive) was constructed in 2000/2001. This change will be further discussed in the Change of Transportation Characteristics' part of the petition. Finally, since 1988, the neighborhood has added a significant amount of residential units in several subdivisions including Maddex, Kensington, the Crofts, Tollhouse Woods and

Colonial Hills. Along with this residential growth, other commercial areas have also developed since 1988, leaving a deficit of available commercial land in and around the growth areas of the County.

The following are changes in the neighborhood that would specifically support the requested change from Residential Growth to the Residential/Light Industrial/Commercial District or General Commercial District:

1. Availability of Public Utilities:

Public Water is already near this neighborhood and Wastewater facilities can be extended to this neighborhood now that the Shepherdstown Wastewater Treatment Plant has expanded its capacity. It has long been the goal of Shepherdstown to extend its sewer services along Route 45. This map amendment would allow the applicant to participate in that extension. As stated earlier, several of the Comprehensive Plan's primary objectives are to build out the Preferred Growth Areas and serve them with Public Water and Wastewater.

In this case, the water is already available in the area and sewer expectations are reasonable. There would be no unreasonable costs to the community, since the additional utility customers would allow the Town to add to their customer base.

2. Growth in the Area:

Several large residential projects have been developed in this area that would certainly benefit from the additional commercial growth that would be permitted with this map amendment. Four of these, Colonial Hills, Tollhouse Woods, Kensington Townhouses and Maddex Subdivision, are residential developments that are approved with a significant number of residential units. Although the Maddex development has a limited amount of commercial services available to the residents in the Maddex Subdivision, Colonial Hills, Tollhouse Woods, the Crofts and Kensington Townhouses are approved mostly as a residential developments. When built out, these developments would most certainly need nearby commercial services available to their residents. Due to the limited area of Shepherdstown and the traffic congestion and parking problems within the town, it is important that commercial services be made available to the residents outside of town. As with the construction of the Connector Route, the new commercial services will help with this downtown congestion and back-up at the four way stop sign in town. Furthermore, these new commercial services should not have a negative impact on the businesses within the Central Business District of Shepherdstown, because of the unique collection of eclectic shops that are already in town. As

exhibited in other growth areas, such as Arlington and Alexandria, Virginia, these types of shops continue to thrive in their downtowns.

The other significant development in the area that was built after the zoning ordinance was adopted is the Clarion Conference Hotel and National Training Center. This hotel and conference center hosts major federal government training programs and conferences. The people attending these functions would also benefit from the availability of commercial services in the area.

The primary area that is zoned for commercial uses in the Shepherdstown Growth area is essentially developed. There was very little area in the Shepherdstown Growth Area that was zoned mixed use or commercial when the zoning ordinance was adopted. Most of that area was the Maddex Farm area that is now either fully developed commercially or already platted into residential lots. From this standpoint, it is vital to change some of the residential land into a commercial zone. Otherwise, commercial growth in the Shepherdstown Growth Area will not be able to meet the demands of the residentially zoned and/or developed properties in that growth area. This map amendment is a perfect opportunity to take some property slated for residential use and allow it to develop commercially. This map amendment would provide a balance of land available for both residential and commercial development.

*C. Change of Transportation Characteristics:*

Please note that this property is already zoned Residential Growth. As such, there should be little significant difference in traffic from this property if it is rezoned to General Commercial. A commercial development would have a more favorable outcome regarding traffic since some of the existing residential subdivision and dwellings local residents could utilize the new commercial services available if the property is rezoned.

Since the adoption of the original Zoning Ordinance, the major change to this area from a transportation standpoint happened when Potomac Farms Drive (Alternate Route 45) was constructed just east of this property. The addition of this road, along with the expanded entrance into the western campus of Shepherd University, has considerably changed the transportation characteristics of the neighborhood. These two improvements have allowed traffic to bypass Shepherdstown to keep pass through and local traffic away from the more congested areas of downtown. The addition of commercial services in the western suburb of Shepherdstown should further reduce commercial traffic in the downtown area of Shepherdstown, without negatively affecting the unique collection of shops in town. The proposed connection through the property to the properties in the rear will also help with growth management.

*D. Pre-Existing Uses on the Property*

The owner of the property is an older resident who believed that his property was already zoned for commercial use. He believed this because he previously used the property as a tavern and a retail sales establishment. These uses existed when zoning was originally adopted and he just thought that his property would remain approved for commercial uses. If he knew that the commercial grandfathered uses would terminate after a year, he would have tried to maintain a commercial use in the facility.

Once the owner found out that the new Comprehensive Plan was being written, he thought that he could correct that oversight. After submitting the attached letter, the County Commission agreed that this area should be approved as a PGA with a commercial and/or residential use. Accordingly, he is requesting that the property be shifted into the newly created General Commercial District.

*E. Current Recommendations in the Future Land Use Guide and Maps in the Envision 2035 Comprehensive Plan Support this Request:*

As stated in the Comprehensive Plan Compatibility portion of this request, after the very carefully scrutinized Maps and Guides were approved by the County Commission, it was anticipated that this property would be added to a commercial zone. These Plan Maps support this request as compatible and consistent with the Comprehensive Plan. As a matter of fact, this map amendment request is the culmination of the process that Mr. Carter began last year with his participation in the Envision Jefferson 2035 process.

*F. Conclusion:*

Mr. Carter and Mr. Catrow respectfully request that the County Commission approve this map amendment to the Jefferson County Zoning Map. This Application cites many reasons why the map amendment should be approved. These reasons include: the consistency of the request to the 2015 Envision Jefferson Comprehensive Plan; the property was included in the 2004 Growth Area and is now included in the 2015 Preferred Growth Area; the property is shown as Commercial and/or Residential on the Future Land Use Guide (Map); the positive changes in the transportation characteristics in the area, especially the construction of the Route 45 Connector Route (Potomac Farm Road); the changes in the neighborhood from when the original zoning ordinance was adopted; the fact that the property was used commercially in the past and is located on a major transportation route between Shepherdstown and Martinsburg; the Zoning Ordinance supports this General Commercial District in this location; and, the fact that the property has access to Public Water and Sewer extensions. This map amendment will change the zoning classification on the Applicant's property from the Residential Growth District to the General Commercial District.



CHARLES M. CARTER JR

Charles M. Carter

7/6/15

Date

Harry E. Catrow, Jr.

Harry E. Catrow, Jr.

7-7-15

Date

# Future Land Development Jefferson County, WV



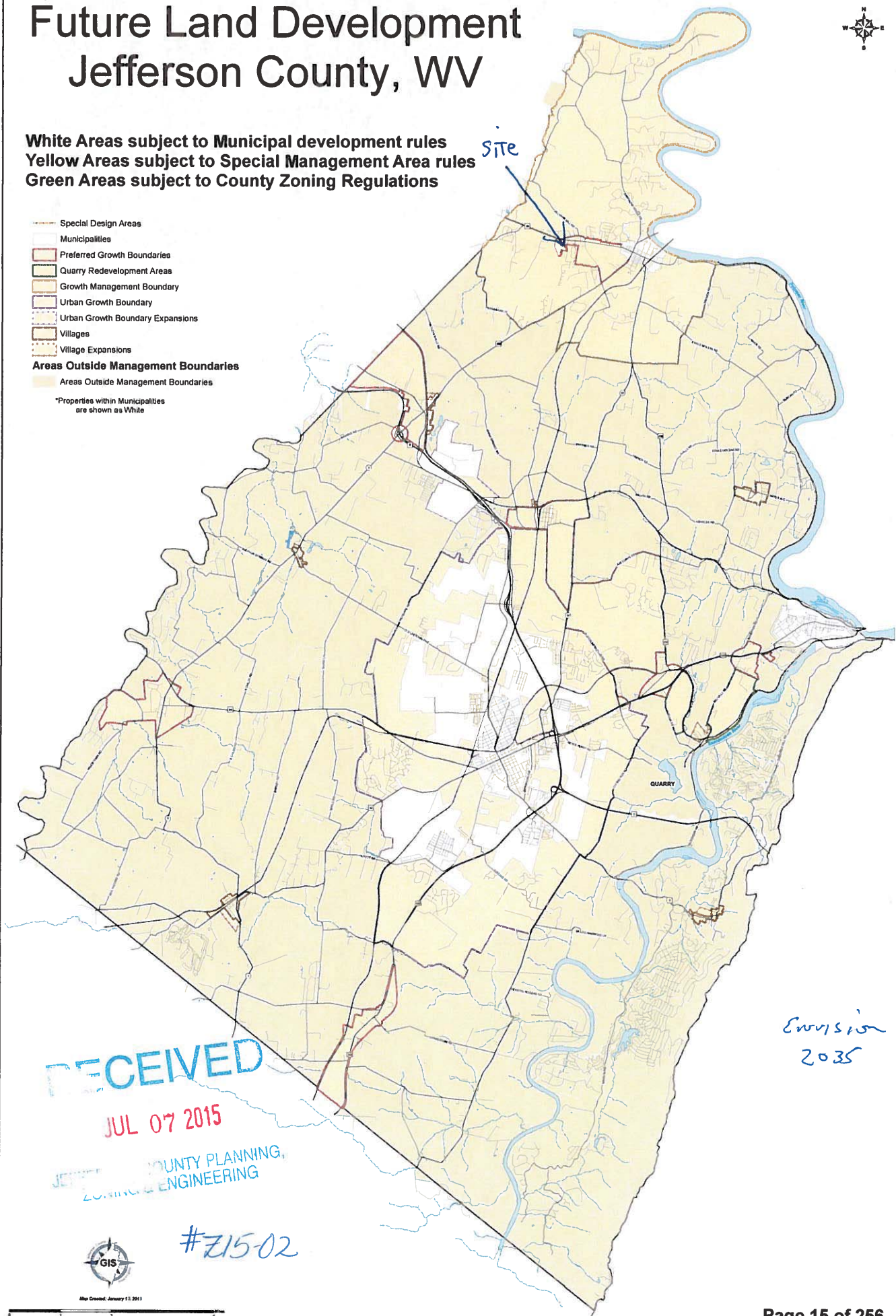
**White Areas** subject to Municipal development rules  
**Yellow Areas** subject to Special Management Area rules  
**Green Areas** subject to County Zoning Regulations

- Special Design Areas
- Municipalities
- Preferred Growth Boundaries
- Quarry Redevelopment Areas
- Growth Management Boundary
- Urban Growth Boundary
- Urban Growth Boundary Expansions
- Villages
- Village Expansions

## Areas Outside Management Boundaries

- Areas Outside Management Boundaries

\*Properties within Municipalities  
are shown as White



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Map Created: January 15, 2011

#Z15-02

Envision  
2035





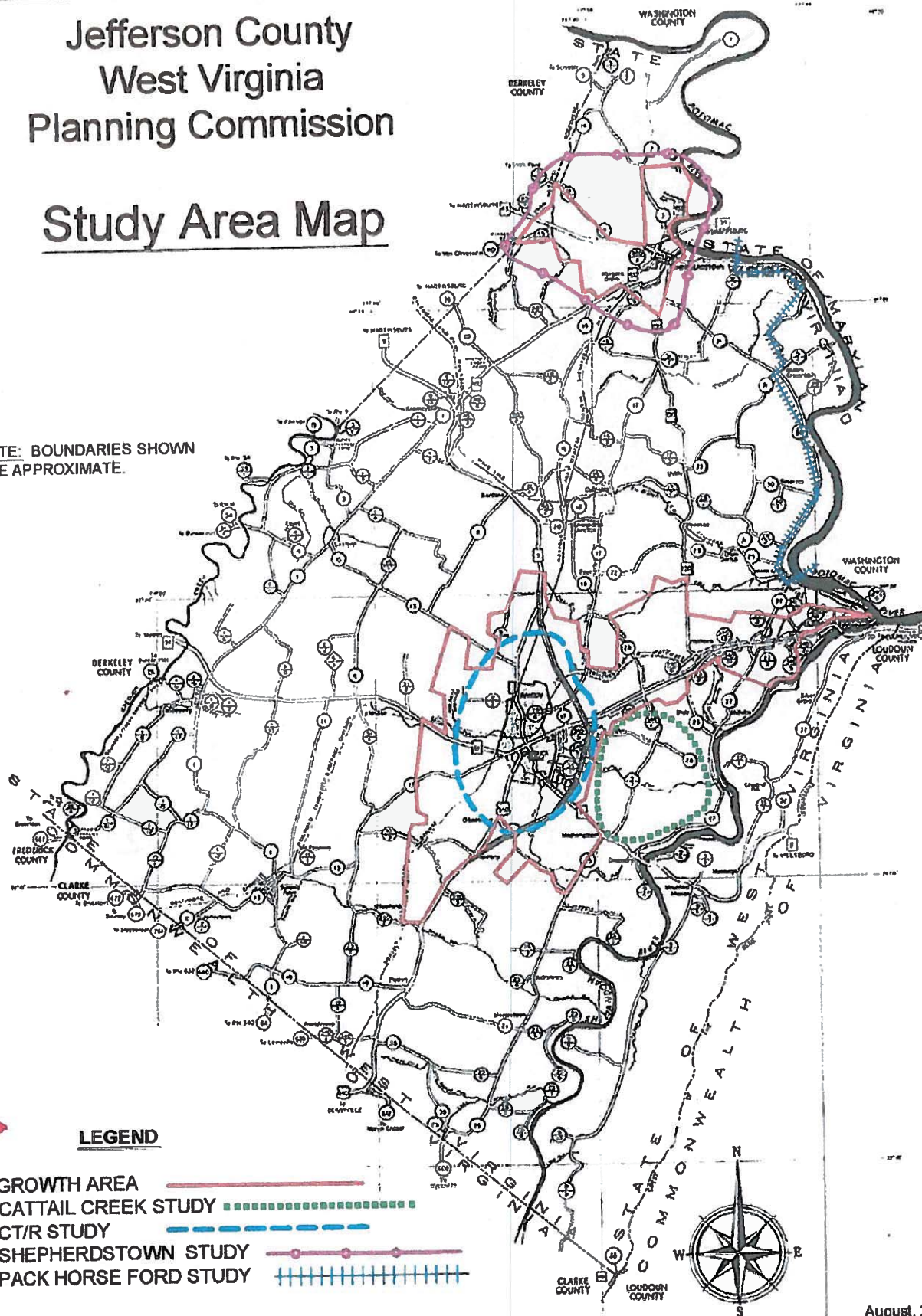
#215-02



# Jefferson County West Virginia Planning Commission

## Study Area Map

NOTE: BOUNDARIES SHOWN  
ARE APPROXIMATE.



August, 2003  
NOT TO SCALE



#715-02

Mr. Charles Carter  
7174 Martinsburg Pike  
Shepherdstown, WV 25443

November 5, 2014

Jefferson County Commission  
P.O. Box 250  
Charles Town, WV 25414

Dear Commissioners,

I am the owner of two properties that directly front on Route 45. These properties are Parcels 32.1 and 23 on Tax Map 7 in the Shepherdstown District. My neighbor recently told me that a new plan was being written that may have a negative impact on my property. I believe that my property is currently zoned Residential Growth and is also shown in the Shepherdstown Growth Area in the current 2004 Comprehensive Plan. My property was also used commercially for many years. The commercial uses included a bar and a gun shop. Although I am zoned for Residential Growth, it would seem more logical that my property would be either residential or commercial in the new plan since it fronts on Martinsburg Pike and is located in an area that is mixed use.

I am told that in the proposed plan, the Future Land Use Map has my property outside of all of the preferred growth areas. I take issue with the fact that my property isn't in the preferred growth area or shown as commercial/residential on the new map. This is very odd, especially since my property: was used commercially in the past; is located in the Residential Growth District; is located in the current Comprehensive Plan's Shepherdstown Growth Area; fronts on a major road; and, is shown adjacent to the proposed Preferred Growth Area and property slated for commercial and residential development on the Future Land Use Map. Any of these reasons by themselves would make it logical to place my property back into the Growth Area and shown as Commercial/Residential on the Future Land Use Map.

This entire area is slated for growth in the current ordinance and comprehensive plans; so, I don't know why this new growth area is going to before my property. I have had people interested in purchasing my property because of the zoning, but now the new designation on the map will reduce the value of my property. I don't think this is fair and would respectfully ask that my land be included in the Preferred Growth Area and shown as Commercial/Residential. These two areas are immediately next to my property. Why would the line stop there, when I am in the current growth area?

Please take this request in consideration before you vote on the Plan and designate my property appropriately. Thank you.

Sincerely,

Charles Carter

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JUL 07 2015

JEFFERSON COUNTY PLANNING,  
ZONING & ENGINEERING

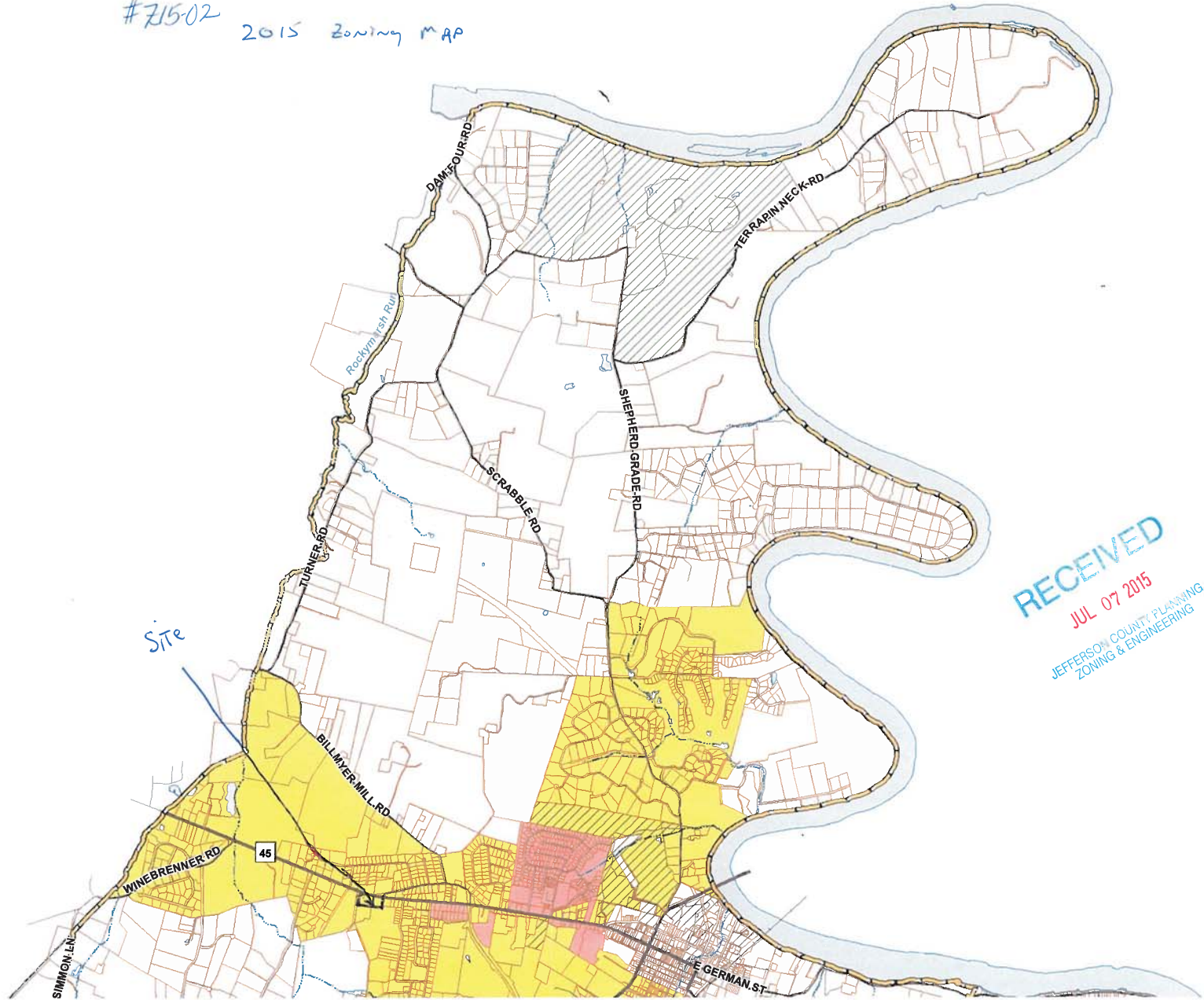


#71502





#71502 2015 Zoning Map



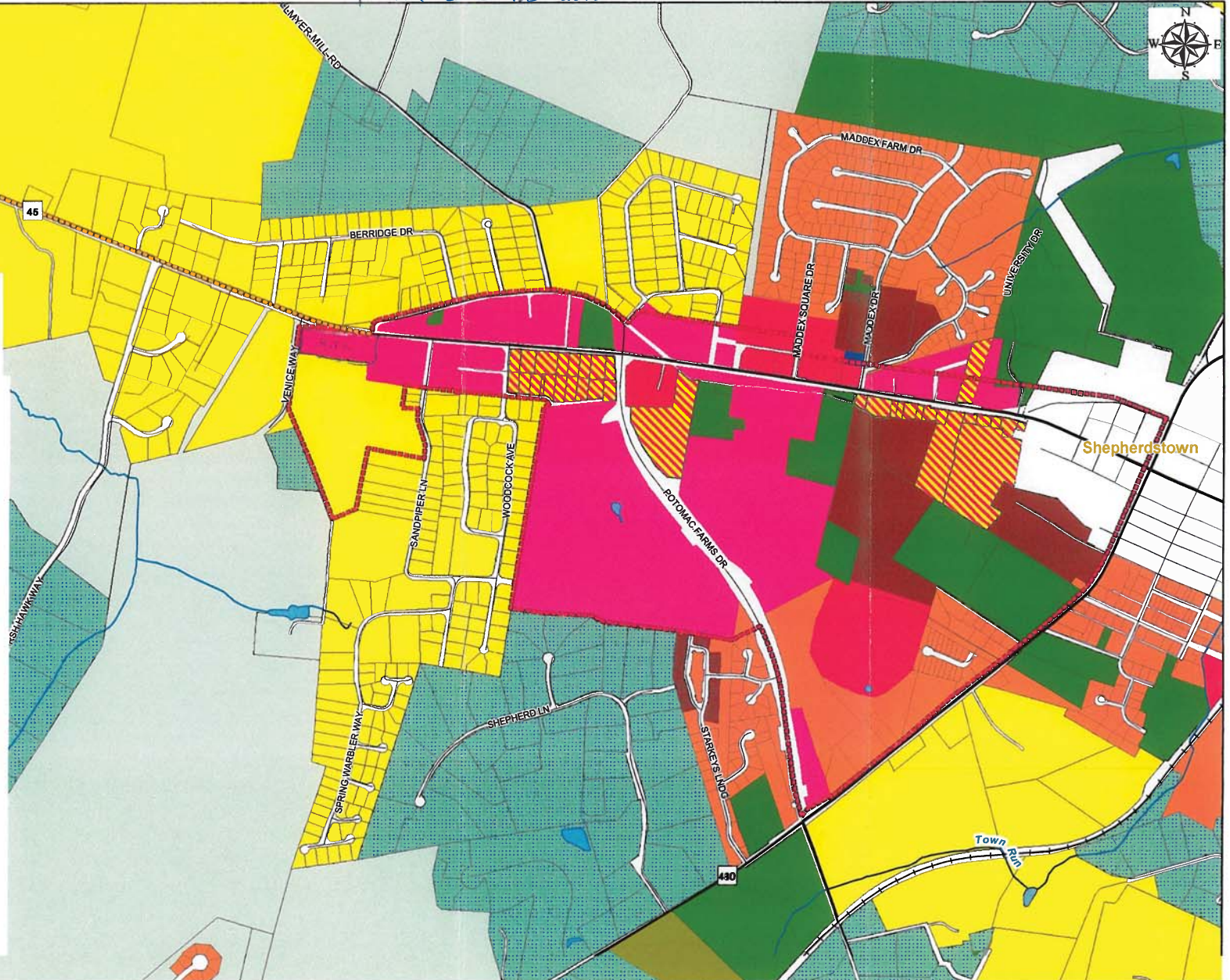


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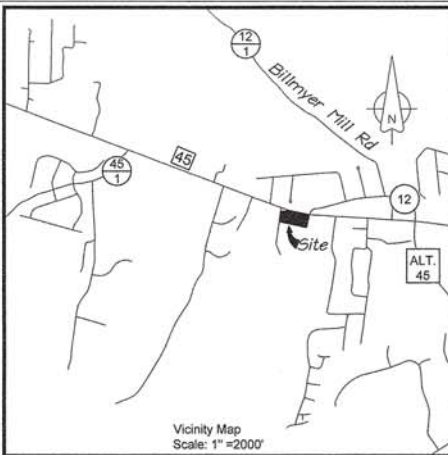
FUTURE LAND USE GUIDE

# Shepherdstown PGA

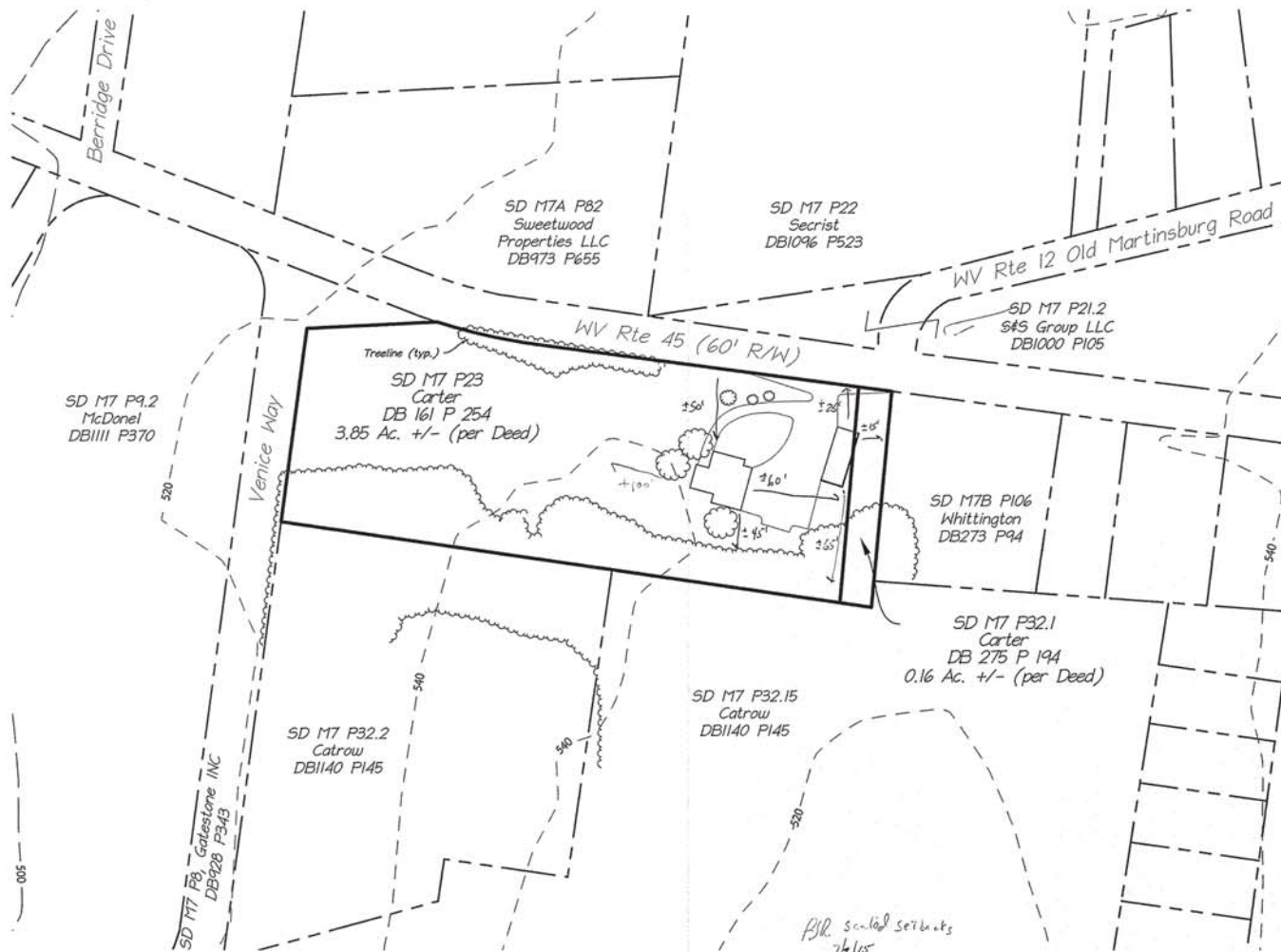
- Special Design Areas
- Preferred Growth Boundaries
- Quarry Redevelopment Areas
- Urban Growth Boundaries
- Urban Growth Boundary Expansions
- Villages
- Village Expansions
- Towns
- Farmland Preservation
- Future Land Use**
- Rural/Agriculture
- Rural/Agriculture For Possible Urban Development
- Agricultural Economic Empowerment Area
- Large Lot Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- General Commercial
- Neighborhood Commercial
- Regional Commercial
- Industrial
- Office
- Mixed Use Residential/Commercial
- Mixed Use Office/Commercial
- Residential or Commercial
- Office or Commercial
- Industrial or Commercial
- Public/Quasi Public Land
- Golf Course







Notes:  
Contours are approximate USGS,  
20-foot Interval



Sketch Showing

## Proposed Rezoning of Charles M. Carter Property

Shepherdstown District  
Jefferson County, WV  
18 May 2015  
Scale: 1"=100'

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JEFFERSON COUNTY PLANNING  
ZONING & ENGINEERING



SCALE: 1"=100'

Ranson Office  
Phone: (304) 724-5008  
Fax: (304) 724-5010

PARTY CHIEF:  
RESEARCH:  
SURVEYED:  
FIELD CREW:



401 S. Fairfax Boulevard  
Suite 3  
Ranson, WV 25438-1611

DRAWING NO:  
PROJECT NO: 9115  
PREPARED: KSB  
DRAWN BY: KSB

Sheet 1 of 1

#215-02