



**Jefferson County**  
**Board of Zoning Appeals Agenda**  
**Thursday, January 26, 2023 at 2:00 p.m.**

Members  
Tyler Quynn, Chair  
Matthew McKinney, Secretary  
Steven Guier  
David Wiegand  
Mikala Shremshock, Alternate

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This meeting will be held both in-person and virtually via ZOOM, which may be accessed from a desktop, laptop, iPad, or from a phone. You may be prompted to download the software or the ZOOM app.

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

**ZOOM Meeting Information:** Meeting ID: 882 2880 1488  
Meeting Link: <https://us02web.zoom.us/j/88228801488>  
Phone Option (Dial by Location): 301-715-8592  
Find your local number: <https://us02web.zoom.us/u/kdDBZMH1mF>

If you wish to participate virtually in public comment for one of the agenda items, please type your name and agenda item # in the chat function at the start of the meeting. Please mute yourself when you are not talking. When participating, please be mindful that your video is streaming to others.

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

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### Election of Officers

**Approval of Minutes: December 8, 2022**

**Public Hearing – Administer Oath**

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#### **ITEM #1 FILE #: 23-1-ZV**

Request #1: Variance from Appendix B to reduce the distance requirement from 75' to 25' along the western property line and the rear setback along the western property line from 40' to 25' for an addition to the existing Summit Point Library (23-1-ZV).

Request #2: Variance from Appendix B to modify the landscape buffer requirement along the rear (western) property line. The applicant is proposing to utilize existing vegetation along a portion of the property line and a modified planting along the remaining portions of the property line. The modified planting is to accommodate an expansion to the existing stormwater management facility (23-3-ZV).

Parcel Info: Summit Point Library Commission, Property Owner  
49 Church St., Summit Point, WV  
Parcel ID: 06016C00190001; Size: 1.35 acres; Zoning District: Village

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#### **ITEM #2 FILE #: 23-2-ZV**

Request: Variance from Section 5.7D.2 of the Zoning Ordinance (as amended 09/28/06) to increase the maximum lot size from 3 acres to approximately 5 acres to allow for a proposed boundary line adjustment between Lot 7 and the Residue Parcel of The Woods at Wheatland Subdivision.

Parcel Info: Barry and Jody Swaldo, Property Owner  
The Woods at Wheatland, Lot 7, 449 Jenkins Hill Rd., Charles Town, WV  
Parcel ID: 06001200160012; Size: 3 acres; Zoning District: Rural

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**FILE #: 23-1-CUP**

**Request:** Request for a Conditional Use Permit to operate a Special Event Facility, as defined in Article 2 of the Zoning Ordinance (Project Name: “The Quarry”). The proposal consists of hosting an average of 15 events per year with a maximum capacity of 125 guests. The applicant is proposing a maximum of 30 grass parking spaces. Events that may necessitate additional parking will be addressed by requiring small group transport services.

**Owner:** Alexis Bonnell and Kerian McManus

**Parcel Info:** Mallard’s Paddle Place Subdivision, Lot 7, 144 Quarry Run Road, Harpers Ferry, WV  
Parcel ID: 04000400080000; Parcel Size: 21 acres; Project Size: 18 acres; Zoning District: Rural

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**Review and Approval of the revised Board of Zoning Appeals Rules of Procedure, as amended by the Board on 10/27/22.**

**Zoning Administrator Report**

- a. Monthly Zoning Certificate Activity Report

**Legal Update**

- a. Discussion of the following pending lawsuits:
  - 1. Jefferson County Circuit Court Case #CC-19-2022-C-81 (RE: ZTA22-01 Solar Energy Facilities) Rockwell v. JCPC, JCBZA and JCCC
  - 2. Jefferson County Circuit Court Case #CC-19-2022-C-103 (RE: 22-4-CUP Blake Solar Energy Facility) Stone v. JCBZA
  - 3. Jefferson County Circuit Court Case #CC-19-2022-C-141 (RE: Rippon Solar Energy Facility / File 22-9-CUP) Rockwell v. JCBZA
- b. Discussion with possible deliberative session and signing of draft Findings/Decisions.

**Meeting: December 8, 2022**

- 1. Variance from Section 9.7. Owner: Ricki & Dawn Hoffman. File: 22-39-ZV.
- 2. Variance from Section 4.11 and Appendix B. Owner: SAB real Estate. File: 22-40-ZV.