



## Agenda

Jefferson County Planning Commission

Tuesday, December 13, 2022 at 7:00 PM

**By order of the President of the Jefferson County Planning Commission,  
this meeting can be participated in in-person only.  
The meeting will be broadcast live via ZOOM.**

**In-Person Meeting Location:** County Commission Meeting Room located in the lower level of the Charles Town Library (side entrance on Samuel Street)  
200 East Washington Street, Charles Town, WV 25414

**ZOOM Broadcast Information\*:** Meeting ID: 889 1995 2394  
Meeting Link: <https://us02web.zoom.us/j/88919952394>

*\*If watching live broadcast, please ensure your microphone is muted and be mindful that your video is streaming to others.*

- 1. Approval of Meeting Minutes:** November 15, 2022
- 2. Request for postponement**
- 3. Public Workshop:** Concept Plan for Verizon-Franklinton Telecommunications Tower consisting of a 199' Monopole Telecommunication Tower including 6 Antennas and a 2,500 square foot fenced compound area, screened by an 8' tall board fence. Applicant: Verizon Wireless; Property Owner: Douglas and Laura Gansler; Property Location: Berryville Pike at Clarke County VA line; Parcel ID: 0600290003000; Size: 15.4 ac; Zoning District: Industrial-Commercial; File: #22-12-SP.
- 4. Public Hearing:** Final Plat Amendment to lift the single family restriction (Note #2 on Final Plat DB 9/ PG18) to allow for the construction of an agricultural caretaker's residence and a detached accessory dwelling unit for a family member (in-law suite). Property Owner/Applicant: Tammy Miller; Property Location: Riccards' Estate Minor Subdivision, Lot 2; 1335 Gardners Lane, Shepherdstown; Parcel ID: 09001700090004; Size: 35.39 ac; Zoning District: Rural; File: #22-6-FPA.
- 5. Public Hearing:** Final Plat Amendment to lift the single family restriction (Note #9 on Final Plat PB 25/ PG 85A) to allow for the construction of a detached accessory dwelling unit for a family member (in-law suite). Property Owner/Applicant: Julia Reynes; Property Location: Potomac Ridge Subdivision, Lot 7; 384 Potomac Ridge Lane, Shepherdstown, WV; Parcel ID: 09001000090017; Size: 3.01 ac; Zoning District: Rural; File: #22-7-FPA
- 6. POSTPONED to 1/10/23 Meeting: Public Workshop:** Reconsideration of the Concept Plan for Berryville Pike Telecommunications Tower consisting of a 179' Monopole Telecommunications Tower. *Note that this is the remand of the Berryville Pike Telecommunications Tower Concept Plan with discussion limited to "demonstration of need" under Jefferson County Circuit Court Civil Action No. 2022-C-85.* Applicant: New Cingular Wireless PCS, LLC d/b/a AT&T Mobility LLC; Property Owner: 340 Rainbow LLC; Property Location: 3511 Berryville Pike, Charles Town, WV; Parcel ID: 06001100010002; Size: 9.31 acres; Zoning District: Industrial-Commercial; File # 21-8-SP.

**There is no public comment for the following items.**

**7. 2024 Comprehensive Plan Initial Discussion and Possible Action**

Discussion and direction related to the Staff presentation regarding the draft 2-year timeline proposed for the development of the 2024 Comprehensive Plan, a 10 year update required by WV Code §8A-3.

**8. Reports from Legal Counsel**

- a. Discuss and review Jefferson County Circuit Court Civil Action No. 2021-C-109.
- b. Review of Zoning Text Amendment File #ZTA19-03 related to solar energy facilities, including discussion of Jefferson County Circuit Court Civil Action No.'s 2021-C- 33 through 37 and Jefferson County Circuit Court Civil Action No.'s 2021- C-46 through 50, and WV Supreme Court No.'s 21-0727, 21-0728, and 21-0731.
- c. Jefferson County Circuit Court Case #CC-19-2022-C-81 (RE: ZTA22-01 Solar Energy Facilities).
- d. Discuss and review for possible action Jefferson County Circuit Court Civil Action No. 2022-C-85.

**9. Planner's Memo**

Revised 2023 Meeting Schedule and Submission Deadlines

**10. President's Report**

Discussion and Appointment of Budget Committee

**11. Actionable Correspondence**

**12. Non-Actionable Correspondence**

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Meeting Minutes  
Jefferson County Planning Commission  
November 15, 2022

The Jefferson County Planning Commission met on November 15, 2022 at 7:00 pm with the following Planning Commission members present: Mike Shepp, President; Matt Knott, Vice President; Wade Louthan, Secretary; J. Ware, Jack Hefestay, and Donnie Fisher were present in-person. Ron Thomas and Shane Roper were present via ZOOM. Steve Stolipher, County Commission Liaison, was absent with notice.

Staff members present included Jennifer Brockman, County Planner; Jonathan Saunders, County Engineer; Alexandra Beaulieu, Deputy Director and Zoning Administrator; Luke Seigfried, County Planner, and Stephen Groh, Assistant Prosecuting Attorney.

Pursuant to Planning Commission action on October 11, 2022, public participation via ZOOM is no longer permitted. The Planning Commission meeting was broadcast via ZOOM.

Mr. Shepp called the meeting to order at 7:00 pm. and confirmed that a quorum was present.

**1. Approval of Meeting Minutes:** October 11, 2022

Mr. Shepp stated that the minutes stand approved without objection.

**2. Request for postponement.** None.

**3. Public Hearing:** Country Club Commons Waiver from Appendix B, Table 2.2-1, “Roadway Design Standards” of the Subdivision Regulations, which requires a 35’ Minimum Turning Flare Radius at pavement edge; the applicant is requesting a 20’ turning radii for the entrance drives. Property Owner: B.C. Partners, Inc. Property Location: Located at the NE corner of Route 340 and Route 24 (Country Club Road), Harpers Ferry, WV. Parcel ID: 04001100110000; Size: 9.54 acres; Zone: Residential-Light Industrial-Commercial; PC File #22-25-PCW.

Ms. Brockman provided an overview of the staff report.

Mr. Dan Snyder, property owner; and Mr. Paul Raco, land use consultant, explained the nature of the request. Mr. Raco noted that the waiver justification addendum had been submitted to Staff late after the applicants met with the County Engineer to discuss the requirements and the applicant’s justification. Mr. Snyder distributed a handout to the Planning Commission which included a graphic showing the proposed movement of traffic if the waiver is approved. Mr. Snyder stated that the applicant was willing to proffer that if the request were approved, use of the space would be limited to retail uses with low truck traffic and would exclude any light industrial uses that would generate higher truck traffic.

Mr. Saunders provided an overview of his recommendation noting that since meeting with the applicants, his recommendation was modified from what he included in the agenda packet. Mr. Saunders referred to the AASHTO exhibits in the agenda packet and noted that engineering recommended approval of the request based on the justifications provided by the applicant.

Mr. Shepp opened the public hearing. There was no public comment. Mr. Shepp closed the public hearing

Mr. Hefestay motioned to approve the request; Mr. Louthan seconded the motion, which carried unanimously.

4. **Public Hearing (Postponed from 9/13/22 & 10/11/22):** Country Club Commons Preliminary Plat to create four (4) non-residential lots and a public street for future commercial pad-users. Property Owner: B.C. Partners, Inc. Property Location: Located at the NE corner of Route 340 and Route 24 (Country Club Road), Harpers Ferry, WV. Parcel ID: 04001100110000; Size: 9.54 acres; Zone: Residential-Light Industrial-Commercial; PC File #19-17-SD.

Ms. Brockman provided an overview of the staff report and presented staff's recommendations.

Mr. Dan Snyder, property owner; and Mr. Paul Raco, consultant, explained the nature of the project to the Commission. Mr. Raco noted that utilities had been approved and that the Division of Highways approval was still pending. Mr. Raco noted that DOH approval off of US 340 necessitated both state and federal review.

Mr. Shepp asked if the National Geodetic Survey (NGS) monument on the property corner would be preserved.

Mr. Snyder confirmed that the monument would be preserved.

Mr. Shepp opened the public hearing. There was no public comment. Mr. Shepp closed the public hearing.

Mr. Fisher motioned to approve the Concept Plan conditioned upon DOH approval and stormwater management approval. Mr. Hefestay seconded the motion, which carried unanimously.

5. **Public Hearing (Continued from 10/11/22):** Final Plat Amendment to lift the single family restriction (Note #1 on Final Plat DB 721 / PG 310) to allow for the construction of a detached accessory dwelling unit for a family member. Property Owner: Bobby and Nancy Jones. Property Location: 208 Turn One Drive, Summit Point, WV; Parcel ID: 06001700060006; Size: 16.26 ac; Zone: Rural; PC File #22-5-FPA.

Ms. Brockman provided an overview of the staff report. Ms. Brockman noted that the applicant was not present in person but was online.

Ms. Beaulieu confirmed that Ms. Nancy Jones, property owner, was present via ZOOM and requested that Ms. Jones unmute her microphone. Ms. Jones was unable to participate in the meeting due to technical difficulties on her end.

Mr. Shepp made a motion to grant special dispensation due to technical difficulties and the nature of the request being relatively straight forward.

Mr. Shepp opened the public hearing. There was no public comment. Mr. Shepp closed the public hearing.

Mr. Fisher motioned to approve the Final Plat Amendment as presented. Mr. Knott seconded the motion, which carried unanimously.

6. **Public Workshop:** Concept Plan for the Rippon Solar Energy Facility. The applicant, Torch Clean Energy, is proposing a 99 MWac solar electric generating facility on approximately 878-acres. The project will consist of solar modules, a new substation to connect the solar facility with the electric grid, and underground utilities. The project site has existing high voltage power lines running through the property; PC File #22-15-SP.



**Property Owners/Location/ID/Size/Zoning District**

- Stiles Family Partnership LLC; Vacant parcel located north of 1337 Roper North Fork Rd, Charles Town, WV; Parcel ID 06001100060001; Lot Size: 25.14 ac; Zone: Rural
- Stiles Family Partnership LLC; Vacant parcel located north of 1337 Roper North Fork Rd, Charles Town, WV; Parcel ID 06001100060000; Lot Size: 115.8 ac; Zone: Rural
- Bullskin LLC, Property Owner; 673 Old Shennandale Rd, Charles Town WV; Parcel ID: 06001100090000; Lot Size: 133.75 / Project Size: 106.52 ac; Zone: Rural
- Clarence E Hough Et Al; Vacant parcel located west of 957 Myerstown Rd, Charles Town, WV; Parcel ID: 06001000030001; Lot Size: 108.66 ac/Project Size: 99.84 ac; Zone: Rural
- View Mountain Farm LLC; 28 Dutch Hill Rd, Charles Town, WV; Parcel ID: 06002100060000; Lot Size: 101.6 ac / Project Size: 97.01 ac; Zone: Rural
- Stanley W Jr & Katherine B Dunn; 2646 Kabletown Rd, Charles Town, WV; Parcel ID: 06002100050000; Lot Size: 174.6 ac / Project Size: 165.52 ac; Zone: Rural
- Stanley W Jr & Katherine B Dunn; Vacant parcel located east of 28 Dutch Hill Rd, Charles Town, WV; Parcel ID: 06002100070000; Lot Size: 89.39 ac / Project Size: 86.07 ac; Zone: Rural
- Stanley W Jr & Katherine B Dunn; Vacant parcel located east of 2646 Kabletown Rd, Charles Town, WV; Parcel ID: 06002200050001; Lot Size: 232 ac / Project Size: 169.15 ac; Zone: Rural
- Stanley W Jr & Katherine B Dunn; 1371 Myerstown Rd, Charles Town, WV; Parcel ID: 06001000050000; Lot Size: 366 ac / Project Size: 12.27 ac; Zone: Rural

Mr. Roper recused himself from this agenda item at 7:27 p.m.

Ms. Brockman provided an overview of the staff report and presented staff's recommendations.

Mr. Sam Gulland and Mr. Brian Kusiak with Torch Clean Energy provided an overview of the project. Mr. Gulland stated that the vast majority of the site would not necessitate mass grading and that while approximately 850 acres were represented on the plan, they anticipated the actual acreage occupied by panels would be around 700 acres. Mr. Gulland noted that all of the panels would meet or exceed the 100' setback from the project boundaries. Mr. Gulland noted that the project included additional buffers beyond what was required by the Ordinance and they were working with adjoining neighbors to address the best locations for landscaping. Mr. Gulland noted that a decommissioning bond would be posted with the State and that state permits are required related to historic resources.

Mr. Shepp opened the public hearing.

Mr. Joseph Cepelka, Mr. Richard Farley, and Ms. Robin Huyett Thomas provided testimony indicating that they generally are not opposed to the project but expressed some concerns and had some questions for the applicant.

Mr. Shepp closed the public hearing.

Mr. Gulland provided the following comments in rebuttal:

- He stated that Torch Clean Energy was agreeable to discussing landscaping preferences with adjoining property owners.
- Mr. Gulland stated that pesticides and herbicides were not typically utilized in the maintenance of a solar energy site and stated that any use would be less than used in a typical agricultural operation.
- Mr. Gulland stated that First Energy would own the switchyard and that electrical capacity is regulated and determined by the utility provider. He stated that if any upgrades would be required to increase capacity, the developer would be responsible for the cost and not the utility provider. Mr. Gulland noted that the cost for such upgrades would be around fifty million dollars and not economical for a project. Mr. Gulland stated that the final location of the substation was still be determined with First Energy and confirmed that there would only be one substation.
- Mr. Gulland concluded that thermal heat generated by solar panels would be negligible and not noticeable to surrounding properties.

Mr. Knott motioned to approve the Concept Plan conditioned upon the Board of Zoning Appeals conditions of approval for the Conditional Use Permit [noted below]; that the technical comments noted by staff on the Concept Plan review be addressed; and that the tolling agreement with the County for Avalon Hills be released and consolidation of the lots into the original configuration be approved.

**Board of Zoning Appeals Conditions of Approval:**

1. Floodplain; Conserved Trees. The Facility or any part thereof shall not be located within 500 feet of the bank of the Shenandoah River, or in the 100 Year Flood Zone associated with the Shenandoah River at the time of the Building Permit issuance. Other 100 Year Flood Zones shall only be disturbed for access roads and electrical crossings where necessary.
2. Conserved Trees. Existing vegetation shall be used for screening where practicable. Additionally, Operator shall not cut, prune, or remove trees identified in the Concept Plan as the “Preserved Existing Treeline Adjacent to Shenandoah River”.
3. Panel Information. Operator will provide technical specification sheets and information on panel components for the specific model selected to the County prior to the issuance of the Building Permit.
4. Panel Height. Installed solar modules, shall not exceed fifteen (15) feet in height, measured from grade to the top of the panel when at maximum tilt.
5. Insurance. From and after the start of commercial operations, the Operator shall secure and maintain during the Project’s Operational Phase Commercial General Liability for personal injuries, death and property damage, and umbrella insurance coverage for the duration of the Conditional Use Permit in the minimum amounts set forth below:
  - a. Commercial General Liability covering personal injuries, death and property damage: \$1,000,000 per occurrence / \$2,000,000 aggregate;
  - b. Automobile Coverage: \$1,000,000 per occurrence;
  - c. Excess Liability: \$4,000,000;

- d. Workers' Compensation and Employers Liability Insurance in accordance with applicable statutory amounts.
6. Insurance Certificates. The Operator's insurance policies shall be issued by an insurance company licensed to do business in the State and with an AM Best's rating of at least 'A'. Prior to the commencement of construction and annually afterwards, Applicant shall provide the Zoning Administrator certificates of insurance that document the levels of insurance.
7. Sewage Sludge. The Applicant shall not use or distribute sewage sludge on the Property during construction or operation of the Project.
8. Change in Ownership. If any change of ownership of the Operator causes a change in contact information for the Project, Owner shall update the Zoning Administrator within 60 days.
9. Storage of Panels. A sealed construction trailer, ConEx, storage container, or enclosed building shall be maintained on the Site for the storage of damaged solar panels prior to removal from the Site.
10. Use of Blasting in Construction. Good faith efforts shall be used to avoid blasting on the Site. If blasting is necessary, Owner shall consult with a qualified geotechnical engineering firm to develop best practices to be followed.
11. Construction Access. Construction and operational traffic for the portion of the Project located east of Kabletown Road and south of Dutch Hill Lane shall be limited to entrances from Kabletown Road.
12. Construction Hours. All construction that produces noise beyond the Facility shall be limited to between the hours of 7:00am and 6:00pm Monday through Friday and between 8:00am and 2:00pm on Saturday. The driving of piles shall only occur between 7:00am and 5:00pm Monday through Friday and between 8:00am to 1:00pm on Saturday.
13. Inverters and Transformers. Inverters and transformers shall be setback at least four hundred (400) feet from any residence that exists at the time of the Conditional Use Permit approval.
14. Collector Lines. All three-phase medium-voltage collector electrical lines connecting the Project's photovoltaic arrays to the Project Substation shall be installed underground.
15. Invasive Species. On all leased and owned properties, the Operator shall use best management practices to control or manage any invasive plant species as defined by the West Virginia Department of Agriculture.
16. Rating. Operator will procure solar panels from a manufacturer receiving a Tier 1 rating from Bloomberg New Energy Finance or a top performer in the then current PV Module Reliability Scorecard Report by PVEL.

Mr. Louthan seconded the motion, which carried unanimously with a vote of 7-0 (Mr. Shane Roper recused himself at the onset of this agenda item).

7. **Public Workshop:** Concept Plan for Sunnyside Major Residential Subdivision consisting resubdividing nine (9) existing commercial lots into 29 Single Family. Property Owner:

Sunnyside Investment LLC. Property Location: Sunnyside Industrial Park, Lots 1-5, Vacant parcels located on Kanawha Lane, Charles Town, WV; Tax District: Kabletown (06); Map: 12; Parcels: 12, 12.2, 12.3, 12.4, 12.5; Lots size: 33 (combined acreage); and, Property Owner: Thomas Management Group Inc. Property Location: Sunnyside Industrial Park, Lots 8-11, Vacant parcels located on Kanawha Lane, Charles Town, WV; Tax District: Kabletown (06); Map: 12; Parcels: 12.8, 12.9, 12.10, 12.11; Lot size: ~20 (combined acreage); Zone: Residential-Light Industrial-Commercial. PC File # 22-27-SD.

Ms. Brockman provided an overview of the staff report and presented staff's recommendations.

Mr. Mike Roberts, surveyor, and Mr. John Thomas, property owner, explained the nature of the project to the Commission. Mr. Roberts stated there would be a maximum of 29 lots and noted that the final number of lots may vary based on Health Department approvals for well and septic. Mr. Thomas noted that the request to resubdivide the lots came about as a result of the lack of infrastructure in this area, including no natural gas and no water or sewer availability. Mr. Thomas stated that the new design could allow for a combination of residential and commercial uses, such as a home and a workshop.

Mr. Shepp asked what size the lots would be.

Mr. Roberts said the lots would be between 1.4 acres and 2.2 acres. He stated the minimum lot size would be 60,000 square feet.

Mr. Shepp opened the public hearing. There was no public comment. Mr. Shepp closed the public hearing.

Mr. Fisher motioned to approve the Concept Plan as presented. Mr. Louthan seconded the motion, which carried unanimously.

8. **Public Hearing:** Julie Evans (Easement) Waiver from Section 21.402.D and 21.401 of the Subdivision Regulations to move the electric line into the easement. Property Owner: Julie Evans and Preston Gillmore. Property Location: 774 Bunkhouse Road, Kearneysville, WV; Parcel ID: 07000900010006; Size: 12 acres; Zone: Rural; PC File #22-24-PCW.

Ms. Brockman provided an overview of the staff report and presented staff's recommendations.

Ms. Julie Evans and Mr. Preston Gillmore, property owners, explained the nature of the request to the Commission.

Mr. Shepp opened the public hearing.

Ms. Loretta Wells requested clarification of the location of the proposed poles and stated she did not want the poles located on her property.

Mr. Shepp closed the public hearing.

Ms. Brockman clarified the location of the proposed poles. Ms. Beaulieu provided Ms. Wells with a copy of the applicant's sketch.

Mr. Shepp motioned to approve the waiver request as presented. Mr. Fisher seconded the motion, which carried unanimously.

9. **Public Hearing** Performance Auto Works, LLC Waiver from Sections 20.203.B.2 "Limited Site Plan" and 20.203.B.3 "Full Site Plan" of the Subdivision Regulations to allow for the

construction of a 2,400 sq ft storage building and 3,700 sq ft of gravel area (6,100 sq ft disturbed area) without processing a Site Plan. Property Owner: Performance Auto Works, LLC. Property Location: 8063 Leetown Rd., Kearneysville, WV. Parcel ID: 07001900190018; Size: 2.11 acres; Zone: Rural; PC File # 22-26-PCW.

Ms. Brockman provided an overview of the staff report and presented staff's recommendations.

Mr. Billy Ring, property owner, explained the nature of the request to the Commission.

Ms. Saunders provided an overview of his recommendations.

Mr. Shepp opened the public hearing. There was no public comment. Mr. Shepp closed the public hearing

Mr. Fisher motioned to approve the waiver request as presented. Mr. Hefestay seconded the motion, which carried unanimously.

**10. Reports from Legal Counsel**

- a. Discuss and review Jefferson County Circuit Court Civil Action No. 2021-C-109.
- b. Review of Zoning Text Amendment File #ZTA19-03 related to solar energy facilities, including discussion of Jefferson County Circuit Court Civil Action No.'s 2021-C- 33 through 37 and Jefferson County Circuit Court Civil Action No.'s 2021- C-46 through 50, and WV Supreme Court No.'s 21-0727, 21-0728, and 21-0731.
- c. Jefferson County Circuit Court Case #CC-19-2022-C-81 (RE: ZTA22-01 Solar Energy Facilities).
- d. Discuss and review for possible action Jefferson County Circuit Court Civil Action No. 2022-C-85.

Mr. Groh provided a legal update for item d and informed the Planning Commission that this will be on an upcoming agenda for additional Planning Commission action.

**11. Planner's Memo.** Ms. Brockman introduced Luke Seigfried as the new County Planner. Ms. Brockman explained that Mr. Seigfried would be assisting with the required 10-year update to the *Envision Jefferson 2035 Comprehensive Plan*.

**12. President's Report.** Mr. Shepp requested that the Planning Commission clarify their previous action related to public participation via ZOOM and whether the Planning Commission would allow applicants to participate in meetings via ZOOM. The consensus was that all members of the public, including applicants, would be required to attend meetings in person.

**13. Actionable Correspondence.** None.

**14. Non-Actionable Correspondence.** None.

Mr. Louthan made a motion to adjourn the meeting at 8:33 p.m.. Mr. Fisher seconded the motion, which carried unanimously.

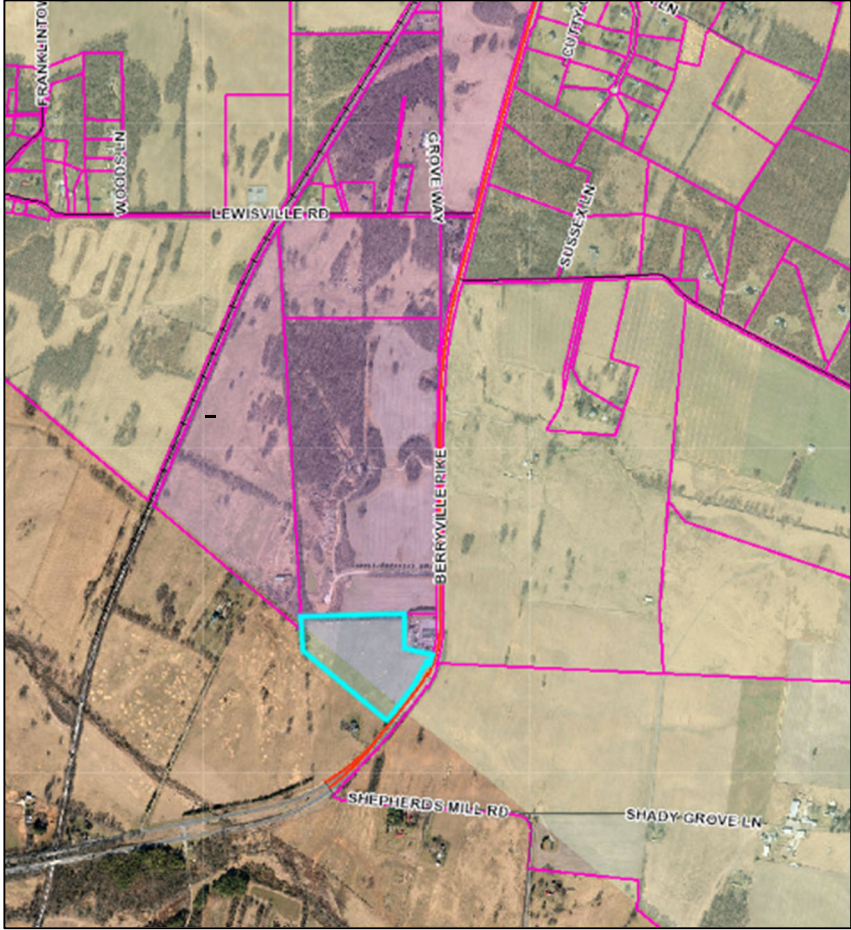
These minutes were prepared by Alexandra Beaulieu and Jennifer Brockman.



Staff Report  
Jefferson County Planning Commission Meeting  
December 13, 2022

**Verizon-Franklinton Telecommunications Tower Concept Plan (22-12-SP)**

**Item #3: Public Workshop:** Request by Verizon Wireless for approval of a Minor Site Plan Concept Plan to construct a 199' Monopole Telecommunications Tower including 6 antennas and a 2,500 square foot fenced compound area, screened by an 8' tall board fence.

Applicant	Verizon Wireless
Owner	Douglas and Laura Gansler
Surveyor/Engineer	Morris and Ritchie Associates, Inc
Parcel Information and Location	<p>Berryville Pike at the Clarke County VA line, Charles Town, WV 25414 Parcel ID: 0600290003000; Size: 15.4 acres; Zoning: Industrial Commercial</p> 
Adjacent Zoning	<p><i>North:</i> Industrial Commercial    <i>South:</i> Clarke County VA <i>East:</i> Rural;    <i>West:</i> Industrial Commercial &amp; Clarke County VA</p>
Proposed Activity	199' telecommunications tower
Concept Plan Status:	<p>Submitted: 09/26/2022 1<sup>st</sup> submittal deemed insufficient: 09/29/2022 2<sup>nd</sup> submission: 10/18/2022 Sufficiency Letter, with minor comments: 10/26/2022 Resubmitted: 11/15/2022</p>

Staff Report  
Jefferson County Planning Commission Meeting  
December 13, 2022

**Verizon-Franklinton Telecommunications Tower Concept Plan (22-12-SP)**

**Summary of Request**

AT&T is proposing to construct a 199' telecommunications tower including 6 antennas within a 2,500 square foot fenced compound.

The subject property is owned by Douglas and Laura Gansler, located at the boundary with Clarke County VA and is comprised of approximately 15.4 acres. The parcel is currently vacant.

The Concept Plan is the first step required by the Zoning Ordinance, followed by a Minor Site Plan, which is administratively processed. This Staff Report addresses the Concept Plan criteria only.

**Article 4B Purpose Statement**

*The purpose of Article 4B, Wireless Telecommunication Facilities, is to balance the needs of residents of and visitors to Jefferson County for reliable access to wireless telecommunication networks and services with the community's desire to preserve the County's rural, historic and agricultural character and the quality of its residential neighborhoods.*

**Site Plan Category**

Article 4B of the Zoning Ordinance requires that a site plan for a proposed Wireless Telecommunications Tower shall process as a minor site plan. Prior to submission of the minor site plan, a Concept Plan is required, subject to a Public Workshop before the Planning Commission.

The Ordinance specifies that submittal and review of a Concept Plan for a tower shall follow the review process and timeline established in Sections 24.119 – 24.122, with certain exceptions.

**Staff Determination of Application Sufficiency**

Prior to scheduling a Concept Plan Public Workshop before the Planning Commission, staff must determine that the plan submitted by the applicant is "sufficient and complete" – i.e. meeting all relevant requirements of the Subdivision Regulations and Section 4B.7 of the Zoning Ordinance. Staff deemed the concept plan sufficient on 10/26/2022.

Because telecommunication towers have unique characteristics that distinguish them from other types of development (such as height and visual impact), the Zoning Ordinance specifies submittal requirements that are required in addition to those for a standard Concept Plan. These requirements are as follows:

<b>Zoning Ordinance Required Item</b>	<b>Description</b>	<b>Comment</b>
<b>a.</b> Dimensions, use, and setbacks	Outside dimensions, use, and setbacks of all existing and proposed buildings, structures, towers, antennas, utility lines, driveways, and parking areas.	Meets ordinance requirements. Fall radius area is completely within subject parcel.
<b>b.</b> Height	Height of the proposed tower measured from ground level at the center of the proposed structure, and height comparison to any nearby buildings or trees, or other applicable structures and natural landforms part of the site's background and foreground landscape.	In the Industrial Commercial zoning district, the permitted tower height is 199', which is the proposed height.
<b>c.</b> Elevations and cross-section	Elevations and Cross-Section: Display topography with all proposed facilities including tower, equipment shelter and existing buildings.	Outstanding comment requests that the applicant provide contour lines on "site plan" sheet of Concept Plan.



Staff Report  
Jefferson County Planning Commission Meeting  
December 13, 2022

**Verizon-Franklinton Telecommunications Tower Concept Plan (22-12-SP)**

<b>d.</b> Antenna features	Number, size and location of proposed and existing antennas; number of co-locations possible.	Proposed 199' tower will include 6 antennas mounted at 195'; one 10' x 3' concrete equipment pad; be enclosed in a 2,500 square foot fenced compound area.
<b>e.</b> Method of camouflage	Method of camouflage (if any).	The proposed tower will be a galvanized steel finish; screened by an 8' tall board fence.
<b>f.</b> Historic structures	Locations of known historic structures.	The Statement of Justification notes that Class II and III Historic Resources exist on adjoining properties.
<b>g.</b> Development Schedule	A description of the anticipated construction and installation schedule.	See Page 2 of Statement of Justification, construction expected to begin within 4 months of obtaining zoning and permitting approvals; it is anticipated to take an additional 3 months for the tower to be fully operational.
<b>h.</b> FCC Compliance	Documentation verifying compliance with applicable Federal Communications Commission (FCC) standards and requirements to provide the proposed services.	Provided.
<b>i.</b> Design criteria	Narrative addressing the design criteria of Section 4B.7.	Provided.
<b>j.</b> Balloon test information	Dates, address list, and notice for Balloon Test.	Provided.
<b>k.</b> Balloon test exhibits	Balloon Test exhibits as required in subsection G of Section 4B.7.	Balloon Test occurred on 9/17/22; photos provided.
<b>l.</b> Propagation maps	Propagation maps as required in subsection F of Section 4B.7.	Provided.
<b>m.</b> Additional information	Any other relevant information.	Narrative says N/A
<b>n.</b> Preferred Structures and Locations Policy	Additional application requirements of subsection H (Preferred Structures and Locations Policy)	Page 2 of Narrative.

Other required elements for a Wireless Telecommunications Tower Concept Plan are the same as for a site plan submittal as established in the Subdivision Regulations, Appendix A, Sec. 1.3A, with the exception of Subsections 1.3A.20-22, 24-29, 31-35.

**External Agency Reviews**

Most external agency reviews are not applicable, per Section 4B.7 of the Zoning Ordinance. As required by this section, the Jefferson County Historic Landmarks Commission (JCHLC) was made aware of this application filing.

**Verizon-Franklinton Telecommunications Tower Concept Plan (22-12-SP)**

**Planning Commission Public Workshop Scope of Review**

For a Wireless Telecommunications Tower, the Concept Plan Public Workshop is the only Planning Commission meeting during which the Planning Commission reviews the proposed plan. The scope of the Public Workshop includes the following:

1. A demonstration of need, as required by Article 4B;
2. Neighborhood compatibility;
3. Impact on cultural and historic resources;
4. Visual mitigation;
5. The submittal and design criteria of Article 4B;
6. The compatibility of the facility proposal with the Comprehensive Plan; and
7. Any relevant information presented by any person that addresses the purpose and intent of Article 4B.

The applicant addressed the above criteria in the form of a narrative entitled “Statement of Justification” and on the Concept Plan. Individual components have been noted as complete in the chart on pages 2 and 3 of this report.

**1. A demonstration of need as required by Article 4B**

The purpose of the “demonstration of need” requirement is for the applicant to demonstrate that the proposed tower is necessary for coverage purposes, at the proposed height and at the proposed location. Implicit in this requirement is a demonstration that there are no other feasible alternatives to building a tower, such as co-location of antennas on an existing structure.

**2. Neighborhood compatibility**

Adjacent land uses surrounding the site to the north include the Rainbow Dinner, Tysons Mulch and 340 Defense Shooting Range and residential and agricultural uses to the east, west and south. The parcels to the north and west of the subject parcel are zoned Industrial/Commercial and to the east are zoned Rural; properties to the south are located in Clarke County VA. The Zoning Ordinance does not provide explicit standards for neighborhood compatibility for wireless facilities.

**3. Impact on cultural and historic resources**

The only outside agency required to be contacted for this Concept Plan is the Jefferson County Historic Landmarks Commission (JCHLC). The JCHLC was notified during the Balloon Test for the site and has been in communication with the State Historic Preservation Office (SHPO) regarding identified historic structures in the vicinity. No comments were received related to this project.

The site for the proposed tower is not located in the Harpers Ferry Overlay District or within 1 mile of the Appalachian Trail.

**4. Visual mitigation**

The proposed tower is designed as a 199’ monopole tower with six antennas. The applicant conducted the required balloon test for the Concept Plan. Exhibits depicting the required balloon test and photo simulations of the monopole tower from various locations and distances are attached. The monopole is proposed to be galvanized steel finish in color which is intended to minimize the visual impact.

**Verizon-Franklinton Telecommunications Tower Concept Plan (22-12-SP)**

The application does not show any landscaping around the outside of the leased compound area, which should be discussed as a part of the Workshop. Below is an excerpt from the Zoning Ordinance, addressing fencing requirements for new towers:

**7. Fencing**

Towers, equipment enclosures and other improvements shall be enclosed within a security fence consisting of chain link fencing at least eight (8) feet in height. The Planning Commission may require as a condition of approval that the fencing be screened by a landscaped buffer of at least 10 feet in width planted along the entire exterior perimeter of the fence. Such a buffer must contain at least one row of native vegetation and form a continuous screen at least 6 feet in height at planting. All buffer yards shall be maintained by the property owner. It will be the responsibility of the property owner to maintain the buffer yard and to replace any trees or shrubs that die.

The Planning Commission may waive or modify the fencing requirement upon a determination that doing so will enhance the overall appearance of the facility without any compromise in safety or security.

**5. The submittal and design criteria of Article 4B**

Article 4B of the Zoning Ordinance states that the required submittal elements for a Wireless Telecommunications Tower Concept Plan shall be the same as for a Site Plan as established in the Subdivision Regulations, Appendix A, Sec. 1.3A (with certain exceptions). In addition, other elements are required such as elevations and cross-section, locations of known historic structures, Balloon Test exhibits, and other information. Staff finds the application complete with regard to the required submittal elements.

Design criteria (height, color, fall zone, lighting and marking, fencing, and other elements) are established in Section 4B.7.J. Staff finds that the proposed tower design meets these criteria. The Zoning Ordinance requires that wireless telecommunication towers be set back from all property lines a distance to 110% of tower height, measured from the base of the structure to its highest point, and allows easements to be acquired on adjacent properties to meet the fall zone requirement. The required fall zone is provided completely within subject parcel.

**6. The compatibility of the facility proposal with the Comprehensive Plan**

**a. Staff Analysis**

The *Envision Jefferson 2035 Comprehensive Plan* includes some discussion of telecommunications facilities under the “Economic Development, Employment, and Infrastructure Element”. The Plan identifies improvements to the County’s telecommunications network, particularly wireless technology and any advanced technologies, as one of the major public infrastructure projects needed to support the success of future economic growth.

The following recommendations are found under the Infrastructure and Technology Recommendations on pages 93-94 of the Plan:

“9. Collaborate with local economic development agencies and Information Technology (IT) providers to ensure that the current and future needs of small businesses within Jefferson County are met.

Staff Report  
Jefferson County Planning Commission Meeting  
December 13, 2022

**Verizon-Franklinton Telecommunications Tower Concept Plan (22-12-SP)**

- a. Ensure that all areas of Jefferson County are served by high speed wireline and/or wireless services and other advanced technologies.
- b. Encourage private sector investment to improve wireless internet service availability in Jefferson County and the Eastern Panhandle.
- c. Ensure that, as next-generation wireless and cellular services are implemented, Jefferson County collaborates with providers, including any necessary regulatory changes, to ensure that providers are able to provide these services at the same time as other communities in the Washington, D.C. and Baltimore, MD Metropolitan Areas.”

Providing wireless telecommunication services to an area of the County that is currently underserved supports the recommendations of the Comprehensive Plan.

**7. Any relevant information presented by any person that addresses the purpose and intent of Article 4B**

To date, no agency comments have been submitted to our Office.

The Planning Commission may consider testimony at the Public Workshop regarding the purpose and intent of Article 4B of the Zoning Ordinance.

**Staff Recommendation**

The Planning and Zoning Staff finds the proposed AT&T Telecommunications Monopole Tower Concept Plan to be:

- Complete based on the information provided related to the required criteria outlined in the Subdivision Regulations and the Zoning Ordinance; and
- Consistent with the Comprehensive Plan.
- As provided for in Section 4B.7.B.2.J.7 of the Zoning Ordinance, the Planning Commission has the discretion to require that fencing be screened by a landscape buffer of at least 10 feet in width, planted along the entire exterior perimeter of the fence.

**Planning Commission Direction**

The Concept Plan Public Workshop allows for the Planning Commission and the general public to comment on the proposed plan. The Subdivision Regulations outline the procedure:

1. The applicant makes a short presentation.
2. Staff explains outside agency comments and whether the plan has met the standards of the Zoning Ordinance.
3. Public comment is solicited.

Following the applicant’s presentation, staff’s explanation, and the solicitation of public comment, the Planning Commission shall:

- Review the Concept Plan for compliance with the standards in Article 4B and, if applicable, provide direction in the form of conditions relevant to the scope of the public workshop and/or unique characteristics of the proposed development site, to be addressed in the Department’s approval of the site plan; and
- Determine, by a majority vote, that the Concept Plan application complies with Article 4B of the Zoning Ordinance, and that the application is consistent with the Comprehensive Plan.

Staff Report  
Jefferson County Planning Commission Meeting  
December 13, 2022

**Verizon-Franklinton Telecommunications Tower Concept Plan (22-12-SP)**

The Commission has the option of providing direction at the same meeting during which the Concept Plan Public Workshop takes place, or at a subsequent meeting that occurs within 14 days of the meeting, at which the Concept Plan Public Workshop is closed.

The Subdivision Regulations outline the direction to be provided to the applicant:

“The Planning Commission shall direct the preparation of a site plan subject to conditions to be addressed in the site plan application. The purpose of this review is to guide the developer so that when the site plan application is formally reviewed by the staff, there should not be a whole range of issues being raised for the first time. The developer shall cite conditions and demonstrate that they have been met or otherwise addressed.”

The direction provided to the applicant during the Concept Plan Public Workshop shall be applicable for a period of two years, with the provision that any amendments to the Subdivision Regulations or the Zoning Ordinance in the second year shall be applicable.

Should the Planning Commission vote to find the application consistent with the Comprehensive Plan, the applicant will submit a minor site plan to the Department of Engineering, Planning, & Zoning for administrative review and approval. The site plan shall address the conditions (if any) identified by the Planning Commission.

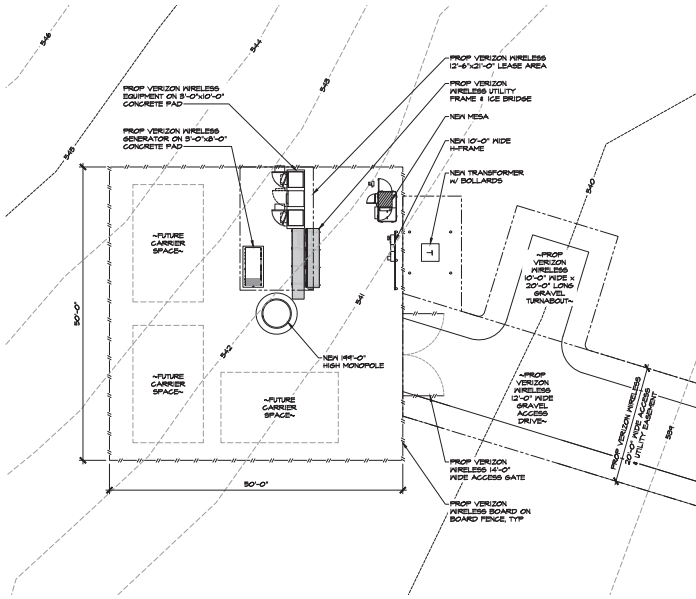
**ATTACHMENTS:**

- Concept Plan
- Statement of Justification
- Balloon Test Photos
- Propagation Study maps and Study Affidavit

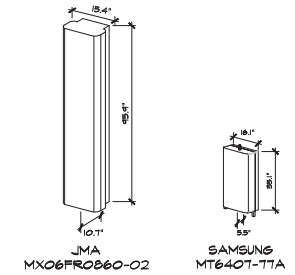




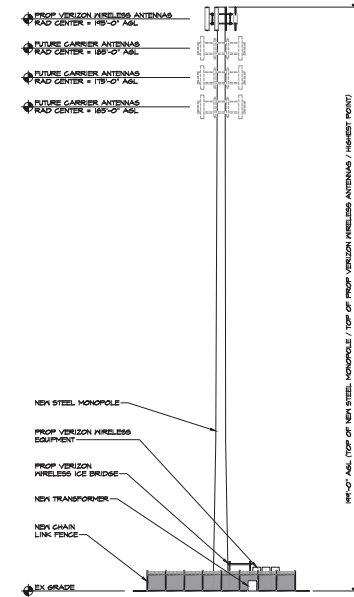
A B C D E F G H J K L M N P Q R



ENLARGED COMPOUND LAYOUT  
SCALE: 1" = 10'-0"

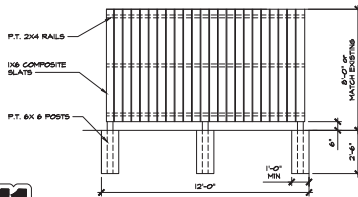


VERIZON WIRELESS ANTENNA DETAILS  
NOT TO SCALE

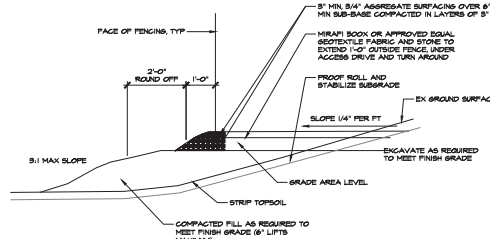
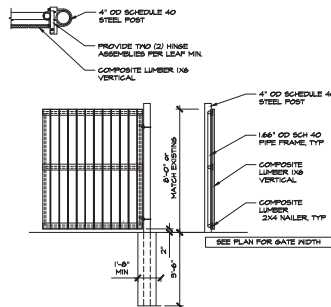


TOWER ELEVATION  
SCALE: 1" = 30'-0"

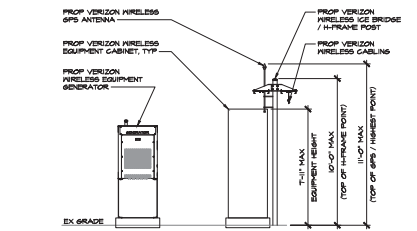
NOTE:  
ALL BOARDS TO BE  
CONNECTED WITH  
GALVANIZED SCREWS, TYP



BOARD ON BOARD FENCE DETAILS  
NOT TO SCALE



LEASE AREA, ACCESS DRIVE & TURN AROUND AREA SURFACING  
SCALE: 1/2" = 1'-0"



CONCRETE PAD ELEVATION W/ DIESEL GENERATOR  
SCALE: 1/4" = 1'-0"



verizon  
FRANKLINTOWN  
NEAR 87 BERRYVILLE PIKE  
CHARLESTOWN, WV 25414 (JEFFERSON COUNTY)

REVISIONS:	NO.	DESCRIPTION	DATE
	1		
	2		
	3		
	4		
	5		
	6		
	7		
	8		
	9		
	10		
	11		

DESIGNED BY: JT  
PROJECT NO: 10421.3100  
DATE: 04/22/2021  
SCALE: AS NOTED  
TITLE: Site Details

SHEET: C-2



Know what's below.  
Call before you dig.

PROTECT YOURSELF, ONE THREE  
NINE DIAL NOTE  
THIS DRAWING DOES NOT INCLUDE NECESSARY  
CONSTRUCTION FOR CONSTRUCTION. ALL  
CONSTRUCTION MUST BE DONE IN COMPLIANCE  
WITH THE APPROPRIATE STATE AND FEDERAL  
ACTS OF 1991 AND ALL RULES AND REGULATIONS  
ISSUED THEREAFTER.



## Statement of Justification

**Applicant:** Verizon Wireless  
**Site Name:** Franklinton  
**Property Address:** 137 Berryville Pike, Charlestown, WV 25414  
**Tax ID No:** 00016925  
**Zoning Classification:** Industrial/Commercial  
**Property Owner:** Douglas & Laura Gansler  
**File Number:** 22-12-SP

Verizon Wireless requests the approval of a Concept Plan to allow for the construction and operation of a wireless telecommunications facility. The facility will consist of a 199' tall monopole and associated equipment located in a 2500 square foot leased compound area screened by an 8' tall board-on-board fence. The overall property is owned by Douglas and Laura Gansler and has a primarily agricultural use.

### Current Improvements on and Description of Subject Property

The total area of the parcel is 15.4 acres. It is located west of Berryville Pike/Route 340, just north of the state line. The proposed location is in the northeastern portion of the parcel in an area already cleared of trees. The majority of the parcel is utilized for agricultural purposes. The parcel is zoned Industrial/Commercial. All properties immediately adjacent and adjoining the subject parcel are similarly zoned.

### Compliance with Jefferson County Zoning Ordinance

Verizon requests the approval of the Concept Plan; Verizon is in broad compliance with the stipulations of Section 4B.7- Wireless Telecommunication Towers. Select portions of Section 4B7, along with the applicant's response *italicized and in bold*, are found below.

#### B. Concept Plan Submittal and Public Hearing Required

In addition to the requirements for a minor site plan, a proposed Tower shall require the submittal of a Concept Plan, subject to the following requirements:

1. Required elements for a Wireless Telecommunications Tower Concept Plan shall be the same as for a site plan as established in the Subdivision and Land Development Regulations, Appendix A, Section 1.3A, with the exception of Subsections 1.3A.20-22, 24-29, 31-35.
2. The following additional elements must be submitted:
  - a. Outside dimensions, use, and setbacks of all existing and proposed buildings, structures, towers, antennas, utility lines, driveways, and parking areas. *Items included on the Concept Plan.*
  - b. Height of the proposed tower measured from ground level at the center of the proposed structure, and height comparison to any nearby buildings or trees, or other applicable structures and natural landforms part of the site's background and

foreground landscape. *The surrounding properties contain very few nearby buildings and trees, thus making height comparisons difficult. There are some 1-2 story structures to the east which remain much lower in height than the proposed monopole.*

c. Elevations and Cross-Section: Display topography with all proposed facilities including tower, equipment shelter and existing buildings. *Items included on the Concept Plan.*

d. Number, size and location of proposed and existing antennas; number of co-locations possible. *Items included on the Concept Plan.*

e. Method of camouflage (if any). *N/A*

f. Locations of known historic structures. *Class II and III Historic Resources do exist on adjoining properties.*

g. A description of the anticipated construction and installation schedule. *Following planning and zoning approval, construction is expected to begin within 4 months. The anticipated construction timeframe until fully operational is 3 additional months.*

h. Documentation verifying compliance with applicable Federal Communications Commission (FCC) standards and requirements to provide the proposed services. *Documentation is included with this submission.*

i. Narrative addressing the design criteria of this section. *The monopole is being designed so as to have the antenna platform as minimized as possible. The tower will not exceed 199' and meets all property line setbacks. The tower will have appropriate signage, will not be lit, and will not use a generator as a primary power source. The equipment compound will be enclosed with an 8' fence. Additionally, the tower will be a galvanized steel finish.*

j. Dates, address list, and notice for Balloon Test. *The Balloon Test was performed on 9/17; copies of the notice letter, public notice, and address list are included with this application.*

k. Balloon Test exhibits as required in Subsection G of this Section. *Balloon Test/Photosimulation exhibits have been provided with this application. The letter sent to adjoining has been included.*

l. Propagation maps as required in Subsection F of this Section. *Propagation maps are included with this application. The RF engineer's affidavit has been included with this application.*

m. Any other relevant information. *N/A*

n. Additional application requirements of Subsection H of this Section. *The propagation maps submitted demonstrate that the proposed site is needed; no suitable transmission towers or co-locatable alternative structures were identified within the search area. The property is zoned Industrial/Commercial. The proposed tower is designed to structurally support up to three (3) additional carriers, thus reducing the future need for additional support structures in the area.*

The proposed telecommunications use will be a component of Verizon's network serving Jefferson County. The use will not interfere with radio, television or telephone reception and the radio frequency emissions will comply with all applicable EPA and FCC emission requirements. Furthermore, neither the antennas nor the related equipment will produce any noise, fumes, dust, odors, light, glare or vibrations, except at such time as the generator is infrequently tested or used for emergency service.

The proposed telecommunications use will not change the current hours of operation on the property and will operate 24 hours per day, 365 days per year. There are no on-site employees, patrons or clients associated with the proposed use. With the exception of visits to the site one or two times per month for routine maintenance and repairs, the site will not impact local traffic and will not be hazardous or conflict with the existing and anticipated traffic in the area.

#### D. Applicant's Burden of Proof

The applicant for a site plan for any Tower bears the burden of demonstrating by substantial evidence in a written record that a *bona fide* need exists for the proposed structure at its proposed height and location as required in Subsection F, "Demonstration of Need", and that it has met all submittal and design criteria in this Article. ***As previously articulated, the propagation maps submitted demonstrate that the proposed site is needed; no suitable transmission towers or co-locatable alternative structures were identified within the search area. In order for Verizon to meet customer (and commuter/driver) demand for both coverage and data capacity, the proposed height and location is required. Both coverage and capacity would be severely degraded in the area were the proposed monopole not to go in. The property is zoned Industrial/Commercial. The proposed tower is designed to structurally support up to three (3) additional carriers, thus reducing the future need for additional support structures in the area.***

#### Alternative Sites

Verizon evaluated other sites to provide wireless communication services to this area. This site meets Verizon's coverage and technical requirements for providing service to the area and provides an excellent opportunity to sufficiently screen the facility and buffer it from other land uses in the immediate area, particularly those of a residential character.

#### Conclusion

In light of the foregoing, the Applicant respectfully submits that this Concept Plan application is in compliance with the Jefferson County Ordinance. Granting the Applicant's request will be appropriate and in the interest of the citizens of Jefferson County.

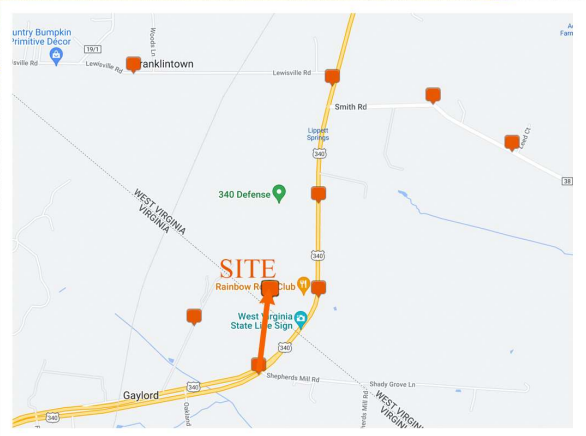
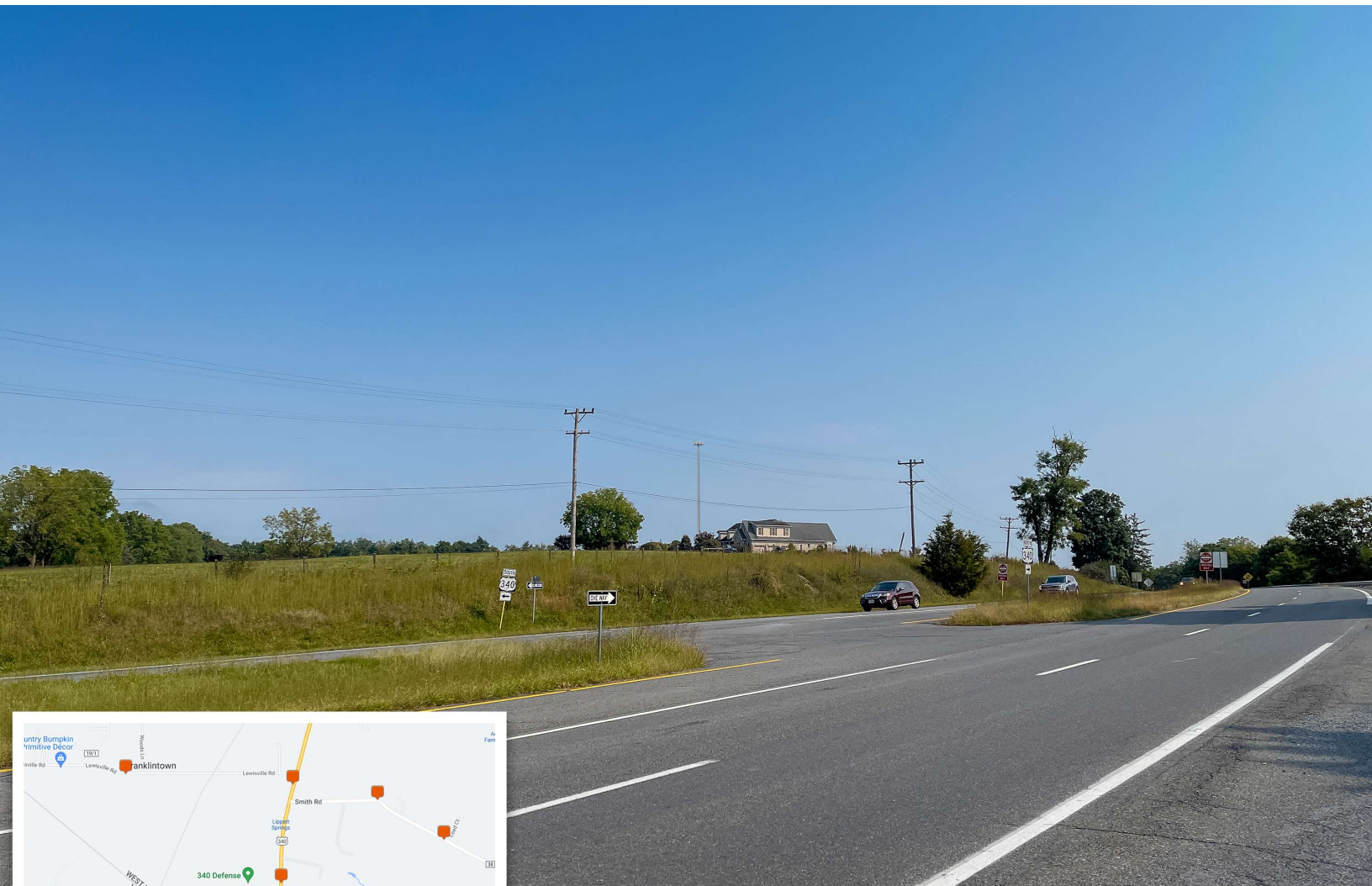


PHOTO #1

FRANKLINTOWN  
PROPOSED MONOPOLE



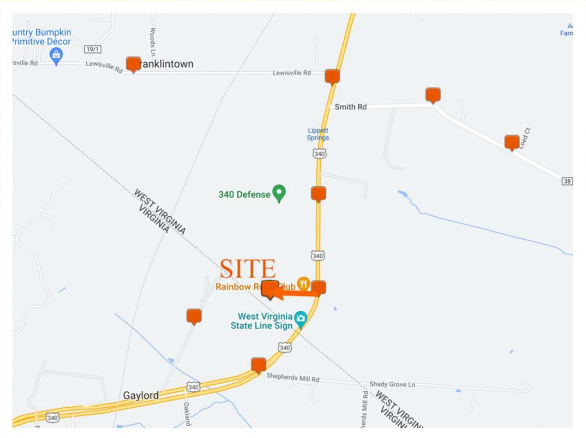
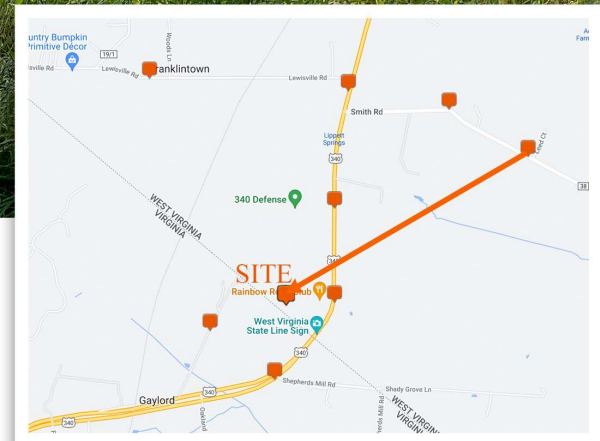


PHOTO #2

FRANKLINTOWN  
PROPOSED MONOPOLE





FRANKLINTOWN  
PROPOSED MONOPOLE



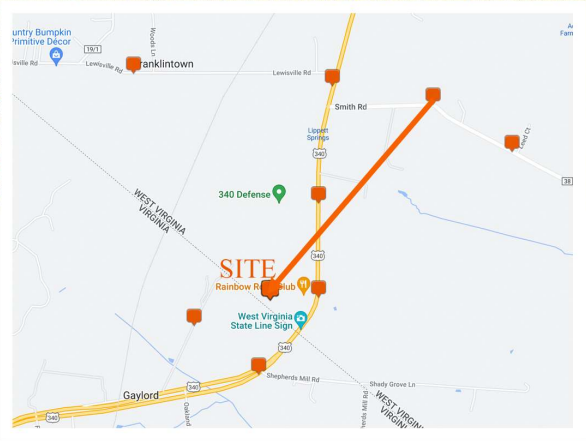


PHOTO #4

FRANKLINTOWN  
PROPOSED MONOPOLE



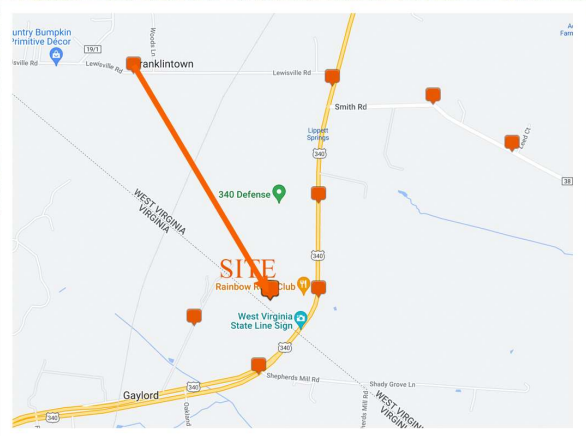


PHOTO #5

FRANKLINTOWN  
PROPOSED MONOPOLE



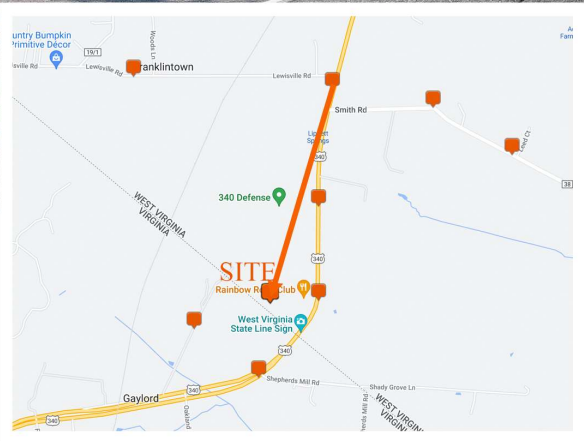


PHOTO #6

FRANKLINTOWN  
PROPOSED MONOPOLE



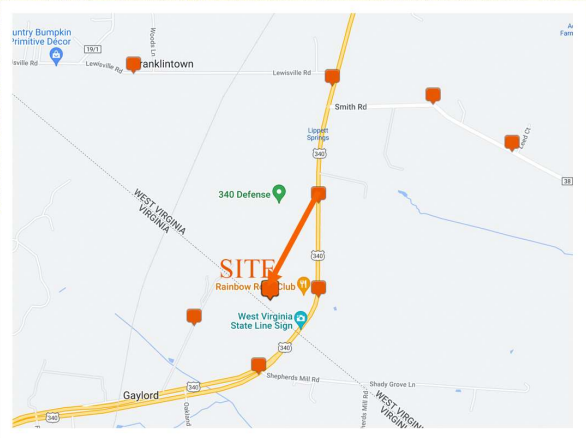


PHOTO #7

FRANKLINTOWN  
PROPOSED MONOPOLE

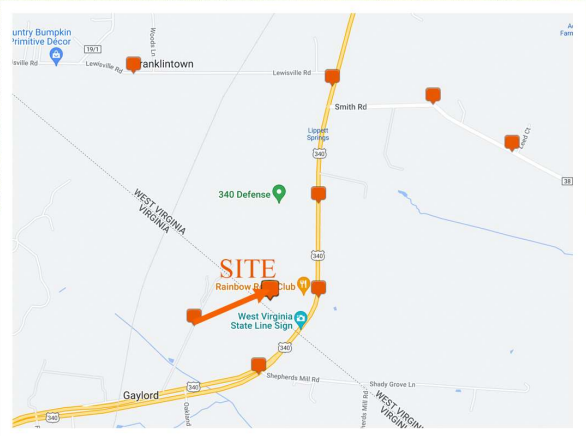
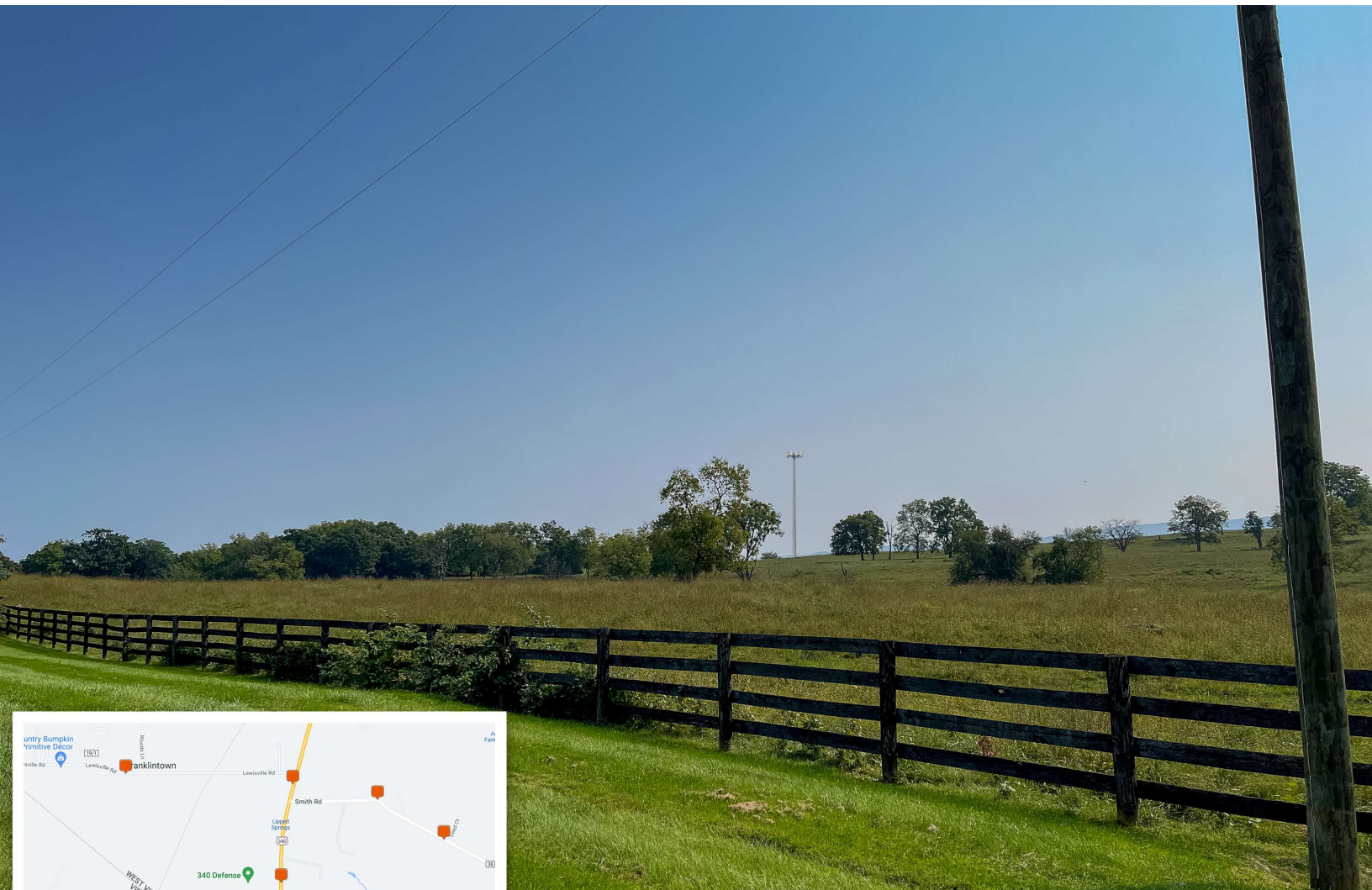


PHOTO #8

FRANKLINTOWN  
PROPOSED MONOPOLE





11/10/2022

Office of Planning and Zoning  
Mason Building, 2nd Floor  
116 East Washington Street  
Charles Town, WV 25414

RE: Franklinton Site Plan

To Whom it May Concern:

The radio propagation studies were performed with Atoll software v3.4.1 using Verizon's tuned Aster model. The radio propagation model presented without the effects of the proposed monopole reflect propagations from Verizon's existing Rippon, Summit Point and Mannings sites in Jefferson County, WV and Berryville, Battletown, Acadia Farms and Bluemont sites in Clarke County, VA. The radio propagation model presented with the effects of the proposed Franklinton monopole uses NAD83 coordinates of 39.19290833, -77.92000556 and an antenna centerline height of 195 feet.

For both existing and proposed radio propagation maps, two studies are shown, one for low band (750 MHz) and one for mid band (2130 MHz). The proposed Franklinton predictions use JMA MX06FRO860-02 antennas with azimuths of 60°, 180° and 300°. For low band, a total ERP of 851 watts was used with 0° of mechanical and 8° of electrical down tilt. For mid-band band, a total ERP of 1455 watts was used with 0° of mechanical and 5° of electrical down tilt.

If you have any additional questions or concerns, please contact your local Verizon resource below:

Contact Name	Contact Email	Contact Phone
Hamed Semati	Hamed.Semati@verizonwireless.com	301-807-8275

Sincerely,

**Mark Stalnaker**

Mark S. Stalnaker  
Manager-RF System Design

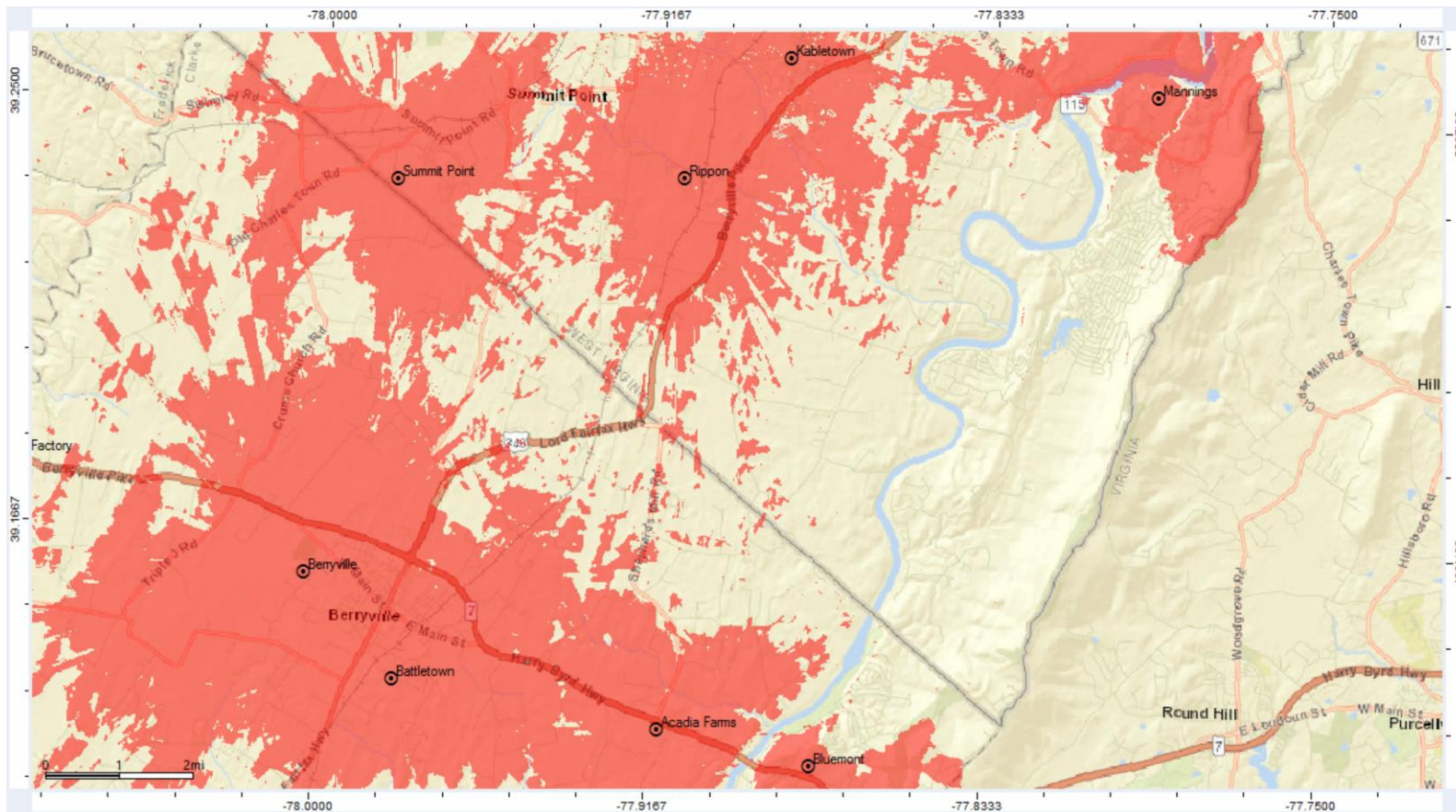
# Franklinton

## Proposed Coverage

WBV Network Group

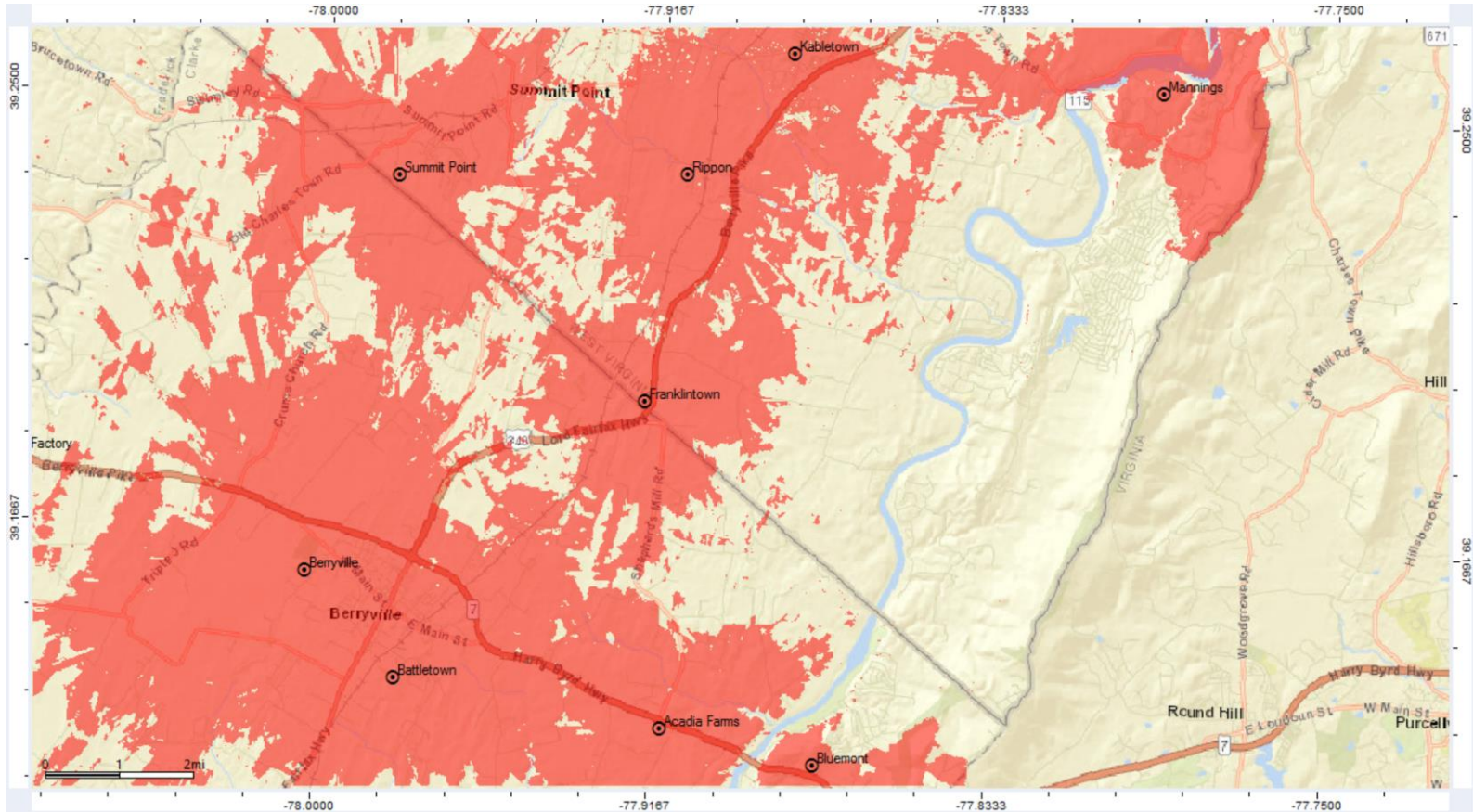
10/14/2022

# Existing 700 Coverage



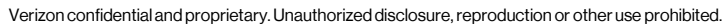
Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

# Proposed 700 Coverage



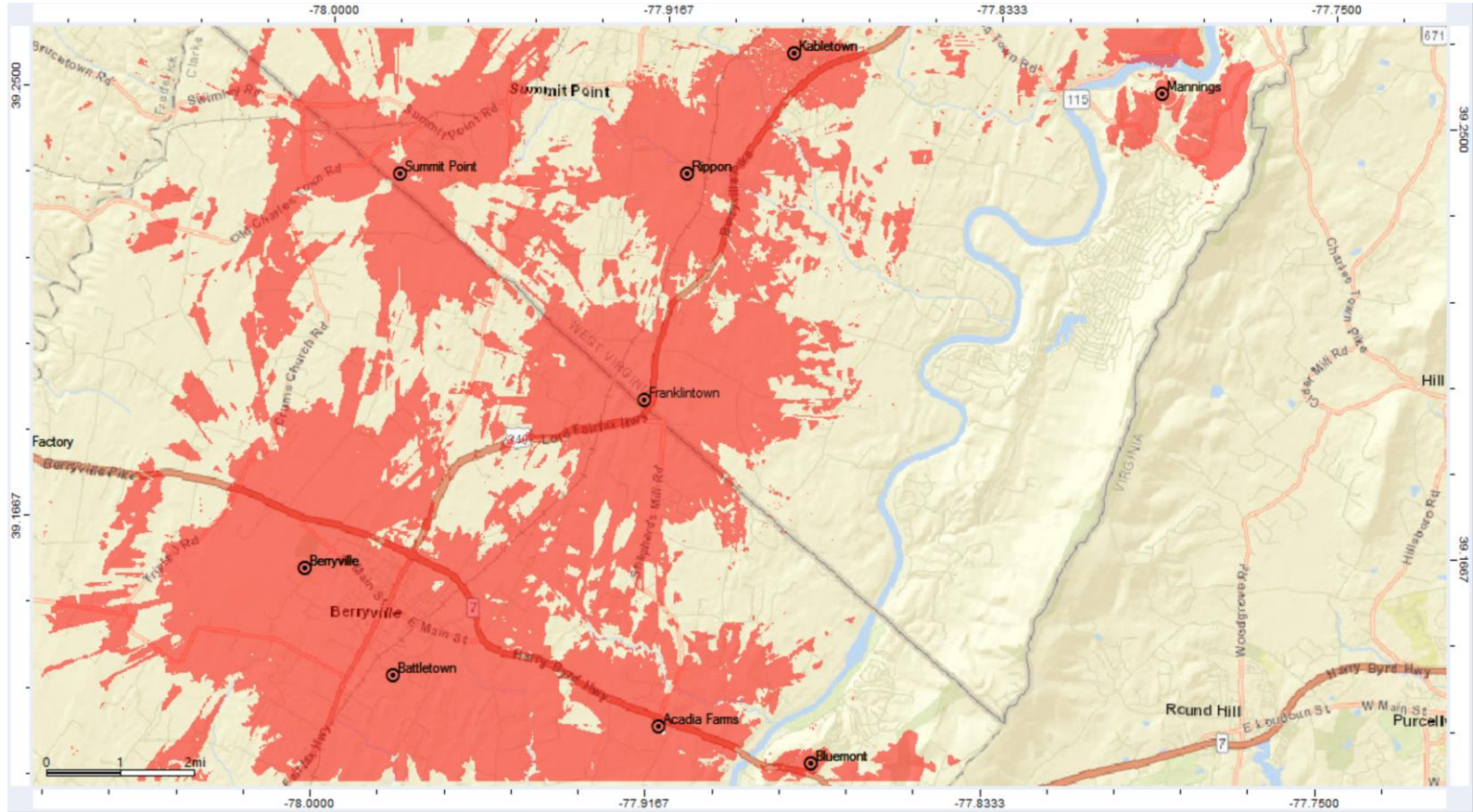
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# Proposed AWS Coverage



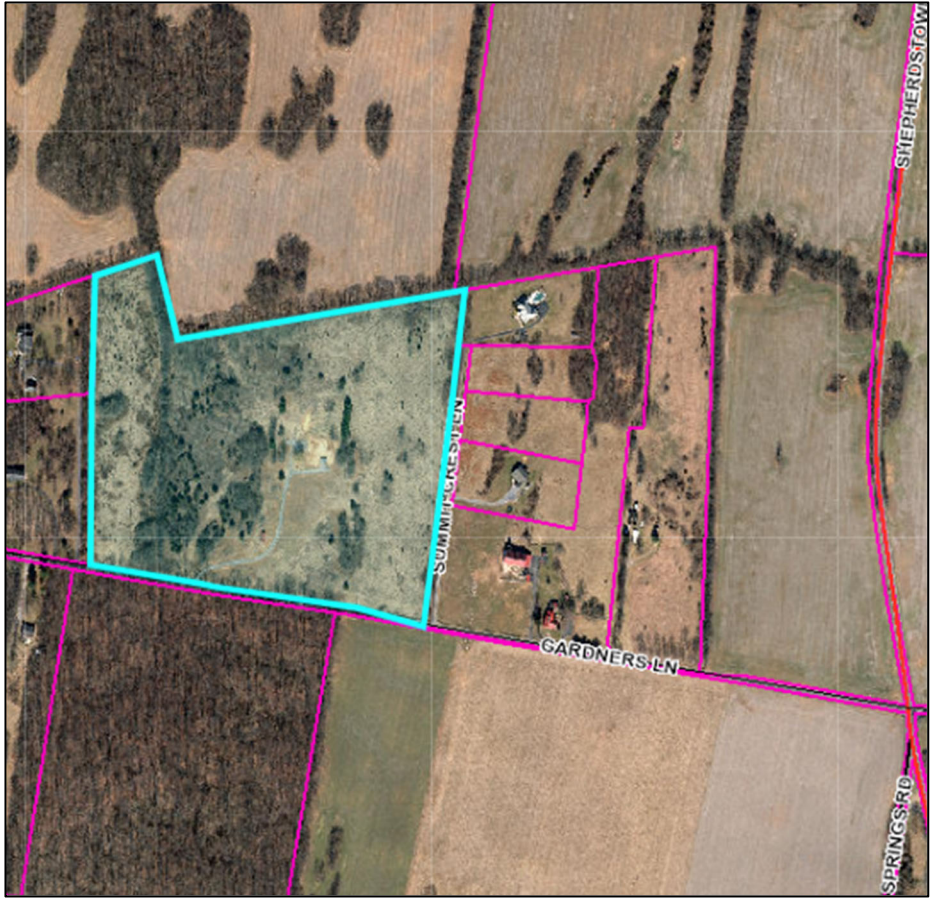
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Staff Report  
Jefferson County Planning Commission Meeting  
December 13, 2022

**Tammy Miller Final Plat Amendment (22-6-FPA)**

**Item #4: Public Hearing:** Request for a Final Plat Amendment to lift the single family restriction (Note #2 on Final Plat PB 9/PG18) to allow for the construction of a detached accessory dwelling unit for a family member (File: 22-6-FPA).

Applicant/Developer	Tammy Miller		
Property Location and Legal Information	<p style="text-align: center;">Lot #2 Riccards' Estate Minor Subdivision 1335 Gardners Lane, Shepherdstown, WV. Parcel ID: 09001700090004; Size: 35.39 ac; Zoning District: Rural</p> 		
Surrounding Zoning	North: Rural South: Rural	East: Rural West: Rural	
Approved Activity	Single Family Residence		
Approvals	Lot 2 of Riccards' Estate Minor Subdivision, approved 4/13/90; PB9/PG18; located on Gardners Lane (WV16/1)		



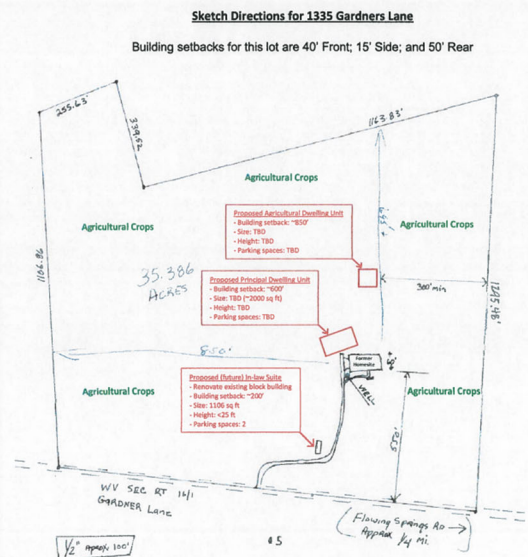
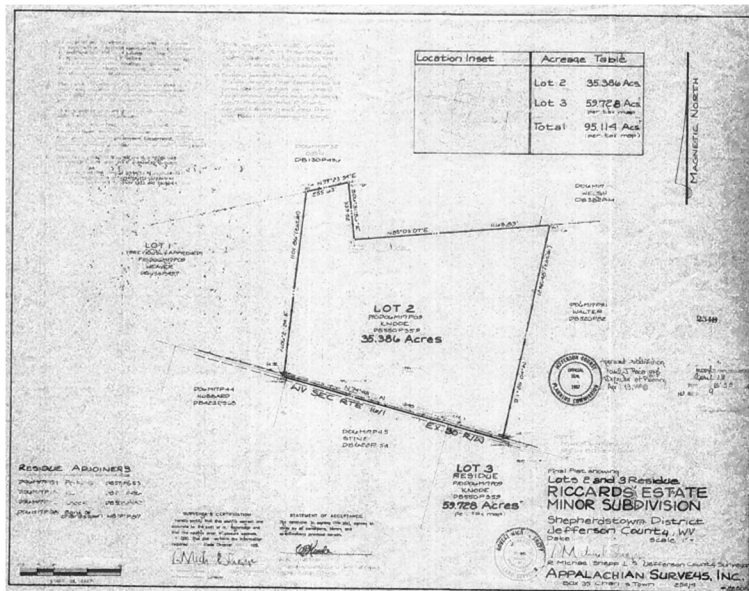
Staff Report  
Jefferson County Planning Commission Meeting  
December 13, 2022

**Tammy Miller Final Plat Amendment (22-6-FPA)**

**Overview of Request**

The subject parcel is designated as Lot 2 in the Riccards' Estate Minor Subdivision, which was recorded on April 13, 1990 in Plat Book 9/Page 18. This subdivision is in the Rural Zoning District, located south of Shepherdstown on Gardners Lane. At the time the plat was approved, the Subdivision Ordinance required all subdivisions to include a note that restricted each lot to a single-family residence only. This note is no longer required for subdivisions. This note (Note # 2) is the subject of this Final Plat Amendment request. Note that as this lot is not labeled as the "residue", it cannot be further subdivided except as a Family Transfer.

The applicant would like to lift the single-family residence restriction (Note #2 on Final Plat PB9/PG18) to allow for the construction of an agricultural caretaker's residence and a detached accessory dwelling unit for a family member. An accessory dwelling unit for a person or family who performs agricultural work on the property or acts as a caretaker for the property is considered an "Accessory Agricultural Dwelling Unit" in the Zoning Ordinance. Accessory Agricultural Dwelling Units are permitted in the Rural Zoning District in accordance with Section 8.15B of the current Zoning Ordinance on properties of at least 10 acres in size. An accessory dwelling unit for a family member (blood relative) is considered an "in-law suite" in the Zoning Ordinance. Detached in-law suites are permitted in the Rural Zoning District in accordance with Section 8.15A of the current Zoning Ordinance on properties of at least 2 acres in size.



**Zoning Ordinance Requirements**

If the Planning Commission approves this Final Plat Amendment to lift the single-family restriction for Lot 2 in the Riccards' Estate Minor Subdivision, the applicant may apply for a Zoning Certificate to process under the zoning requirements for In-Law Suites (Accessory Dwelling Units) and/or an agricultural caretaker's residence (Accessory Agricultural Dwelling Units) in the Rural Zoning District. Sections 8.15A and 8.15B of the Zoning Ordinance has various provisions that must be complied with, including, but not limited to, the requirement that the accessory unit must be secondary in size to the

Staff Report  
Jefferson County Planning Commission Meeting  
December 13, 2022

**Tammy Miller Final Plat Amendment (22-6-FPA)**

principal dwelling unit, with a maximum size of 1,700 heated square feet, gross floor area.

**Plat Amendment Requirements**

Section 24.202A of the Jefferson County Subdivision and Land Development Regulations, “Amendment, Modification, and the Vacating of Subdivision Plats”, states that the Planning Commission (or staff, in the case of a minor subdivision plat) may approve an amendment to a subdivision plat in the same manner as the plat was originally approved, provided:

1. All of the property that is affected by the amendment is under the ownership of the applicant;
2. The amendment will not affect the ownership or right of convenient access of persons owning other parts of the subdivision; and
3. The amendment complies with all of the standards of these Regulations, including verification of compliance with the Zoning Ordinance.

Because all plats were approved by action of the Planning Commission under the 1979 Subdivision Ordinance, this amendment was required to be placed on the Planning Commission agenda for a Public Hearing and Planning Commission action. The required 30-day public notice has been advertised in the November 9, 2022 edition of the Spirit of Jefferson newspaper for the December 13, 2022 Planning Commission meeting.

**Recommendation**

Staff recommends approving the requested Final Plat Amendment to lift the single-family restriction (Note #2) for the sole purpose of constructing an in-law suite (Accessory Dwelling Unit) and an agricultural caretaker’s residence (Accessory Agricultural Dwelling Units) on Lot 2 in the Riccards’ Estate Minor Subdivision. If approved, the applicant will need to apply for a Zoning Certificate for each Accessory Dwelling Unit prior to applying for a Building Permit.





Jefferson County, West Virginia  
Department of Engineering, Planning and Zoning  
**Office of Planning and Zoning**  
116 E. Washington Street, 2<sup>nd</sup> Floor, P.O. Box 716  
Charles Town, West Virginia 25414

File #: 22-6-FPA  
Date Rec'd: 10-3-22  
Mtg Date: 11-15-22

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

Phone: (304) 728-3228  
Fax: (304) 728-8126

**Final Plat Amendment Application**

A request to amend, modify and/or vacate an approved plat must comply with Section 24.202 of the Jefferson County 2008 Subdivision Regulations, as amended.

**Property Owner Information**

Owner Name: Tammy Lynn Miller  
Business Name: \_\_\_\_\_  
Mailing Address: 107 Wakefield Rd, Hagerstown, MD 21740  
Phone Number: 361-548-0881 Email: ms.tammymiller@gmail.com

**Applicant Information**

Applicant Name: \_\_\_\_\_ Same as owner: ☒  
Business Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Consultant Information**

Consultant Name: N/A  
Business Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Physical Property Details**

Physical Address: 1335 Gardners Lane, Shepherdstown WV 25443  
Parcel ID: 09001700090004 Parcel Size: 35.386  
Zoning District: Rural Deed Book: 1245 Page No: 64

**Plat Information**

Plat Title: Riccard's Estate Minor Subdivision - Lots 2 & 3 Residue Note No: 2  
Recordation Date: April 13, 1990 Plat Book: 9 Page No: 18

**Describe the nature of your proposed amendment.**

Respectfully request that the Single Family restriction be lifted from my lot for the purpose of constructing an agricultural caretaker's residence, pursuant to the provisions of Section 8.15B of the Jefferson County Zoning and Land Development Ordinance.  
Additionally, to establish a detached in-law suite for the (future) use by a family member, pursuant to Section 8.15A.

Sketch the shape and location of the lot. Show the location of the proposed construction/land use. Include building setbacks, size, and height. Identify existing easements, roads, buildings/structures, or land uses on the property. Note: septic or well relocations require a survey plat and approval by the Health Department.

☒ Included ☐ Not applicable (include a vicinity map if a sketch is not applicable)

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.

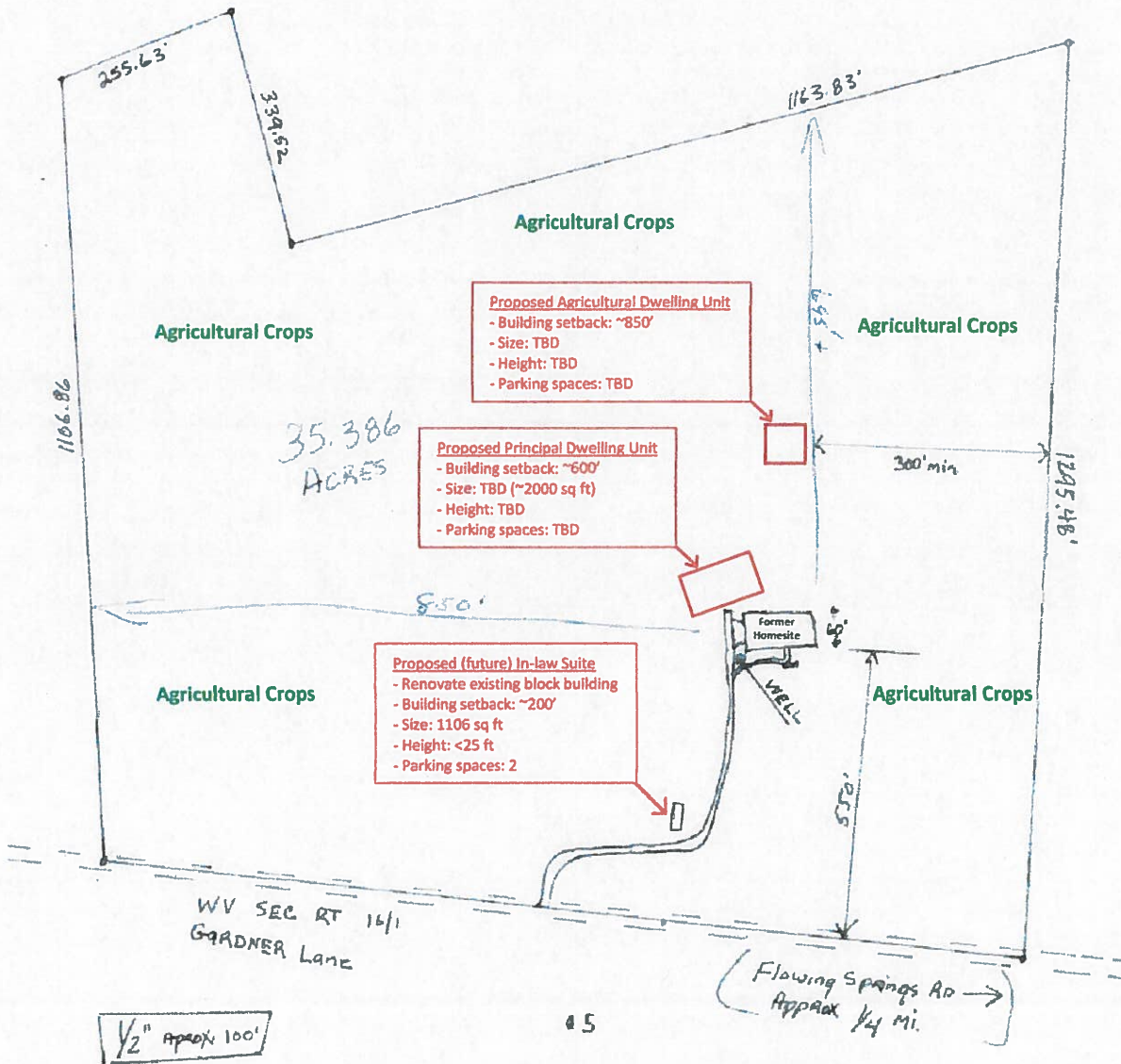
Tammy L. Miller 10/3/22  
Property Owner/Applicant Signature Date

\_\_\_\_\_  
Property Owner/Applicant Signature Date



## Sketch Directions for 1335 Gardners Lane

Building setbacks for this lot are 40' Front; 15' Side; and 50' Rear





# Riccards' Estate Minor Subdivision

Total Acreage - 35.386

Lot No. 1 - 1.000 Acre

Lot No. 2 - 34.386 Acres

\*\*\*Prepared Exclusively for Jefferson County Health Dept.\*\*\*  
(Not to Scale)

JEFFERSON COUNTY HEALTH  
DEPARTMENT

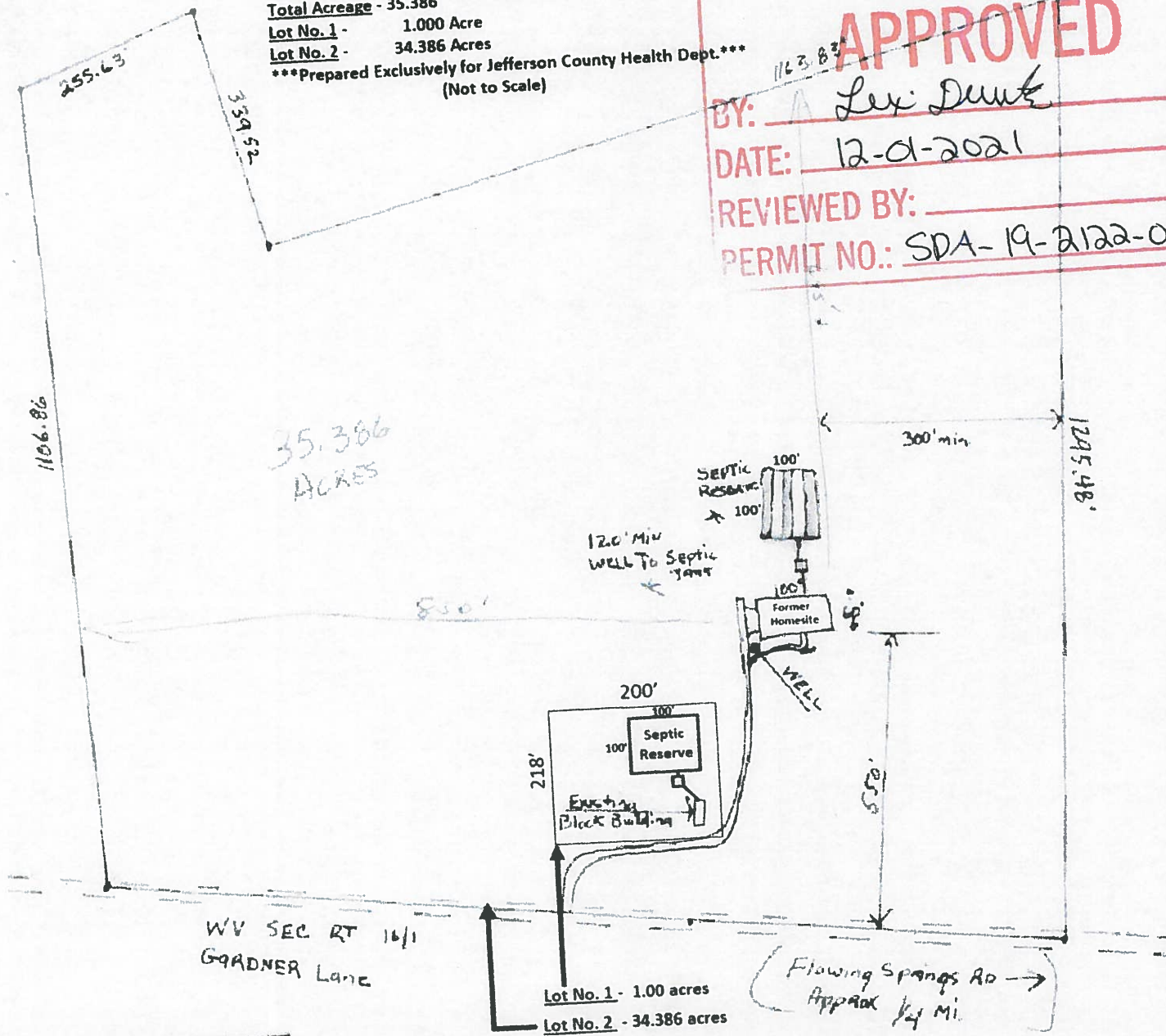
APPROVED

BY: Lex Deunk

DATE: 12-01-2021

REVIEWED BY:

PERMIT NO.: SDA-19-2122-010



The above information was obtained from a review of the files of the Missouri Department of Social Services, Division of Child Welfare, St. Louis, Missouri, and the files of the Missouri Department of Social Services, Division of Adult Care, St. Louis, Missouri.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 08-19-2010 BY 60322 UCBAW/SJS

**Easement Easement**

[illegible][illegible]

MAGNETIC NORTH

LOT 1  
(TYPE 100SL) APPROVED  
PRODOGMITPOS  
WEAVER  
DA 428192

LOT 2  
P10006M17P03  
KNODE  
05530P359  
35.386 Acres

**LOT 3**  
**RESIDUE**  
**PLODDUMITPOB**  
**KNODE**  
**DB550P353**  
**59.728 Acres**  
(per tax map)



Approved Submissions  
Paul J. Pace, RFP  
Director of Planning  
Apr 13, 1990

RESIDUE ADJOINERS

DOUMITP151 Police 104 PB37P663  
DOUMITP152 114 PB2 P432  
DOUMITP153 114 PB3 P412  
DOUMITP154 Bank of Chardown WB P-P87

**SURVEYOR'S CERTIFICATION**  
I hereby certify that this plot is correct and  
accurate to the best of my knowledge and  
that the relative error of closure exceeds  
1:100. This plot contains the information  
required Code Chapter 109.

**STATEMENT OF ACCEPTANCE:**  
The developer, in signing this plat, agrees to abide by all conditions, terms, and specifications provided herein.

Final Plat showing  
Lots 2 and 3 Residue  
**RICCARDS ESTATE**  
**MINOR SUBDIVISION**

Shepherdstown District  
Jefferson County, WV  
Date: \_\_\_\_\_ Scale: 1" = 100'

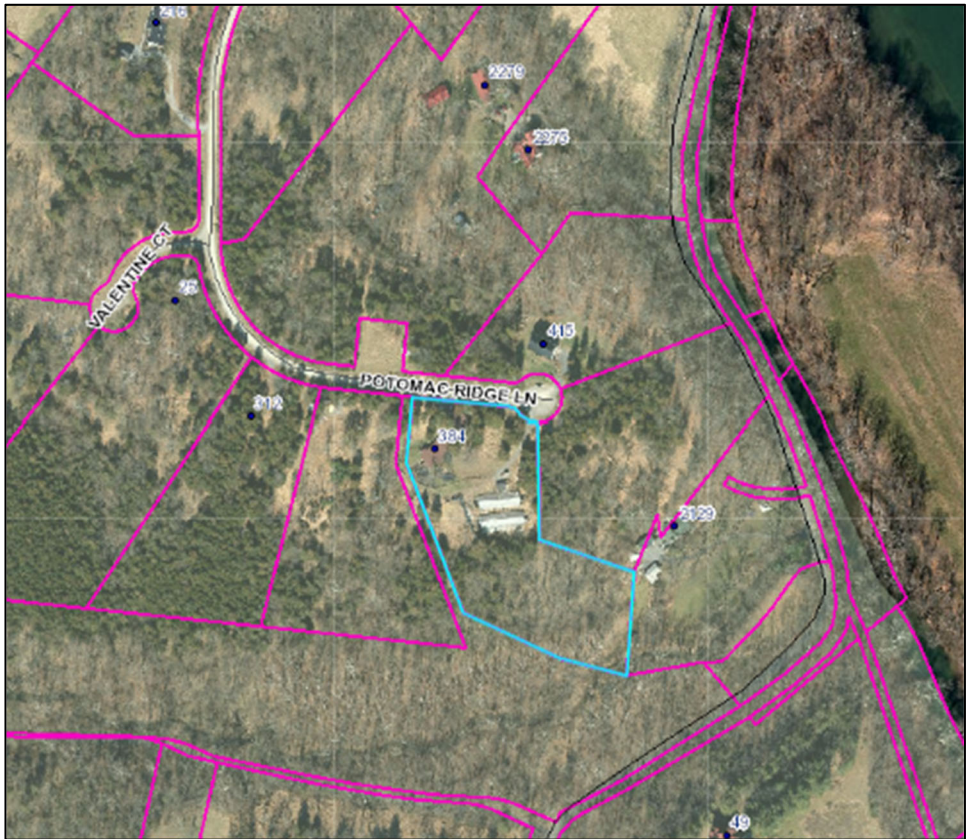
*R. Michael Shepp*  
R. Michael Shepp, L.S. Jefferson County Surveyor  
**APPALACHIAN SURVEYS, INC.**  
P.O. Box 35, Charles Town, W. Va. 25841



December 13, 2022

## Julia Reynes Final Plat Amendment (22-7-FPA)

**Item #5: Public Hearing:** Request for a Final Plat Amendment to lift the single family restriction (Note #9 on Final Plat PB 25/PG85A) to allow for the construction of a detached accessory dwelling unit (in-law suite) for a family member (File: 22-7-FPA).

Property Owner	Julia Reynes
Property Location and Legal Information	<p>Potomac Ridge Subdivision, Lot 7  384 Potomac Ridge Lane, Shepherdstown, WV  Parcel ID: 09001000090017; Size: 3.01 ac; Zoning District: Rural</p> 
Surrounding Zoning	<p>North: Rural  South: Rural</p> <p>East: Rural  West: Rural</p>
Approved Activity	Single Family Residence
Approvals	<p>03/31/06: Rattlesnake Run Subdivision Final Plat (10 lot Major Subdivision); approved 3/31/06; recorded in <a href="#">PB 23/ PG 1</a></p> <p>11/25/08: Minor Plat Change to rename the subdivision to Potomac Ridge Subdivision; approved 11/25/08; recorded in <a href="#">PB 25/ PG 85</a></p> <p>11/10/22: BZA approval of a variance from Sect. 5.7B of the Zoning Ordinance to reduce the front setback from 40' to 14' in order to convert an existing garage into an Accessory Dwelling Unit for a family member (22-37-ZV)</p>

Staff Report  
Jefferson County Planning Commission Meeting  
December 13, 2022

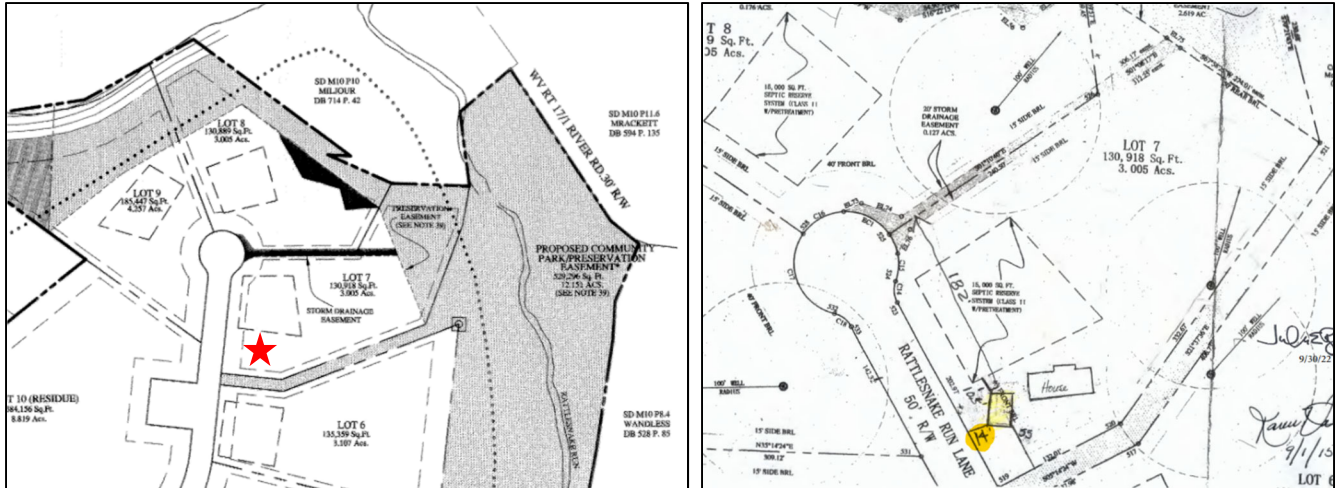
**Julia Reynes Final Plat Amendment (22-7-FPA)**

**Overview of Request**

The subject parcel is designated as Lot 7 in the Potomac Ridge Major Subdivision, for which a minor plat change changing the name from Rattlesnake Run Subdivision to Potomac Ridge Subdivision, was recorded on November 25, 2008 in Plat Book 25/Page 85. This subdivision is in the Rural Zoning District, located on Potomac Ridge Lane off River Road (WV17/1), east of Shepherdstown near the Potomac River. At the time the plat was approved, the Subdivision Ordinance required all subdivisions to include a note that restricted each lot to a single-family residence only. This note is no longer required for subdivisions. This note (Note # 9) is the subject of this Final Plat Amendment request.

The applicant would like to lift the single-family residence restriction to allow for the construction of a detached accessory dwelling unit (in-law suite) for a family member. An accessory dwelling unit for a family member (blood relative) is considered an “in-law suite” in the Zoning Ordinance. Detached in-law suites are permitted in the Rural Zoning District in accordance with Section 8.15A of the current Zoning Ordinance on properties of at least 2 acres in size.

In this case, this accessory dwelling unit has already be constructed, prior to receiving approval, as a result of converting an existing garage into an Accessory Dwelling Unit for a family member. The renovation/conversion of the garage to a dwelling unit also required a variance from Sect. 5.7B of the Zoning Ordinance to reduce the front setback from 40’ to 14’ (22-37-ZV), which was approved by the Board of Zoning Appeals.



**Zoning Ordinance Requirements**

If the Planning Commission approves this Final Plat Amendment to lift the single-family restriction for Lot 7 in the Potomac Ridge Subdivision, the applicant may apply for a Zoning Certificate to process under the zoning requirements for In-Law Suites (Accessory Dwelling Units) in the Rural Zoning District. Sections 8.15A of the Zoning Ordinance has various provisions that must be complied with, including, but not limited to, the requirement that the accessory unit must be secondary in size to the principal dwelling unit, with a maximum size of 1,700 heated square feet, gross floor area.

Staff Report  
Jefferson County Planning Commission Meeting  
December 13, 2022

**Julia Reynes Final Plat Amendment (22-7-FPA)**

**Plat Amendment Requirements**

Section 24.202A of the Jefferson County Subdivision and Land Development Regulations, “Amendment, Modification, and the Vacating of Subdivision Plats”, states that the Planning Commission (or staff, in the case of a minor subdivision plat) may approve an amendment to a subdivision plat in the same manner as the plat was originally approved, provided:

1. All of the property that is affected by the amendment is under the ownership of the applicant;
2. The amendment will not affect the ownership or right of convenient access of persons owning other parts of the subdivision; and
3. The amendment complies with all of the standards of these Regulations, including verification of compliance with the Zoning Ordinance.

Because all plats were approved by action of the Planning Commission under the 1979 Subdivision Ordinance, this amendment was required to be placed on the Planning Commission agenda for a Public Hearing and Planning Commission action. The required 30-day public notice has been advertised in the November 9, 2022 edition of the Spirit of Jefferson newspaper for the December 13, 2022 Planning Commission meeting.

**Recommendation**

Staff recommends approving the requested Final Plat Amendment to lift the single-family restriction (Note #9) for the sole purpose of constructing an in-law suite (accessory dwelling unit) on Lot 7 in the Potomac Ridge Subdivision. If approved, the applicant will need to apply for a Zoning Certificate for the Accessory Dwelling Unit prior to applying for a Building Permit.





Jefferson County, West Virginia  
Department of Engineering, Planning and Zoning  
**Office of Planning and Zoning**  
116 E. Washington Street, 2<sup>nd</sup> Floor, P.O. Box 716  
Charles Town, West Virginia 25414

File #: 22-7-FPA  
Date Rec'd: 10/11/22  
Mtg Date: 12/13/22

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

Phone: (304) 728-3228  
Fax: (304) 728-8126

**Final Plat Amendment Application**

A request to amend, modify and/or vacate an approved plat must comply with Section 24.202 of the Jefferson County 2008 Subdivision Regulations, as amended.

**Property Owner Information**

Owner Name: Julia E Reynes  
Business Name: \_\_\_\_\_  
Mailing Address: 384 Potomac Ridge Lane, Shepherdstown, WV 25443  
Phone Number: 202.285.0350 Email: juliereynes@comcast.net

**Applicant Information**

Applicant Name: Same as above Same as owner: ☒  
Business Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Consultant Information**

Consultant Name: N/A  
Business Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Physical Property Details**

Physical Address: 384 Potomac Ridge Lane, Shepherdstown, WV 25443  
Parcel ID: 9.17 09001000090017 (jth) Parcel Size: 3.005 acres  
Zoning District: Rural Deed Book: 1114 Page No: 129

**Plat Information**

Plat Title: Potomac Ridge Subdivision Note No: 9  
Recordation Date: 11/25/2008 Plat Book: 25 Page No: 85

**Describe the nature of your proposed amendment.**

~~I have turned my garage into a one-bedroom in-law suite to house visitors when they stay at the farm. My son and his family visit occasionally. I renovated the suite for the family so he, his wife and his rambunctious kids will have a separate dwelling. I also have taken a bedroom in my four-bedroom house and turned it into an office. The former garage space was not useful to me as a garage, bathroom and bedroom in that it needed to be upgraded. and I did not need the storage space it provided.~~

Sketch the shape and location of the lot. Show the location of the proposed construction/land use. Include building setbacks, size, and height. Identify existing easements, roads, buildings/structures, or land uses on the property. Note: septic or well relocations require a survey plat and approval by the Health Department.

☒ Included ☐ Not applicable (include a vicinity map if a sketch is not applicable)

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.

Property Owner/Applicant Signature

10/3/2022  
Date

Property Owner/Applicant Signature

Date



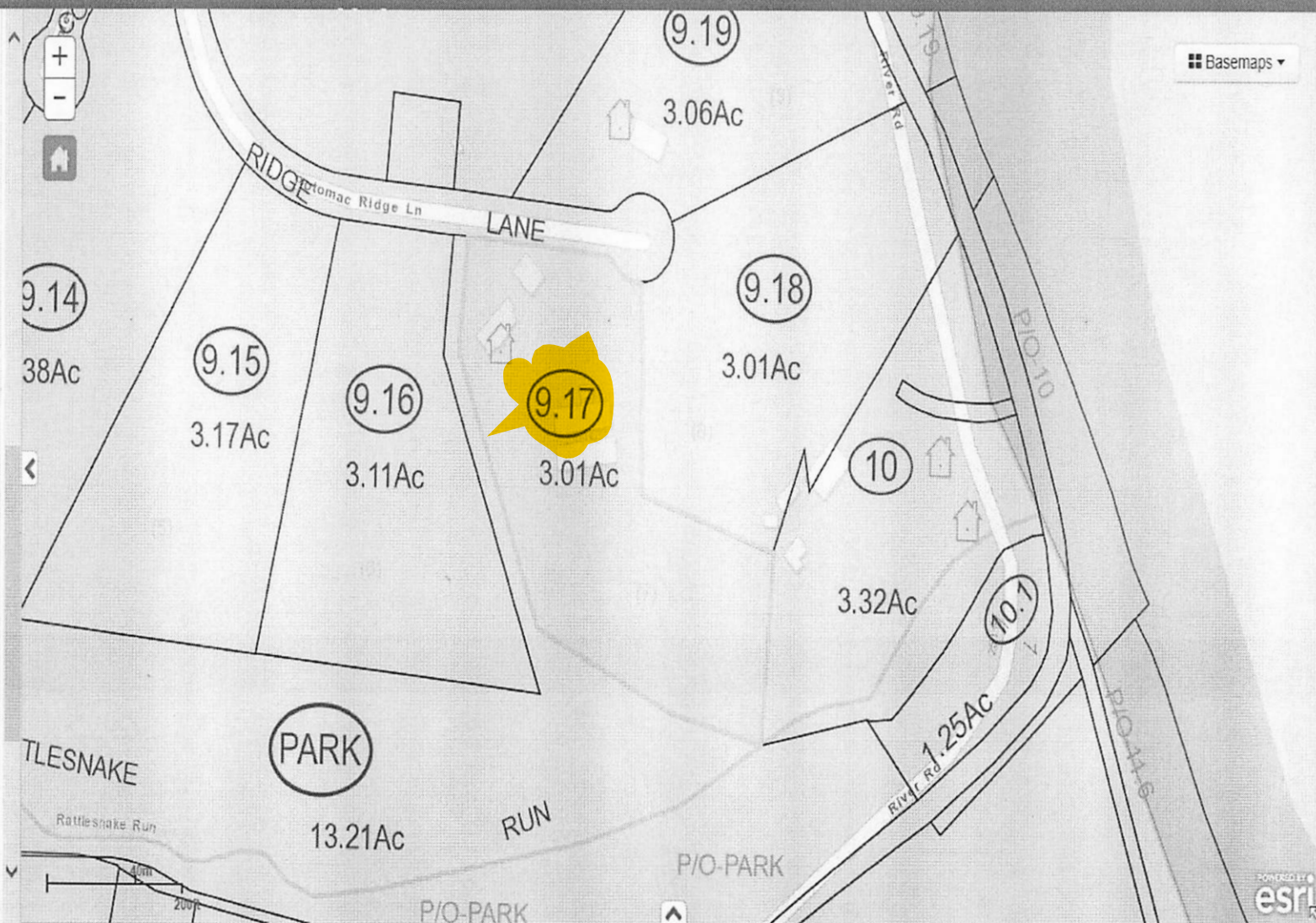


# Jefferson County West Virginia

## Tax Map Viewer

Tax Year: 2021  
Parcel: 09 10000900170000  
Deeded Owner: REYNES JULIA E

Parcel ID: 09 10000900170000  
Tax Year: 2021  
Deeded Owner: REYNES JULIA E  
C/O:  
Owner Address: 1651 MT EAGLE  
PL  
City: ALEXANDRIA  
State: VA  
Zip: 22302  
Deed Book/Page: 1201/355  
Description: LT 7 POTOMAC  
RIDGE  
Year Built: 2016  
# Stories: 1  
Exterior Walls: Frame  
First Floor Area: 768  
Square Foot Living Area: 768  
# Rooms: 3  
# Bedrooms: 1  
# Full Baths: 1  
# Half Baths: 0  
Heat Type: Central with A/C  
Fuel Type: Electric  
Heat System: Heat Pump  
Land Appraised (100%): 72000  
Building Appraised (100%):  
274600  
Total Appraised (100%): 346600  
Last Sale Date: Null





T 8  
9 Sq. Ft.  
35 Acs.

**EASEMENT**  
**0.176 ACS.**

16,000 SQ. FT. .  
SEPTIC RESERVE  
SYSTEM (CLASS II  
W/PRETREATMENT)

**20' STORM  
DRAINAGE  
EASEMENT  
0.127 ACS.**

EASEMENT  
2.619 AC.

Concrete  
Monument  
(Typ.)

LOT 7  
130,918 Sq. Ft.  
3.005 Acs.

15,000 SQ. FT.  
SEPTIC RESERVE  
SYSTEM (CLASS II  
W/PRETREATMENT)

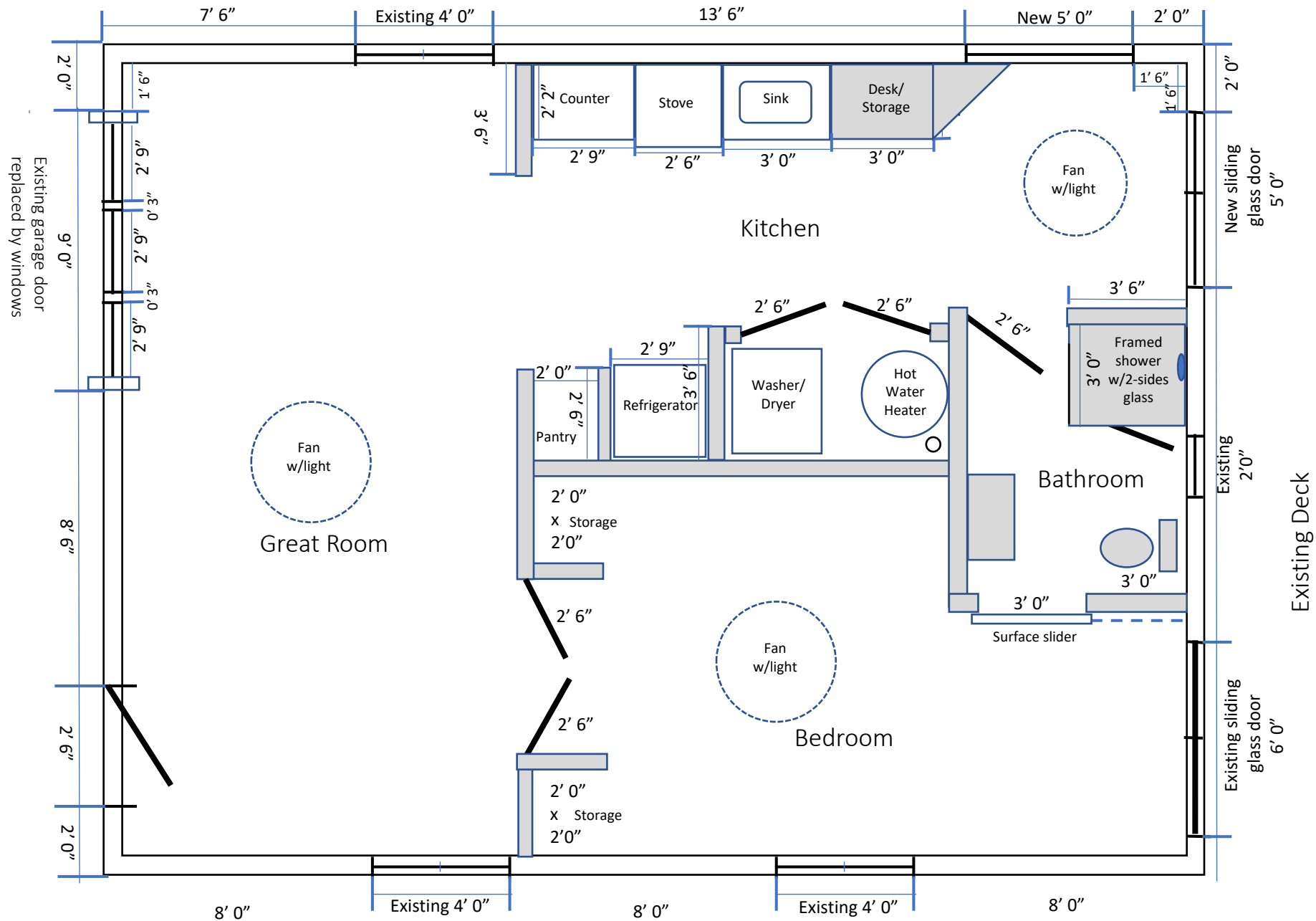
202.97  
RATTLESNAKE RUN LANE  
50' R/W  
531

House

9/30/22

9/1/15

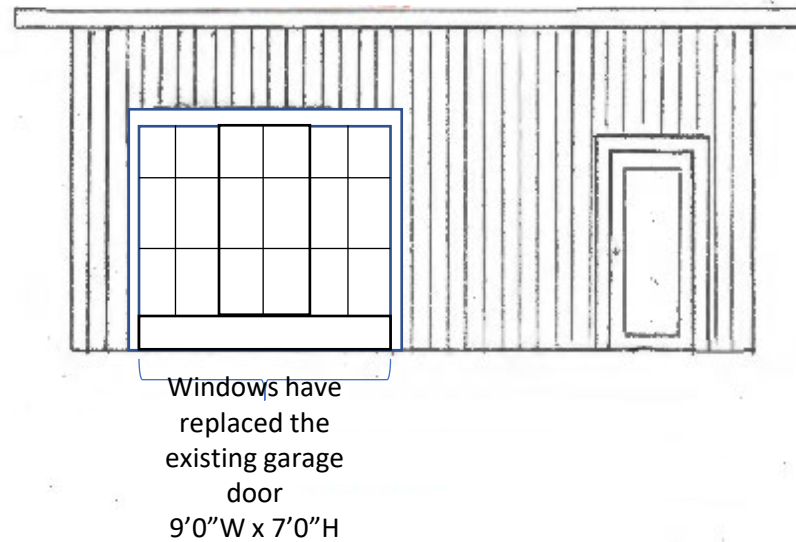
LOT 6



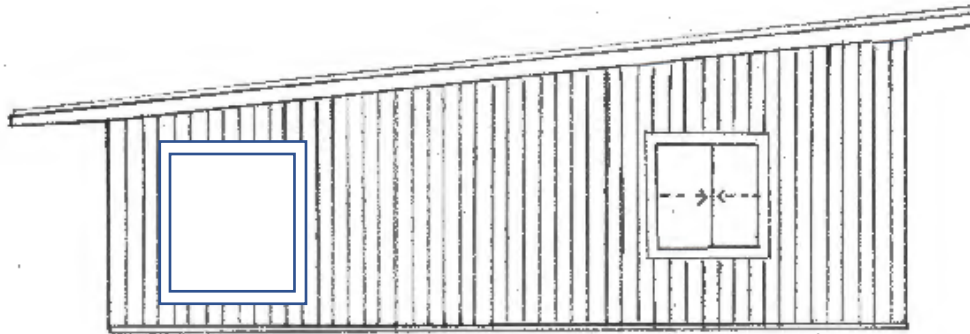
Back of in-law suite



Front of in-law suite

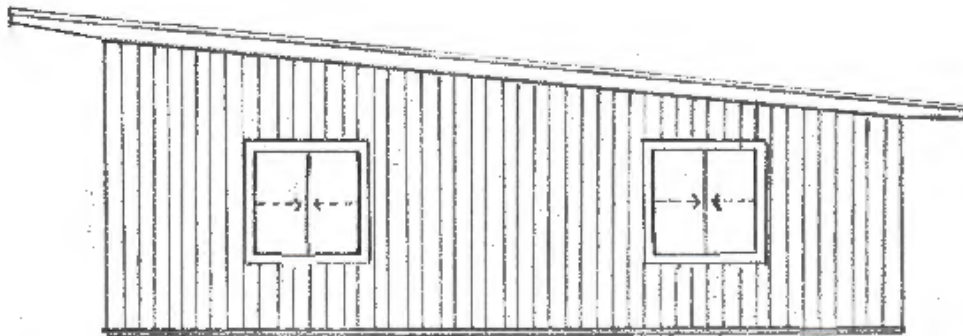


Roadside of in-law suite  
(behind a privacy fence)



New picture window  
5'0"W x 5'10"H

House side of in-law suite  
(no changes planned)







Reynes - Garage to  
Apartment  
Renovation 2022,  
Finished look ,visible  
to the road





**Planning Department**

---

**From:** Sampson, Douglas A. <Douglas.Sampson@saul.com>  
**Sent:** Friday, December 2, 2022 10:15 AM  
**To:** Planning Department  
**Cc:** Samantha Twinam; Alex Miller; Rapisarda, Gregory E.  
**Subject:** 21-8-SP Berryville Pike Telecommunications Tower Confirming Hearing Date January 10th

**CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.**

Jennliee,

On behalf of New Cingular Wireless PCS, LLC ("AT&T"), we are confirming our request to reschedule our application remand to January 10th. I have spoken with our team members, and we are available January 10th.

Please let us know if you need anything else from us.

My best,  
Doug



**Douglas A. Sampson**

Associate

📞 (410) 332-8661

✉️ [Douglas.Sampson@saul.com](mailto:Douglas.Sampson@saul.com)

[Read my bio >>](#)

**SAUL EWING**

1001 Fleet Street  
9th Floor  
Baltimore, MD 21202-4359

"Saul Ewing LLP (saul.com)" has made the following annotations:

+~~~~~+

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## SUMMARIZED 2024 COMPREHENSIVE PLAN UPDATE TIME FRAME

<b>Time Frame</b>	<b>Phases of Plan Development</b>	<b>Responsibility</b>
<b>November 2022 – April 2023</b>	<u>Phase 1:</u> 2024 Plan Start Up/Organization *PC Meeting 12/13 *PC Meeting 1/10 *Joint PC/CC Meeting 2/2	<b>Staff/PC/CC</b>
<b>November 2022 – April 2023</b>	<u>Phase 2:</u> Existing Conditions Data Collection, Mapping and Trends Analysis	<b>Staff</b>
<b>May 2023 – June 2023</b>	<u>Phase 3:</u> Strength, Weakness, Opportunity, Threat (SWOT) Analysis/Visioning *1 <sup>st</sup> series of Public Input Mtgs: week of June 5 <sup>th</sup> *Agricultural Forum: week of June 12 <sup>th</sup>	<b>Staff/Citizen Committee</b>
<b>July 2023 – September 2023</b>	<u>Phase 4:</u> Goals and Objectives *Week of August 21, 2023: County Fair Mapping Activity & Goals and Objectives? *2 <sup>nd</sup> series of Public Input Mtgs: week of August 28, 2022 *Goals and Objectives Public Survey *Joint PC/CC Meeting 9/21	<b>Staff/Citizen Committee</b>
<b>October 2023 – May 2024</b>	<u>Phase 5:</u> Plan Recommendations and Implementation Strategies *Land Use Public Survey *3 <sup>rd</sup> series of Public Input Mtgs: 3 <sup>rd</sup> /4 <sup>th</sup> week of January 2024 *4 <sup>th</sup> series of Public Input Mtgs: late April 2024	<b>Staff/Citizen Committee</b>
<b>June 2024 – December 2024</b>	<u>Phase 6:</u> 2024 Plan Adoption *PC Public Hearing: tentative 7/23/24 *CC Public Hearing: tentative 10/17/24 Tentative Approval: 12/5/24	<b>Staff/PC/CC</b>

PC - Planning Commission

CC – County Commission



<b>Tentative Dates</b>	<b>Tasks</b>	<b>Responsibility</b>
<b>November 2022 – April 2023</b>	<b>Phase 1: 2024 Plan Start Up/Organization</b>	
<b>November 2022 - January 2023</b>	Research Comp Plan methodologies and scopes of work and develop plan for 2024 Plan process	Staff
<b>December 2022</b>	Staff Organizing <ul style="list-style-type: none"> <li>Draft potential Timeline, Budget, Citizen Committee Scope of work, Strategy</li> </ul>	Staff
<b>12/13/22</b>	<b>Planning Commission Meeting</b> <ul style="list-style-type: none"> <li>Discuss need for Citizen Committee</li> <li>Review proposed scope, timeline, committees</li> <li>Request PC Strength, Weakness, Opportunity, Threat (SWOT) exercise for January 10, 2023</li> <li>Request Joint PC/CC Meeting for February 26, 2023</li> </ul>	PC/Staff
<b>1/10/2023</b>	<b>Planning Commission Meeting</b> SWOT Exercise for PC to start initial guidance	PC/Staff
<b>2/2/23 (tentative)</b>	<b>Joint PC/CC Meeting:</b> <ol style="list-style-type: none"> <li>1) Introduce Comp Plan Process and Requirements (WV 8A)</li> <li>2) Review existing plan recommendations and status of implementation</li> <li>3) Propose 2024 Comprehensive Plan Timeline, Scope of Work, and Strategy</li> <li>4) Discussion of need and potential appointment process for Citizen Committee</li> <li>5) SWOT Exercise for CC&amp;PC to start initial guidance</li> </ol>	PC/CC/staff
<b>March 2023</b>	<b>County Commission</b> Potential Appointment of Citizen Committee	CC
<b>April 18, 2023</b>	Organizational Meeting of Citizen Committee: <ul style="list-style-type: none"> <li>Overview of 20 month schedule</li> <li>Discussion of roles, responsibilities and expectations</li> <li>Establish Public Outreach Strategy including establishing/confirming format, locations, outreach effort for required public input meetings</li> </ul>	Staff and committee members

November 2022 – April 2023	Phase 2: Existing Conditions Data Collection, Mapping and Trends Analysis	
November 2022 – April 2023	<p>Compiling and evaluating existing conditions/background data such as: demographic, economic, community facilities and existing land use map/data gathering (coordinating with Office of GIS on available data)</p> <ul style="list-style-type: none"> <li>• Demographic Data – (Data Inventory and Analysis)</li> <li>• Existing Land Use map/data Gathering</li> <li>• Natural and Cultural Resources</li> <li>• Growth and Livability <ul style="list-style-type: none"> <li>○ Housing Stock, Transportation, Infrastructure</li> <li>○ Schools, Parks</li> </ul> </li> <li>• Resiliency <ul style="list-style-type: none"> <li>○ Stormwater management, EMS and Safety Services, Green Building</li> </ul> </li> <li>• Economic Development <ul style="list-style-type: none"> <li>○ Employment and Commuting data, Tourism</li> <li>○ Alternative Energy</li> <li>○ Rural Economy and Agriculture</li> </ul> </li> </ul>	Staff
January – April 2023	<p><b>Carry out Data Collection Meetings</b></p> <ul style="list-style-type: none"> <li>• Incorporated Cities, Higher Education Institutions</li> <li>• Transportation, Utilities, School Board</li> <li>• Emergency Services and Economic Development</li> <li>• Parks, Historic, Cultural, Natural Resource groups</li> </ul>	Staff

<b>May 2022 – June 2022</b>	<b>Phase 3: SWOT Analysis/Visioning</b>	
<b>May 16, 2023</b>	1 <sup>st</sup> Working Citizen Committee Meeting: <ul style="list-style-type: none"> <li>Review of Existing Conditions Data, Mapping and Trend Analysis developed by staff to date</li> <li>Establish Public Outreach Strategy</li> </ul>	Staff/Citizen Committee
<b>Week of June 5<sup>th</sup>, 2023</b>	<b>Kick-Off Meetings: 1<sup>st</sup> series of Public Input Meetings</b> <i>(during last plan this was a series of 3):</i> <ul style="list-style-type: none"> <li>Review of Existing Conditions and Data</li> <li>SWOT Analysis -- identification and analysis</li> <li>Visioning exercise</li> </ul>	Staff/Citizen Committee
<b>Week of June 12, 2023 (regular PC is 6/13/23)</b>	<b>Agricultural Forum?</b> <i>(during 2035 Plan this was determined to be a needed special session)</i>	Staff/Citizen Committee
<b>June 26, 2023</b>	Citizen Committee Meeting: <ul style="list-style-type: none"> <li>Visioning Activity</li> <li>Review and synthesize SWOT analysis, visioning input</li> <li>Initiate development of draft goals and objectives</li> </ul>	Staff/Citizen Committee
<b>Mid-June to Mid-July 2023</b>	<ul style="list-style-type: none"> <li>Release Goals and Objectives Online Survey</li> <li>Begin public outreach for survey completion</li> </ul>	Staff

<b>June 2023 – September 2023</b>	<b>Phase 4: Goals and Objectives</b>	
<b>July to August 2023</b>	Citizen Committee Meetings Potential Topics to draft summaries of SWOT analysis and develop draft Goals and Objectives/Action Items <ul style="list-style-type: none"> <li>• Growth and Livability, Housing and Infrastructure</li> <li>• Transportation, Resiliency</li> <li>• Economic Development and Employment</li> </ul>	Citizen Committee/Staff
<b>Week of August 7<sup>th</sup>, 2023</b>	Final review and draft Citizen Committee review and input into Draft Goals and Objectives	Citizen Committee/Staff
<b>Week of August 21<sup>st</sup>, 2023</b>	<b>COUNTY FAIR WEEK</b> <ul style="list-style-type: none"> <li>• Land Use Exercise</li> <li>• Goals and Objectives Survey or alternate</li> </ul>	Citizen Committee; Staff
<b>Week of August 28<sup>th</sup>, 2023</b>	<b>2<sup>nd</sup> series of Public Input Meetings</b> ( <i>previously series of 3</i> ): <ul style="list-style-type: none"> <li>• “What We Heard” (in June)</li> <li>• Draft Goals and Objectives presentation and feedback</li> <li>• Initial Future Land Use visioning exercise and related infrastructure</li> </ul>	Staff/Citizen Committee
<b>Week of September 18<sup>th</sup>, 2023</b>	Citizen Committee Meeting – Prep for Joint PC/CC Meeting re: Goals and Objectives	Staff/Citizen Committee
<b>End of September 2023</b>	<b>Joint meeting of PC/CC</b> to request endorsement of goals and objectives – need legal input	PC/CC Staff/legal



<b>October 2023 - May 2024</b>	<b>Phase 5: Plan Recommendations and Implementation Strategies</b>	
<b>October 2023 – December 2023</b>	Drafting text and future maps for plan elements based on approved Goals and Objectives, Draft of SWOT Action Items Prep for 3 <sup>rd</sup> series of Public Input Meetings	Citizen Committee/Staff
<b>October 2023</b>	<ul style="list-style-type: none"> <li>• Release Land Use Online Survey</li> <li>• Begin public outreach for survey completion</li> </ul>	Staff
<b>Week of January 22<sup>nd</sup>, 2024</b>	<b>3<sup>rd</sup> series of Public Input Meetings</b> ( <i>previously 3 mtgs</i> ): <ul style="list-style-type: none"> <li>• Review approved Goals and Objectives</li> <li>• “What We Heard” (in October)</li> <li>• Review draft recommendations and strategies</li> <li>• Request feedback – 2 week written comment time period</li> <li>• Finalize future land use map</li> </ul>	Staff/Citizen Committee
<b>Week of 2/19/24</b> <b>Week of 3/18/24</b>	Citizen Committee Meeting Finalize text and map recommendations for Final Public Meeting	Citizen Committee/Staff Staff
<b>4/1/24</b>	Draft plan text and map recommendations available for public review in prep for final regional meeting	Staff
<b>Week of April 22<sup>nd</sup>, 2024</b>	<b>4<sup>th</sup> Public Input Meeting</b> ( <i>previously held one large joint meeting instead of regional meetings</i> ) <b>**Invite PC/CC to this meeting</b>	Staff/Citizen Committee

<b>June 2024 – December 2024</b>	<b>Phase 6: 2024 Plan Adoption</b>	
<b>6/11/24</b>	<b>PC Vote to Schedule PH</b> – 30 days’ notice in local paper required	Staff and PC
<b>6/25/24 (4th Tuesday mtg)</b>	<b>PC Workshop</b> – consensus to release version for public review	Staff and PC
<b>7/1/2024</b>	Release Version for Public Review	Staff
<b>7/23/24 (4th Tuesday mtg)</b>	<b>PC Public Hearing</b> (open for written comments through 8/6/24)	Staff and PC
<b>8/13/24</b>	PC review of comments received	Staff and PC
<b>8/27/24 (4th Tuesday mtg)</b>	<b>PC Vote/Recommendation</b>	Staff and PC
<b>9/5/24</b>	Recommendation forwarded to CC for scheduling of Workshop and Public Hearing (requires 15 days’ notice)	Staff and CC
<b>9/19/24 or 9/26/24 (Sp. Mtg.)</b>	<b>County Commission Workshop</b>	Staff and CC
<b>10/17/24</b>	<b>County Commission Public Hearing</b> Public Comments open for 2 weeks (10/31/24)	Staff and CC
<b>11/7/24</b>	County Commission review of public comments received and final input and revisions	Staff and CC
<b>12/5/24</b>	<b>CC Vote on 2024 Comprehensive Plan</b>	CC





# Jefferson County, West Virginia

Department of Engineering, Planning, and Zoning

Office of Planning and Zoning

116 East Washington Street, 2<sup>nd</sup> Floor

Charles Town, WV 25414

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

Phone: (304) 728-3228

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

Fax: (304) 728-8126

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## Planner's Memorandum Planning Commission Meeting December 13, 2022

### 1) Status of Engineering, Planning and Zoning County Offices Contact Information

The Department of Engineering, Planning and Zoning Mason Building is open to the public.

BUILDING PERMITS & INSPECTIONS 304-725-2998 [permits@jeffersoncountywv.org](mailto:permits@jeffersoncountywv.org)

IMPACT FEES 304-728-3331 - [mmason@jeffersoncountywv.org](mailto:mmason@jeffersoncountywv.org)

ENGINEERING 304-728-3257 - [engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org)

PLANNING & ZONING 304-728-3228 - [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org), [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

GIS & ADDRESSING 304-724-6759 - [gis@jeffersoncountywv.org](mailto:gis@jeffersoncountywv.org)

### 2) Calendar Year 2023 Meeting Schedule and Submission Deadlines

- See revised submittal date due to County Commission's Holiday Schedule

### 3) Upcoming PC meeting

Next Regular meeting date: **January 10, 2023**

- Public Workshop: Reconsideration of the Concept Plan for Berryville Pike Telecommunications Tower Concept Plan (22-8-SP)





Jefferson County, West Virginia  
Department of Engineering, Planning and Zoning  
**Office of Planning and Zoning**  
116 E. Washington Street, 2<sup>nd</sup> Floor, P.O. Box 716  
Charles Town, West Virginia 25414

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

Phone: 304-728-3228

**2023 MEETING SCHEDULE**  
**JEFFERSON COUNTY PLANNING COMMISSION**

Unless otherwise posted, Planning Commission meetings are held in the Old Charles Town Library Meeting Room located at 200 East Washington Street, at the side entrance on Samuel Street at 7:00 p.m.

<b><u>Submission Deadlines</u></b>		<b><u>Regularly Scheduled Meeting</u></b> <sup>^</sup>
<b><u>Waiver/Variance</u></b> *	<b><u>Concept Plan</u></b> **	
Tuesday, December 20, 2022	Wednesday, November 23, 2022	Tuesday, January 10, 2023
Tuesday, January 24, 2023	Friday, December 30, 2022	Tuesday, February 14, 2023
Tuesday, February 21, 2023	Friday, January 27, 2023	Tuesday, March 14, 2023
Tuesday, March 21, 2023	Friday, February 24, 2023	Tuesday, April 11, 2023
Tuesday, April 18, 2023	Friday, March 24, 2023	Tuesday, May 9, 2023
Tuesday, May 23, 2023	Friday, April 28, 2023	Tuesday, June 13, 2023
Friday, June 16, 2023	Friday, May 26, 2023	Tuesday, July 11, 2023
Tuesday, July 18, 2023	Friday, June 23, 2023	Tuesday, August 8, 2023
Tuesday, August 22, 2023	Friday, July 28, 2023	Tuesday, September 12, 2023
Tuesday, September 19, 2023	Friday, August 25, 2023	Tuesday, October 10, 2023
Tuesday, October 24, 2023	Friday, September 29, 2023	Tuesday, November 14, 2023
Tuesday, November 21, 2023	Friday, October 27, 2023	Tuesday, December 12, 2023

<sup>^</sup>Regularly scheduled Planning Commission Meetings are held on the second Tuesday of each month. The Planning Commission may choose to schedule a Tentative Meeting (as needed) on the fourth Tuesday of every month to conduct Commission business or to meet required deadlines that are in accordance with the Planning Commission's 4<sup>th</sup> Tuesday Meeting policy (approved 11/14/17). Please check with office Staff for a list of Tentative Meeting dates.

The required application, supporting documentation and applicable fees must be submitted to the office by close of business on the Submission Deadline date.

\*The Waiver and Variance deadline is 21 calendar days prior to the meeting to allow for Staff review the applications, and to accommodate the 14-day notice requirements for the placard/sign and mailings to adjacent property owners.

\*\*The Concept Plan (subdivision or site plan) deadline is 45 calendar days prior to the meeting to allow for Staff review of the Plan, and to accommodate the 21-day legal advertisement requirement, and the 14-day notice requirements for the placard/sign and mailings to adjacent property owners.

Changes in the time or location of the meeting shall be noticed on the County's website at [www.jeffersoncountywv.org](http://www.jeffersoncountywv.org).  
Note: if the President of the County Commission or the Planning Commission determines that weather conditions make travel unsafe for the public, County offices may close and/or the meeting may be cancelled. Please check the County's website for possible meeting updates during inclement weather.

Agenda items that have been deferred due to a cancellation will be rescheduled. No additional public notice shall be given. All signs must remain posted on the respective properties until the rescheduled meeting date. Please call the office or check the County's website for the rescheduled meeting date.