



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

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.

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

Election of Officers

Approval of Minutes: December 8, 2022

Public Hearing – Administer Oath

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

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

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

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.

DRAFT Minutes

Jefferson County Board of Zoning Appeals

- 1 Meeting Date: December 8, 2022
2 Meeting Location: By order of the Chair, the Board of Zoning Appeals meeting was held
3 in-person in the County Commission Meeting Room located in the
4 lower level of the Charles Town Library; and virtually via ZOOM.
5 Board Members Present: Tyler Quynn, Chair; Matthew McKinney, Secretary; Steve Guier,
6 and David Wiegand, were all present in person.
7 Board Members Absent: Mikala Shremshock, Alternate Member, with notification
8 Staff Members Present: Alexandra Beaulieu, Zoning Administrator; and Jennilee Hartman,
9 Zoning Clerk

10 All requests were pursuant to the Jefferson County Zoning and Land Development Ordinance.

11 Mr. McKinney moved to call the meeting to order at 2:00 pm. Mr. Quynn called for a vote, which
12 carried unanimously.

13 Mr. Quynn reviewed meeting protocol for those in attendance. Mr. Quynn welcomed new Board
14 Member David Wiegand to the Board.

15 Approval of Minutes: November 9, 2022

16 Mr. McKinney moved to approve the minutes. Mr. Quynn called for a vote, which carried
17 unanimously.

18 Ms. Hartman swore in members of the public who indicated they would be providing testimony.

19 ITEM #1 FILE #: 22-39-ZV

20 Request: Variance from Section 9.7 to reduce the rear setback from 50' to 13' along the southern
21 boundary line for an existing 24' x 24' accessory structure (storage shed) that was
22 constructed in 1999.

23 Parcel Info: Dawn and Ricki Hoffman, Property Owner
24 Walnut Hills Subdivision, Lot 8, 1871 Old Country Club Road, Charles Town WV;
25 Parcel ID: 02000400170003; Size: 5 ac; Zoning District: Rural

26 Mr. Ricki Hoffman, property owner, was present to address the Board. Ms. Beaulieu provided an
27 overview of her staff report, noting that the accessory structure had existed in this location since
28 1999 and had obtained a building permit. Ms. Beaulieu stated that the adjoining property owner to
29 the south, Mr. William Smith, provided a letter of support.

30 Mr. Hoffman explained the nature of the request to the Board stating they had been unaware that
31 the structure was not meeting setbacks until the property was recently surveyed for their proposed
32 minor subdivision. Mr. Hoffman acknowledged that the structure would not be used for a business.

33 No members of the public were signed up to speak on this item.

34 Mr. McKinney moved to approve the variance with the condition that the applicant is bound by
35 their testimony. Mr. Quynn called for a vote, which carried unanimously.

36 ITEM #2 FILE #: 22-40-ZV

37 Request: Variance from Section 4.11 and Appendix B to allow the use of existing vegetation in
38 lieu of a planted landscape buffer along the eastern and southern boundary lines for the
39 existing ROCS gas station and convenience store (File #S18-06).

40 Parcel Info: SAB Real Estate, Property Owner
41 28310 Martinsburg Pike, Shepherdstown, WV

1 Parcel IDs: 09008A00190000; 09008A00210000; 09008A00230000; Size: 3.56 acres
2 combined; Zoning District: Residential-Light Industrial-Commercial

3 Mr. Greg Kennedy, attorney for the property owner, was present to address the Board. Ms. Beaulieu
4 provided an overview of her staff report noting that the approved site plan for ROCS required a
5 continuous planted buffer along the eastern and southern property lines. Ms. Beaulieu stated that the
6 request to utilize existing vegetation where it existed on the property seemed reasonable and
7 appeared to meet the intent of the Ordinance. Ms. Beaulieu stated that in speaking with Mr.
8 Kennedy, the property owner was agreeable to planting the required buffer in any locations that did
9 not have existing vegetation in accordance with the approved site plan.

10 Mr. Kennedy explained the nature of the request to the Board stating that removing existing
11 vegetation seemed antithetical to the overall intent of the buffer requirements. Mr. Kennedy stated
12 that the property owner was ok with Staff's recommended conditions and acknowledge that
13 landscaping would be planted along the southern property line where existing vegetation was not
14 available.

15 Mr. Quynn opened the public hearing. No members of the public provided testimony. Mr. Quynn
16 closed the public hearing.

17 Mr. McKinney moved to approve the variance with the condition that the applicant is bound by
18 their testimony. Mr. Quynn called for a vote, which carried unanimously.

19 **Zoning Administrator's Report**

20 Ms. Beaulieu noted the next meeting date was January 26, 2023.

- 21 a. Monthly Zoning Certificate Activity Report. The Report was included in the mailed packet.
- 22 b. Ms. Beaulieu welcomed new Board Member David Wiegand and noted that he was
23 fulfilling the remainder of Mr. Leeds Corbin's term, as well as the next term ending 2026.
- 24 c. Ms. Beaulieu noted that Ms. Deirdre Catterton resigned from the Board due to a schedule
25 conflict created by her new job.

26 Mr. Guier requested that Staff add a north arrow to aerial exhibits in staff reports. Ms. Beaulieu
27 stated she could add the north arrow to future exhibits.

28 **Legal Update**

29 a. Discussion of the following pending lawsuit:

- 30 1. Jefferson County Circuit Court Case #CC-19-2022-C-81 (RE: ZTA22-01 Solar Energy
31 Facilities) Rockwell v. JCPC, JCBZA and JCCC.
- 32 2. Jefferson County Circuit Court Case #CC-19-2022-C-103 (RE: 22-4-CUP Blake Solar
33 Energy Facility) Stone v. JCBZA.
- 34 3. Jefferson County Circuit Court Case #CC-19-2022-C-141 (RE: Rippon Solar Energy
35 Facility / File 22-9-CUP) Rockwell v. JCBZA.

36 No legal update was provided as Legal Counsel was not in attendance.

37 d. Discussion with possible deliberative session and signing of draft Findings/Decisions.

38 Meeting: November 10, 2022

- 39 1. Variance from Section 5.7B. Owner: Julia Reynes. File: 22-37-ZV.

Board of Zoning Appeals

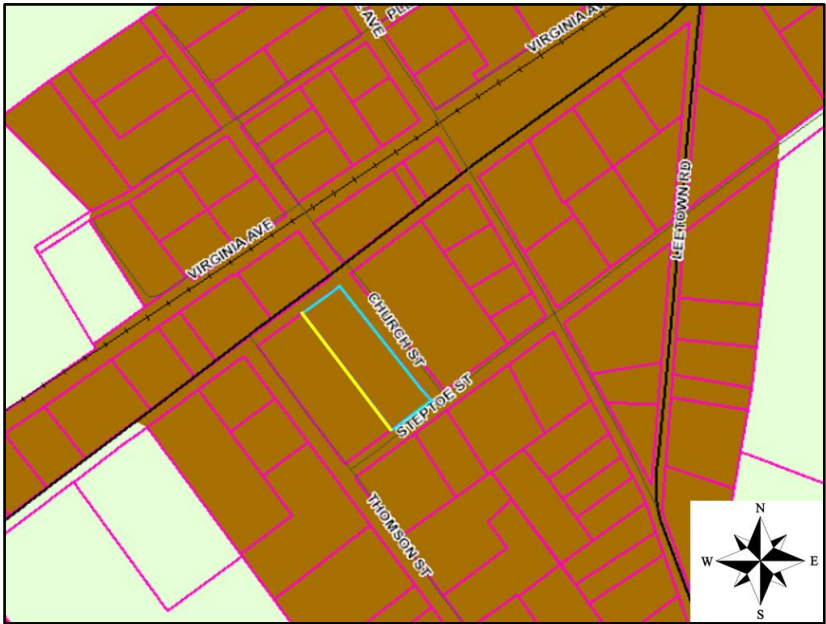
December 8, 2022

Page 3 of 3

- 1 Mr. Quynn was provided a copy of the draft Findings for review.
- 2 Mr. McKinney moved to adjourn the meeting at 2:27 pm. Mr. Quynn called for a vote, which carried
- 3 unanimously.

Staff Report
 Jefferson County Board of Zoning Appeals
 January 26, 2023
23-1-ZV Summit Point Library Variance Request

Item #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 the expansion of an existing library (File #23-1-ZV).

Owner/Applicant:	Summit Point Library Commission
Parcel Information and Zoning District:	<p style="text-align: center;">49 Church St., Summit Point, WV Parcel ID: 06016C00190001; Size: 1.35 acres; Zoning District: Village</p> 
Surrounding Properties:	Zoning Map Designation: <i>North, South, East and West: Village</i>
History:	S02-02 Summit Point Library Site Plan
Waivers/Variations:	05/28/02: PC Variance from stormwater management requirements.
Approved Activity:	S02-02 – Site Plan for Summit Point Public Library Approved 09-30-02
Site Visit Conducted:	Site visit not conducted. Placard photos submitted 01-08-23.

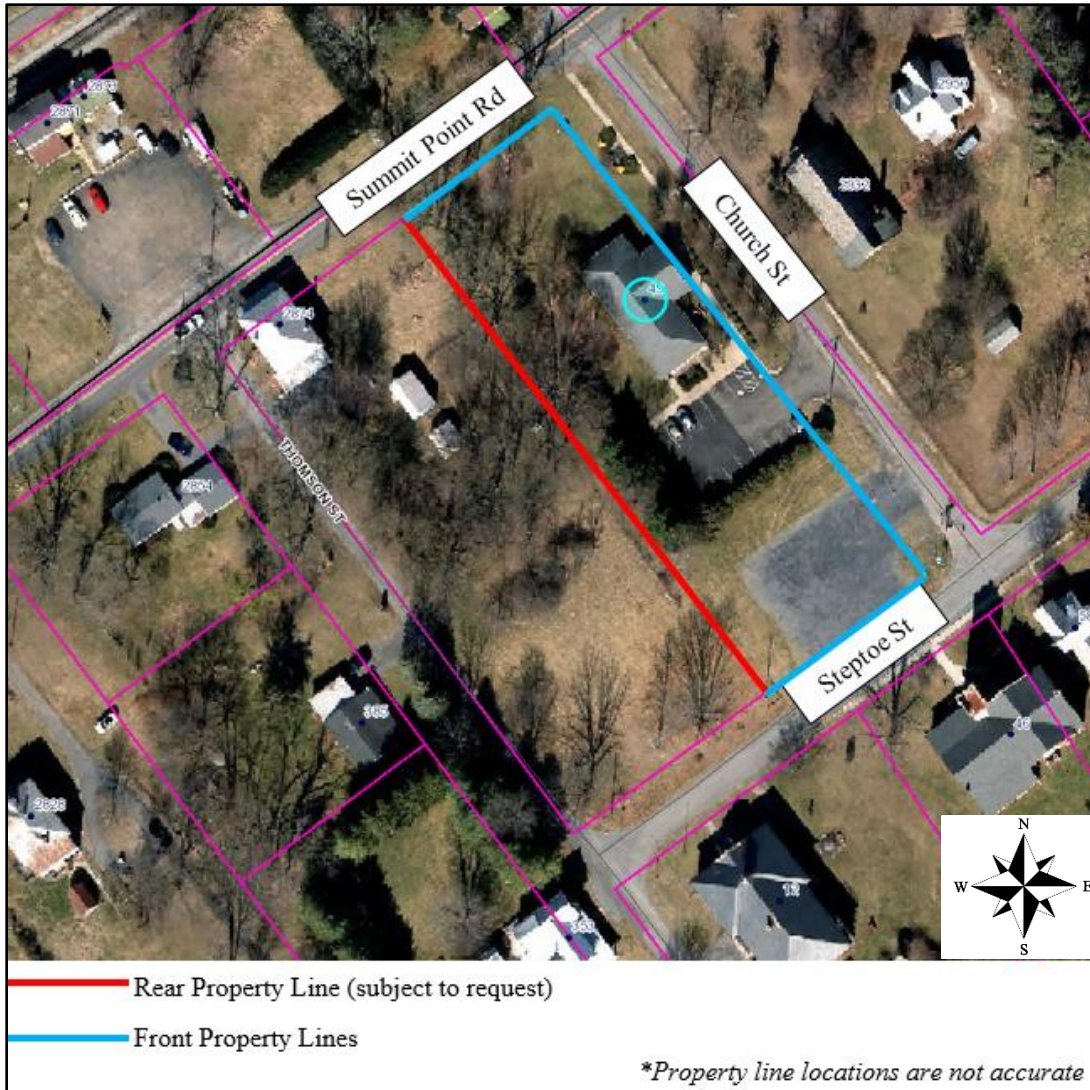
Staff Overview

The subject parcel is comprised of approximately 1.35 acres. The required setbacks are pursuant to Appendix B of the Zoning Ordinance as follows: Front: 25'; Side: 10'; and Rear: 40'. In addition to typical building setbacks, commercial uses are subject to a 75' distance requirement when adjoining a lot with a residence.

The purpose of the rear setback requirement is to reduce the impact that a land use might have on an adjacent property; to allow adequate space between a structure and a property line so that maintenance of the structure is feasible; to maintain adequate separation between structures for fire prevention purposes; and to allow room for utility easements.

The purpose of the distance requirement is typically to lessen the impact of a non-residential use on a residential use, church, institution of human care, or historic site, including the visual impact created from the glare of exterior lights.

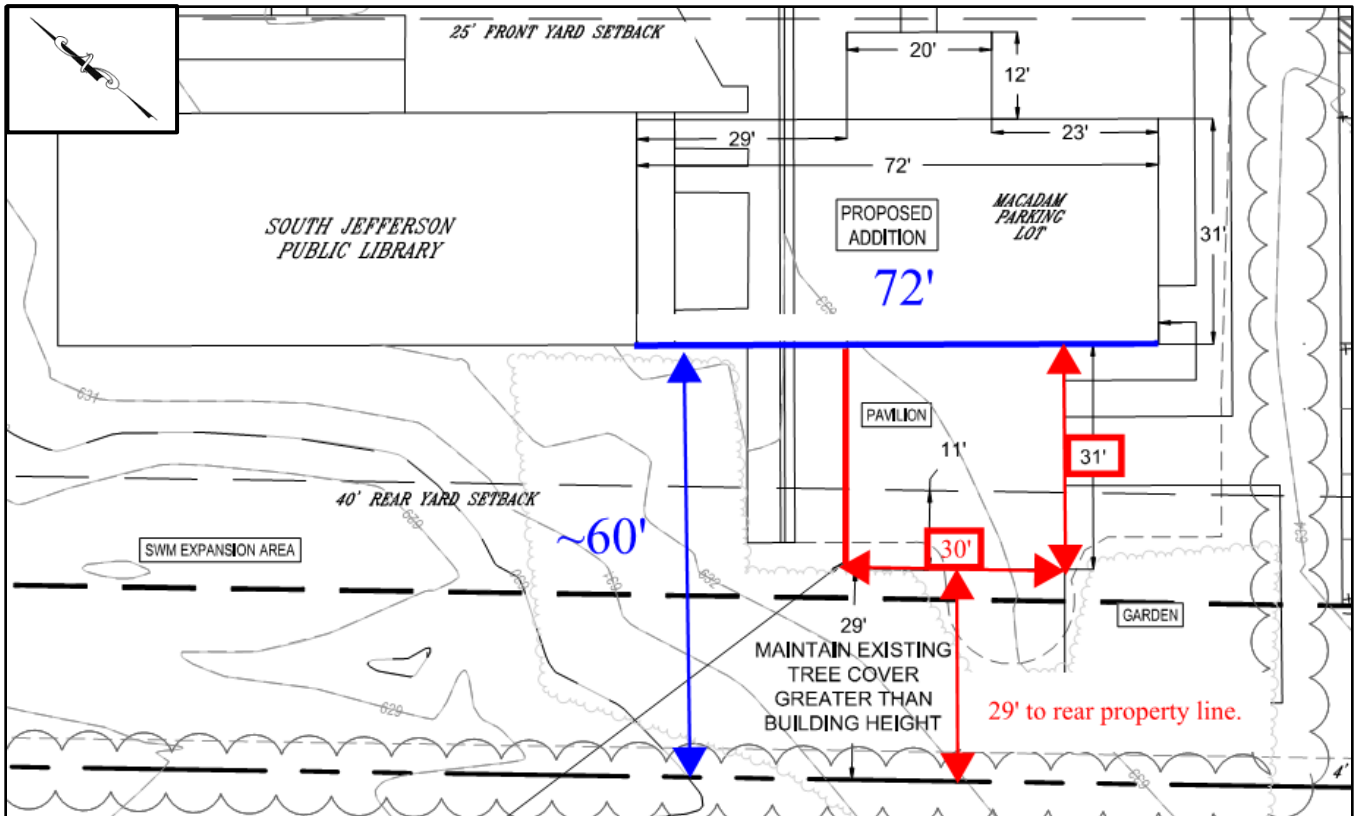
Staff Report
Jefferson County Board of Zoning Appeals
January 26, 2023
23-1-ZV Summit Point Library Variance Request



The original library building was constructed in 2002 and is approximately 60-feet from the subject rear property line. The proposed expansion includes a 72' x 31' linear expansion off the southern end of the building, extending toward Steptoe Street, and maintaining the 60-foot setback from the rear property line. In addition to the linear expansion, a 30' x 31' pavilion is proposed to be constructed off of the aforementioned addition, and will be approximately 25-feet from the rear (western) property line (see applicant's sketch on page 3).

The applicant has represented that the addition will be approximately 198' from the existing residence located on the adjoining lot. As the applicant has also noted, the lot is unique in that it fronts on three roads.

Staff Report
Jefferson County Board of Zoning Appeals
January 26, 2023
23-1-ZV Summit Point Library Variance Request



Conditions of Approval

Should the Board choose to approve this request, possible conditions of approval include:

1. No conditions of approval were identified.

SECTION OF ORDINANCE TO BE CONSIDERED:

Appendix B

APPENDIX B: NON RESIDENTIAL SITE DEVELOPMENT STANDARDS TABLE^{27, 32, 35}

Zoning District	Development Type [⊖]	Min Lot Area (MLA)	Min Lot Width	Max Building Height*	Imper-vious Surface Limit	Building Setbacks		Parking/ Drive Aisle Setbacks			Buffers (Sec. 4.11) (Screened / Unscreened) Adjacent Use							
											A Residential district, or any lot with a residence, school, church, or institution of human care (Distance per Sec. 4.6)						Commercial Use	
						Front	Side	Rear	Front	Side	Rear	Distance Front Side Rear	Front	Side & Rear	Front	Side & Rear	Front	Side & Rear
Industrial – Commercial (IC) **	Commercial sites 1.5 acres and smaller	N/A	N/A	75	80%	25		15	4	4	75	Street Trees	Narrow Buffer Detail No. M-54	N/A	10(S)	N/A	10(S)	
	Commercial sites greater than 1.5 acres	N/A	N/A	75	80%	25		15	10	10	75	Street Trees	Medium Buffer Detail No M-53	N/A	10(S)	N/A	10(S)	
	Industrial	3 ac ***	N/A	75	90%	50 or 25 if adjacent to Industrial Use		25 or 20 if adjacent to Industrial Use			200	Street Trees	Wide Buffer Detail No. M-52	25(S)	20(S)	N/A	20(S)	
Residential-Light Industrial-Commercial (RLIC)	Commercial or Industrial	N/A	N/A	75	80%	See IC District												
Rural (R)	Churches	2 acres	200	45	N/A	25	50	50	See IC District for commercial sites			N/A	50(U) or 15 (S)	N/A	10(S)	N/A	10(S)	
	Schools, Grades K-12	K-4: 10 ac+ 5-8: 20 ac+ 9-12: 30 ac+	500	45	N/A	100						N/A	N/A	N/A	N/A	N/A	N/A	
	Hospitals	10 ac	500	45	N/A	100						N/A	N/A	N/A	N/A	N/A	N/A	
	Other Rural principal permitted uses	40,000	100	45	N/A	40	50	50				N/A	See I-C District for commercial or industrial use; Otherwise, N/A					
	Commercial or Industrial**	See IC District																
Village (V)	Commercial [⚔]	N/A	N/A	35	N/A	25	10	40	See IC District									
	Industrial**	See IC District			35	See IC District												
Residential Growth (RG)	Commercial or Industrial**	See IC District			35	See IC District												
Neighborhood Commercial (NC)	Commercial	N/A	N/A	35	70%	15 min 25 max	10 [£]	10 [⊖]	See I-C District		25	See IC District						
General Commercial (GC)	Commercial	N/A	N/A	75	80%	20	10	25	See IC District									
Highway Commercial (HC)	Commercial	N/A	N/A	75	80%	25	25	25										
Light Industrial (LI)	Commercial or Industrial	N/A	N/A	75	80%	25	25	25										
Major Industrial (MI)	Commercial	N/A	N/A	75	90%	25	10	50										
	Industrial	3 ac ***	N/A	75	90%	25	50	50										
Office/Commercial Mixed Use (OC)	Commercial	N/A	N/A	75	80%	15 min 25 max	10 [£]	10 [⊖]	See IC District									
Planned Neighborhood Development (PND)	Commercial	3 acres	See GC District Note: Planning Commission may amend development standards for developments in the PND District (see Article 5).															

The requirements in this table are in addition to any other applicable requirements in the text of this Ordinance. In the event of a conflict with the text, this table shall prevail.

All dimensions are in feet unless otherwise indicated by “ac” (acres).

* Maximum building height is subject to Sec. 9.2.

** If land use(s) approved via the Conditional Use process in accordance with this Ordinance.

*** MLA for Industrial uses does not apply if the site is located in an approved Industrial Park [Source: Sec. 5.6E]

**** Schools in Rural district: Plus one (1) additional acre for every 100 pupils. Minimum lot size for Vocational Schools shall be based on State of West Virginia Code. If a sewer treatment plant and retention ponds are required, acreage shall be increased accordingly.

⚔ Non-Residential Site Development in an existing structure in the Village District shall comply with Section 5.10A.2.

‡ Setback may be reduced if adjacent to industrial use.

⊕ For an industrial use, no structures, stored materials, or vehicular parking shall be permitted within the buffer yard. For a commercial use, no structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers.

⊖ A rear yard setback may be reduced to 10' for a non-residential use abutting a commercial or industrial use at a rear lot line

⊖ Churches in any district: (1) are treated as a commercial use on a lot of greater than 1.5 acres in determining buffer requirements and parking/drive aisle setbacks; (2) building setbacks are 25' (front) and 50' (side/rear); and (3) distance requirements do not apply.

£ For a non-residential use abutting a commercial or industrial use, no side yard setback is required, unless required by Building Code or other law or regulation.

Section 4.6 Distance Requirements

- A. Industrial uses are subject to this subsection, unless otherwise specified in this Ordinance. Any uses (not including parking) or buildings subject to compliance with this Section shall be located at least 200 feet from:²⁷
1. Any lot in the Residential Growth District;²⁷
 2. A dwelling, school, church or institution for human care not located on the same lot as the said use or buildings;¹
 3. Any lot which is part of a recorded subdivision; and
 4. Any parcel, historic structure, or designated historic district which has been listed on the West Virginia or National Register of Historic Places.
- B. Commercial uses are subject to this subsection, unless otherwise specified in this Ordinance. Adjacent uses (not including parking) or buildings subject to compliance with this Section shall be located at least 75 feet from:^{7, 27}
1. Any lot in the Residential Growth District;
 2. Any lot with a dwelling, school, church, or institution for human care not located on the same lot as said use or building;
 3. Any parcel, historic structure, or designated historic district which has been listed on the West Virginia or National Register of Historic Places.²³
- C. A commercial use (not including parking) located in the Neighborhood Commercial District or the Office/Commercial Mixed Use shall be located at least 25 feet from a land use identified in Section 4.6B.1-3.²⁷
- D. Housing for farm animals and feeding pens shall be set back a minimum of 50 feet from all property lines; excluding chicken coops which may be set back 25 feet from all property lines, if no roosters are housed there.³²
- E. Structure used to store manure shall comply with distance requirements specified in 4.6A.³²
- F. All portions of a kennel land use must be buffered pursuant to Article 4 and set back at least 300' from any other property line that contains a residence. If the adjacent use is a commercial use, setbacks shall conform with commercial setbacks in Appendix B.³²
- G. Historic Sites are subject to this subsection, unless otherwise specified in this Ordinance. All properties designated as a historic site shall be subject to a protection radius as described in this section when a non-residential development or major residential subdivision is proposed. A protection radius is the area surrounding a historic site not exceeding the boundary lines of the property.³⁵
1. **Protection Radius:** Category I historic sites shall be subject to a 200-foot protection radius, as measured from the center of the site or principal structure. When an entire site is placed on the National Register and contains historic structures, preference shall be given to the Property Owner as to whether the protection radius is applied to the center of the principal historic structure or the center of the area of property on the National Register. The protection radius shall only apply to a property or structure listed on the National Register and does not apply to federally designated battlefields or historic districts broadly, but may apply to an individual parcel that is part of a federally designated battlefield or historic district, if the property or structure is listed on the National Register.



JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 716
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: 23-1-ZV

Staff Initials: git
 Meeting Date: 01/26/23

Fees Paid (\$100 or \$150): 100

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Zoning Variance Request

Variances from the Zoning and Land Development Ordinance must comply with Article 8A-7-11 of the WV State Code. A variance is a deviation from the minimum standards of the ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district, nor shall it involve changing the zoning classification of a parcel of land.

Property Owner Information

Name: SUMMIT POINT LIBRARY COMMISSION
 Mailing Address: 49 CHURCH STREET, SUMMIT POINT, WV 25446
 Phone Number: (304) 725-6227 Email: _____

Applicant Contact Information

Name: Edmond Uzan
 Mailing Address: 49 CHURCH STREET, SUMMIT POINT, WV 25446
 Phone Number: (304) 264-4063 Email: _____

Applicant Registered Engineer(s), Surveyor(s), or Consultant(s)

Name: Christopher Waddell
 Mailing Address: 362 W Burr Blvd, Suite 3, Kearneysville, WV 25430
 Phone Number: (681) 209-7574 Email: cwaddell@jhacompanies.com

Physical Property Details

Physical Address: 49 CHURCH STREET, SUMMIT POINT, WV 25446
 City: SUMMIT POINT State: WV Zip Code: 25446
 Tax District: Kabletown District Map No: 016C Parcel No: 06 16C001900010000
 Parcel Size: 1.35 Deed Book: 797 Page No: 630

Zoning District (please check one)

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

RECEIVED

NOV 18 2022

JEFFERSON COUNTY PLANNING
 ZONING & ENGINEERING

On a separate sheet of paper, provide a sketch showing the shape and location of the lot indicating all roads, rights of way, and easements. Show the location of the intended construction or land use indicating building setbacks (i.e. the distance of the structure from all property lines), size, and height. Identify all existing buildings, structures, or land uses on the property. The sketch should show the full extent of the property. Sign and date the sketch.

Is there a Code Enforcement action pending in relation to this property? Yes No

Reference the section of the Zoning Ordinance pertaining to this request: Section 5.7B1 Appendix B jth

Briefly describe the nature of the variance request:

This variance request in being made to reduce the rear setback for the proposed building addition from 40 to 25 feet to allow the current space on the property to be best utilized.

If this request is for a setback variance, please check one of the following:

Front Setback Side Setback Rear Setback Reduction From 40 to 25

Please explain why granting the variance will NOT adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents:

This location was chosen to allow it to be less visible from the adjoining landowners, due to the existing tree-line along the shared property line. This addition is approximately 198' from the dwelling. This portion of the addition will allow for outside reading to children. This location allows for the children to be in a more secure area.

In what way does this request arise from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance?

None

How will granting this variance eliminate an unnecessary hardship and permit a reasonable use of the land?

Due to the location of the parcel, it has three front and one rear yard setback. This rear yard is the adjoining landowner's side yard. Therefore, would typically have a 10' setback, if considered a side yard. The request still grants a larger setback than a side yard, while allowing the public library to best utilize the space they have.

How will granting this variance allow the intent of the Zoning Ordinance to be observed and substantial justice to be done?

The granting of this variance will still provide adequate spacing from the adjoining landowner, thus not infringing on their property. Also, this addition will provide the public a better area to enjoy the library and the services it provides to the community.

Original signature is required. If additional signatures are necessary, please attach a separate piece of paper.

By signing this application, I give permission for the Office of Planning and Zoning staff to walk onto the subject property, if necessary, in order to take photos for the Board of Zoning Appeals staff reports. The information given is correct to the best of my knowledge.

 9-13-2022

Signature of Property Owner Board Member V.P. Date

Signature of Property Owner Date

Notification Requirements (to be completed by staff)

Notice of a public hearing for an appeal shall be advertised in a newspaper having general circulation in the County at least 15 days before the hearing. The subject property shall be posted conspicuously by a zoning notice no less than 28" x 22" in size, at least 15 days before the hearing (pursuant to the Zoning and Land Development Ordinance Section 6.1B).

01-26-23
Date of Public Hearing

01/11/23
Advertising Date

01/11/23
Placard Posting Date

RECEIVED
 JANUARY 3, 2023
 Jefferson County, WV
 Office of Planning & Zoning

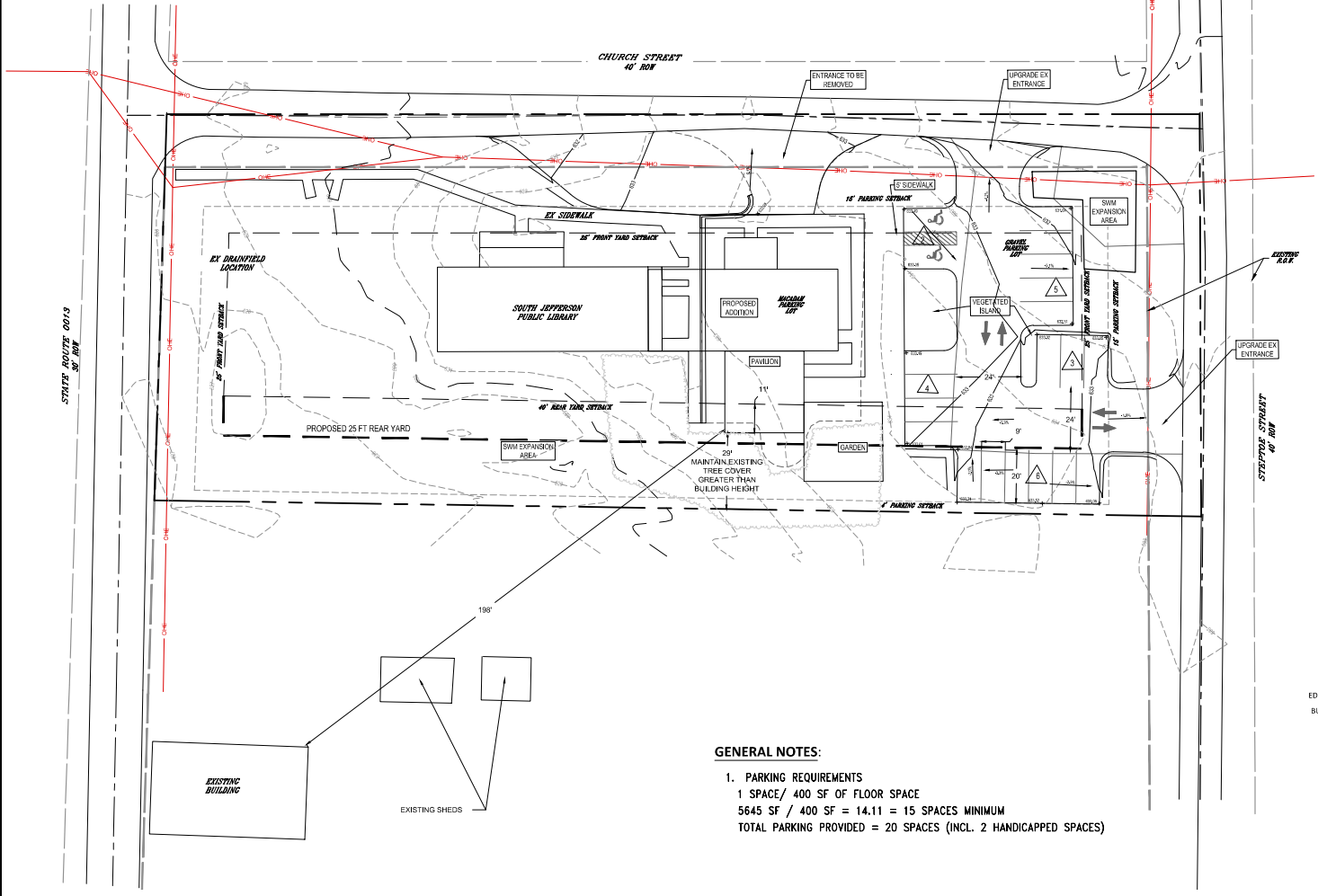


LOCATION MAP
 SCALE: 1" = 200'

NO.	DATE	DESCRIPTION	BY
11	02-24-22	REV. PERIN LUGG	JAB
12	02-28-22	REV. BLANK LUGG	JAB

CALL BEFORE YOU DIG!
 WEST VIRGINIA RESOURCES
 3 WORKING DAYS NOTICE FOR CONSTRUCTION PHASE
 10 WORKING DAYS IN DESIGN PHASE
 DIAL CALL
 West Virginia One Call System, Inc.

WEST VIRGINIA 811
 CALL BEFORE YOU DIG!
 Dial 811 or 800.245.4848
 www.wv811.com

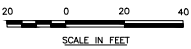


GENERAL NOTES:

1. PARKING REQUIREMENTS
 1 SPACE/ 400 SF OF FLOOR SPACE
 $5645 \text{ SF} / 400 \text{ SF} = 14.11 = 15 \text{ SPACES MINIMUM}$
 TOTAL PARKING PROVIDED = 20 SPACES (INCL. 2 HANDICAPPED SPACES)

LEGEND

PROPERTY LINE	---
EDGE OF PAVEMENT	----
BUILDING SETBACK	- - - -
CENTER LINE	----



717-827-6599
 362 W BURR BLVD SUITE 3
 KEARNEYSVILLE, WV 25430
 PA • OH • NY • WV • VA • MD

PROJECT ID:	2022-03-08	DATE:	2022-03-08
SCALE:	NOTED	CHECKED:	CLW

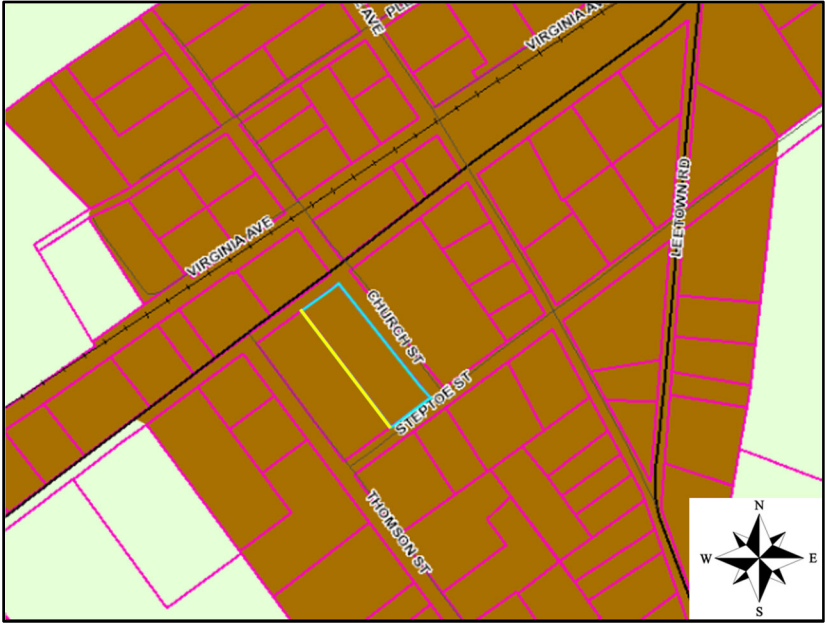
LIBRARY ADDITION
 FOR
 SOUTH JEFFERSON PUBLIC LIBRARY
 LOCATED IN
 KABLETON DISTRICT, JEFFERSON COUNTY, WEST VIRGINIA

TITLE:	SITE PLAN
PLN DATE:	SHEET NO. 1

Staff Report
 Jefferson County Board of Zoning Appeals
 January 26, 2023

23-3-ZV: Summit Point Library Variance Request

Item #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 portion of the property line. The modified planting is to accommodate the stormwater management facility (File #: 23-3-ZV).

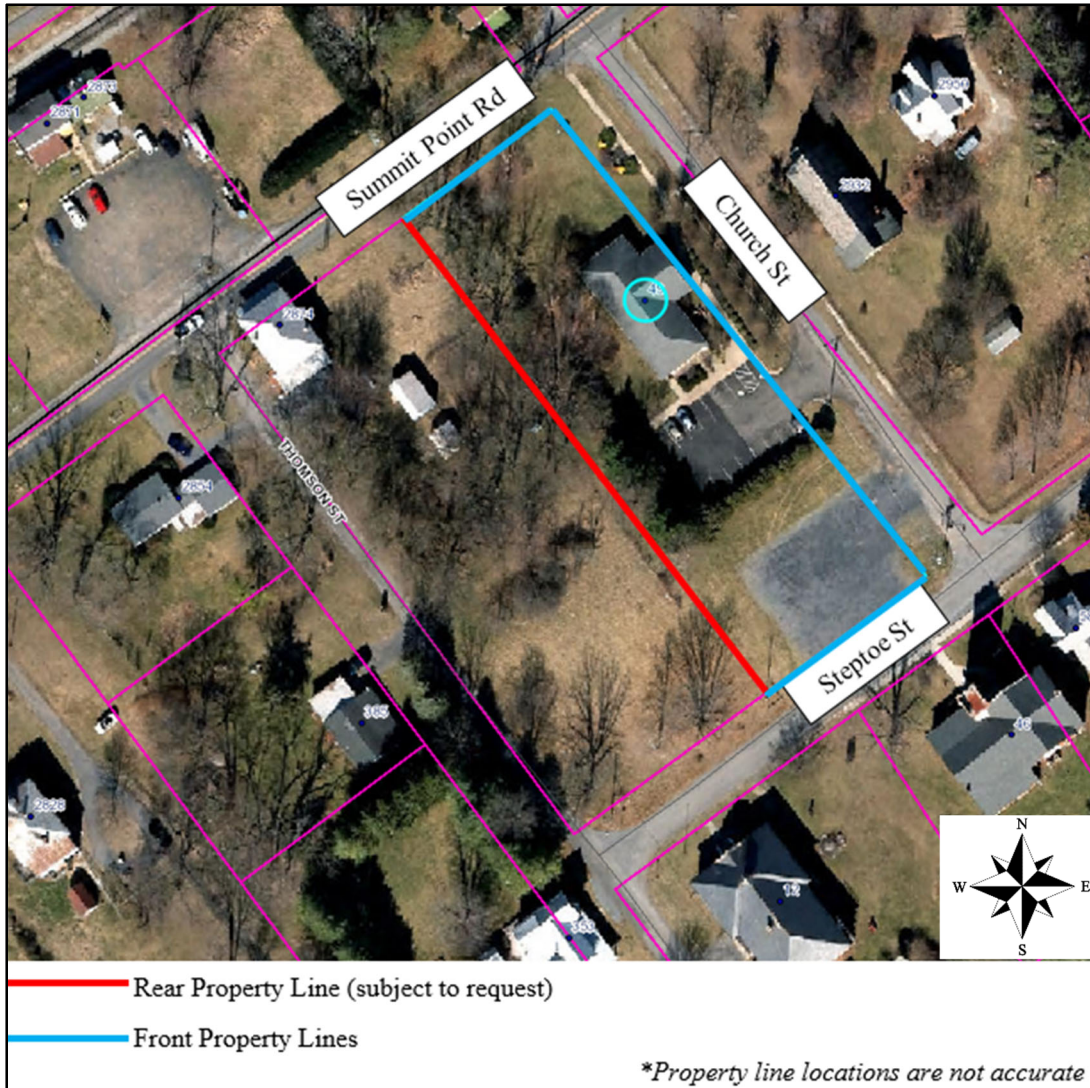
Owner/Applicant:	Summit Point Library Commission
Parcel Information and Zoning District:	<p style="text-align: center;">49 Church St., Summit Point, WV Parcel ID: 06016C00190001; Size: 1.35 acres; Zoning District: Village</p> 
Surrounding Properties:	<p style="text-align: center;">Zoning Map Designation: <i>North, South, East and West: Village</i></p>
History:	S02-02 Summit Point Library Site Plan
Waivers/Variances:	05/28/02: PC Variance from stormwater management requirements.
Approved Activity:	Public Library
Site Visit Conducted:	Site visit not conducted. Placard photos submitted 01-08-23.

Staff Overview

The subject parcel is comprised of approximately 1.35 acres. The request is to modify the landscape buffer requirement along the 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 portion of the property line to accommodate stormwater management features.

The purpose of the landscape buffer requirement is to reduce the impact that a land use might cause to an adjacent property by serving as a barrier to visibility, airborne particles, glare, or noise.

Staff Report
Jefferson County Board of Zoning Appeals
January 26, 2023
23-3-ZV: Summit Point Library Variance Request

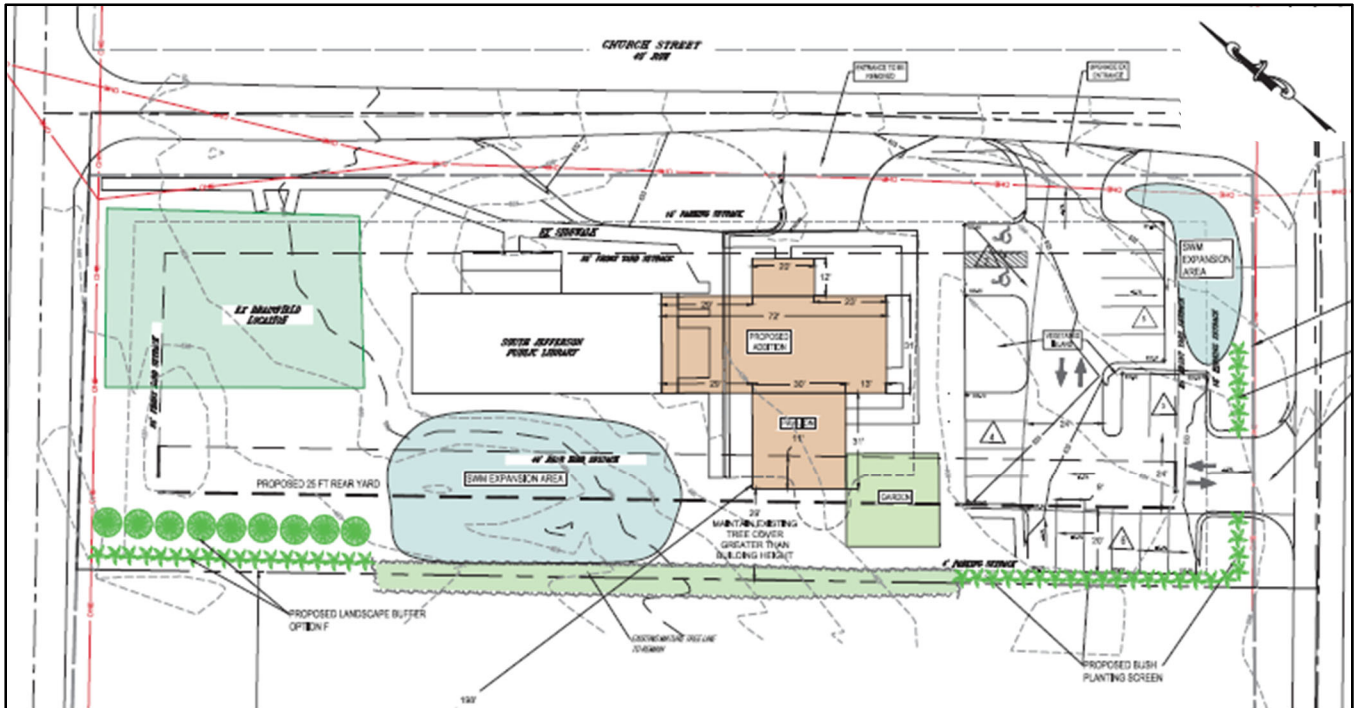


The original library building was constructed in 2002. Some landscaping was installed/retained during the original construction of the library in 2002. There is an approved septic reserve area along the northern portion of the property, which prohibits expansion in that location.

The proposed expansion includes a 72' x 31' linear expansion off the southern end of the building, extending toward Steptoe Street, and maintaining the 60-foot setback from the rear property line. In addition to the linear expansion, a 30' x 31' pavilion is proposed to be constructed off of the aforementioned addition, and will be approximately 25-feet from the rear (western) property line (see applicant's sketch on page 3).

The applicant has represented that the addition will be approximately 198' from the existing residence located on the adjoining lot. As the applicant has also noted, the lot is unique in that it fronts on three roads. The request includes eliminating a portion of the buffer screen to accommodate stormwater management features. No buildings or parking will be located within the stormwater management area and trees are not permitted within the stormwater management area.

Staff Report
Jefferson County Board of Zoning Appeals
January 26, 2023
23-3-ZV: Summit Point Library Variance Request



Conditions of Approval

Should the Board choose to approve this request, possible conditions of approval include:

1. No conditions of approval were identified.

SECTION OF ORDINANCE TO BE CONSIDERED:

Appendix B

APPENDIX B: NON RESIDENTIAL SITE DEVELOPMENT STANDARDS TABLE^{27, 32, 35}

Zoning District	Development Type [⊖]	Min Lot Area (MLA)	Min Lot Width	Max Building Height*	Imper-vious Surface Limit	Building Setbacks		Parking/ Drive Aisle Setbacks			Buffers (Sec. 4.11) (Screened / Unscreened) Adjacent Use							
											A Residential district, or any lot with a residence, school, church, or institution of human care (Distance per Sec. 4.6)						Commercial Use	
						Front	Side	Rear	Front	Side	Rear	Distance Front Side Rear	Front	Side & Rear	Front	Side & Rear	Front	Side & Rear
Industrial – Commercial (IC) **	Commercial sites 1.5 acres and smaller	N/A	N/A	75	80%	25			15	4	4	75	Street Trees	Narrow Buffer Detail No. M-54	N/A	10(S)	N/A	10(S)
	Commercial sites greater than 1.5 acres	N/A	N/A	75	80%	25			15	10	10	75	Street Trees	Medium Buffer Detail No M-53	N/A	10(S)	N/A	10(S)
	Industrial	3 ac ***	N/A	75	90%	50 or 25 if adjacent to Industrial Use			25 or 20 if adjacent to Industrial Use			200	Street Trees	Wide Buffer Detail No. M-52	25(S)	20(S)	N/A	20(S)
Residential-Light Industrial-Commercial (RLIC)	Commercial or Industrial	N/A	N/A	75	80%	See IC District												
Rural (R)	Churches	2 acres	200	45	N/A	25	50	50	See IC District for commercial sites			N/A	50(U) or 15 (S)	N/A	10(S)	N/A	10(S)	
	Schools, Grades K-12	K-4: 10 ac+ 5-8: 20 ac+ 9-12: 30 ac+	500	45	N/A	100						N/A	N/A	N/A	N/A	N/A	N/A	
	Hospitals	10 ac	500	45	N/A	100						N/A	N/A	N/A	N/A	N/A	N/A	
	Other Rural principal permitted uses	40,000	100	45	N/A	40	50	50				N/A	See I-C District for commercial or industrial use; Otherwise, N/A					
	Commercial or Industrial**	See IC District																
Village (V)	Commercial [¥]	N/A	N/A	35	N/A	25	10	40	See IC District									
	Industrial**	See IC District			35	See IC District												
Residential Growth (RG)	Commercial or Industrial**	See IC District			35	See IC District												
Neighborhood Commercial (NC)	Commercial	N/A	N/A	35	70%	15 min 25 max	10 [£]	10 [⊖]	See I-C District		25	See IC District						
General Commercial (GC)	Commercial	N/A	N/A	75	80%	20	10	25	See IC District									
Highway Commercial (HC)	Commercial	N/A	N/A	75	80%	25	25	25										
Light Industrial (LI)	Commercial or Industrial	N/A	N/A	75	80%	25	25	25										
Major Industrial (MI)	Commercial	N/A	N/A	75	90%	25	10	50										
	Industrial	3 ac ***	N/A	75	90%	25	50	50										
Office/Commercial Mixed Use (OC)	Commercial	N/A	N/A	75	80%	15 min 25 max	10 [£]	10 [⊖]	See IC District									
Planned Neighborhood Development (PND)	Commercial	3 acres	See GC District Note: Planning Commission may amend development standards for developments in the PND District (see Article 5).															

The requirements in this table are in addition to any other applicable requirements in the text of this Ordinance. In the event of a conflict with the text, this table shall prevail.

All dimensions are in feet unless otherwise indicated by “ac” (acres).

* Maximum building height is subject to Sec. 9.2.

** If land use(s) approved via the Conditional Use process in accordance with this Ordinance.

*** MLA for Industrial uses does not apply if the site is located in an approved Industrial Park [Source: Sec. 5.6E]

**** Schools in Rural district: Plus one (1) additional acre for every 100 pupils. Minimum lot size for Vocational Schools shall be based on State of West Virginia Code. If a sewer treatment plant and retention ponds are required, acreage shall be increased accordingly.

¥ Non-Residential Site Development in an existing structure in the Village District shall comply with Section 5.10A.2.

‡ Setback may be reduced if adjacent to industrial use.

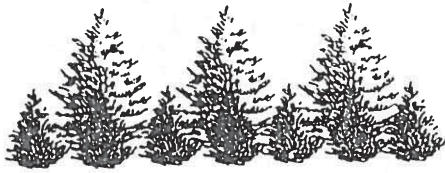
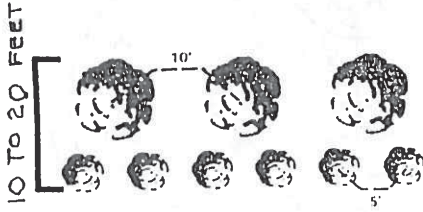
⊕ For an industrial use, no structures, stored materials, or vehicular parking shall be permitted within the buffer yard. For a commercial use, no structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers.

⊖ A rear yard setback may be reduced to 10' for a non-residential use abutting a commercial or industrial use at a rear lot line

⊖ Churches in any district: (1) are treated as a commercial use on a lot of greater than 1.5 acres in determining buffer requirements and parking/drive aisle setbacks; (2) building setbacks are 25' (front) and 50' (side/rear); and (3) distance requirements do not apply.

£ For a non-residential use abutting a commercial or industrial use, no side yard setback is required, unless required by Building Code or other law or regulation.

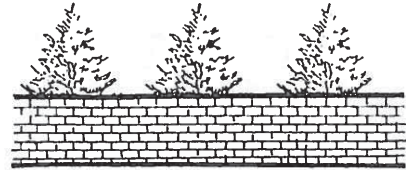
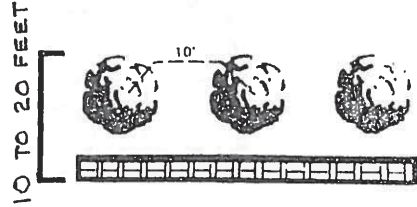
TOP VIEW OF PLANTINGS



FRONT VIEW OF ULTIMATE GROWTH

OPTION F

TOP VIEW OF PLANTINGS



FRONT VIEW OF ULTIMATE GROWTH

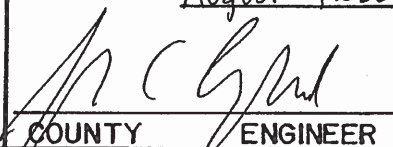
OPTION G

OPTION F

Planting Description - one row of evergreen shrubs with a height of two (2) feet or more when planted, likely to reach a height of six (6) feet or more at maturity, planted every five (5) linear feet; one row of medium evergreen trees with a height of six (6) feet or more when planted, likely to reach a height of twenty (20) feet or more at maturity, planted every ten (10) linear feet.

OPTION G

Planting Description - one row of medium evergreen trees with a height of six (6) feet or more when planted, likely to reach a height of twenty (20) feet or more at maturity, planted every ten (10) linear feet; and a solid board fence, masonry or brick wall with a height of six (6) feet.

JEFFERSON COUNTY, WEST VIRGINIA	APPROVED: August 8, 1990	screen planting narrow buffer	REVISIONS:	DETAIL No.	
			_____	_____	
			COUNTY	_____	_____
			ENGINEER	_____	_____
			M -54		



JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 716
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: 23-3-ZV
 Staff Initials: grl
 Meeting Date: 01-26-23
 Fees Paid (\$100 or \$150): 100-

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Zoning Variance Request

Variances from the Zoning and Land Development Ordinance must comply with Article 8A-7-11 of the WV State Code. A variance is a deviation from the minimum standards of the ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district, nor shall it involve changing the zoning classification of a parcel of land.

Property Owner Information

Name: SUMMIT POINT LIBRARY COMMISSION
 Mailing Address: 49 CHURCH STREET, SUMMIT POINT, WV 25446
 Phone Number: (304) 725-6227 Email: _____

Applicant Contact Information

Name: Edmond Uzan
 Mailing Address: 49 CHURCH STREET, SUMMIT POINT, WV 25446
 Phone Number: (304) 264-4063 Email: _____

Applicant Registered Engineer(s), Surveyor(s), or Consultant(s)

Name: Christopher Waddell
 Mailing Address: 362 W Burr Blvd, Suite 3, Kearneysville, WV 25430
 Phone Number: (681) 209-7574 Email: cwaddell@jhacompanies.com

Physical Property Details

Physical Address: 49 CHURCH STREET, SUMMIT POINT, WV 25446
 City: SUMMIT POINT State: WV Zip Code: 25446
 Tax District: Kabletown District Map No: 016C Parcel No: 06 16C001900010000
 Parcel Size: 1.35 Deed Book: 797 Page No: 630

Zoning District (please check one)

Residential Growth (RG) <input type="checkbox"/>	Industrial Commercial (IC) <input type="checkbox"/>	Rural (R) <input type="checkbox"/>	Residential- Light Industrial- Commercial (R-LI-C) <input type="checkbox"/>	Village (V) <input checked="" type="checkbox"/>	Neighborhood Commercial (NC) <input type="checkbox"/>	General Commercial (GC) <input type="checkbox"/>	
RECEIVED			Highway Commercial (HC) <input type="checkbox"/>	Light Industrial (LI) <input type="checkbox"/>	Major Industrial (MI) <input type="checkbox"/>	Planned Neighborhood Development (PND) <input type="checkbox"/>	Office/Commercial Mixed-Use (OC) <input type="checkbox"/>
JAN 06 2023 JEFFERSON COUNTY PLANNING ZONING & ENGINEERING <small>Place Received Date Stamp Here</small>							

On a separate sheet of paper, provide a sketch showing the shape and location of the lot indicating all roads, rights of way, and easements. Show the location of the intended construction or land use indicating building setbacks (i.e. the distance of the structure from all property lines), size, and height. Identify all existing buildings, structures, or land uses on the property. The sketch should show the full extent of the property. Sign and date the sketch.

Is there a Code Enforcement action pending in relation to this property? Yes No

Reference the section of the Zoning Ordinance pertaining to this request: Section 4.11

Briefly describe the nature of the variance request:

This variance request in being made to minimize/alter landscape buffer. The request would be to utilize ample existing mature vegetation to satisfy the requirement. In the parking area, we would like to reduce the buffer area to 4 feet, with shrubs planted along this portion of property line and toward Steptoe Street.

If this request is for a setback variance, please check one of the following:

Front Setback Side Setback Rear Setback Reduction From _____ to _____

Please explain why granting the variance will NOT adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents:

Based on aerial imagery provided there is ample vegetation along on the western property line except toward Steptoe Street. The encroachment into buffer yard beside parking lot will add shrubs where there was no vegetation along western property line and toward Steptoe Street.

In what way does this request arise from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance?

None

How will granting this variance eliminate an unnecessary hardship and permit a reasonable use of the land?

This is a non-profit use that is planning to add resources to the community. Installing buffer per detail would require the removal of mature vegetation, and the need to relocate existing stormwater area.

How will granting this variance allow the intent of the Zoning Ordinance to be observed and substantial justice to be done?

The granting of this variance will still provide adequate landscaping/planting spacing from the adjoining landowner, thus not infringing on their property. Also, this addition will provide the public a better area to enjoy the library and the services it provides to the community.

Original signature is required. If additional signatures are necessary, please attach a separate piece of paper.

By signing this application, I give permission for the Office of Planning and Zoning staff to walk onto the subject property, if necessary, in order to take photos for the Board of Zoning Appeals staff reports. The information given is correct to the best of my knowledge.

 1-6-2023
Signature of Property Owner Date

Signature of Property Owner Date

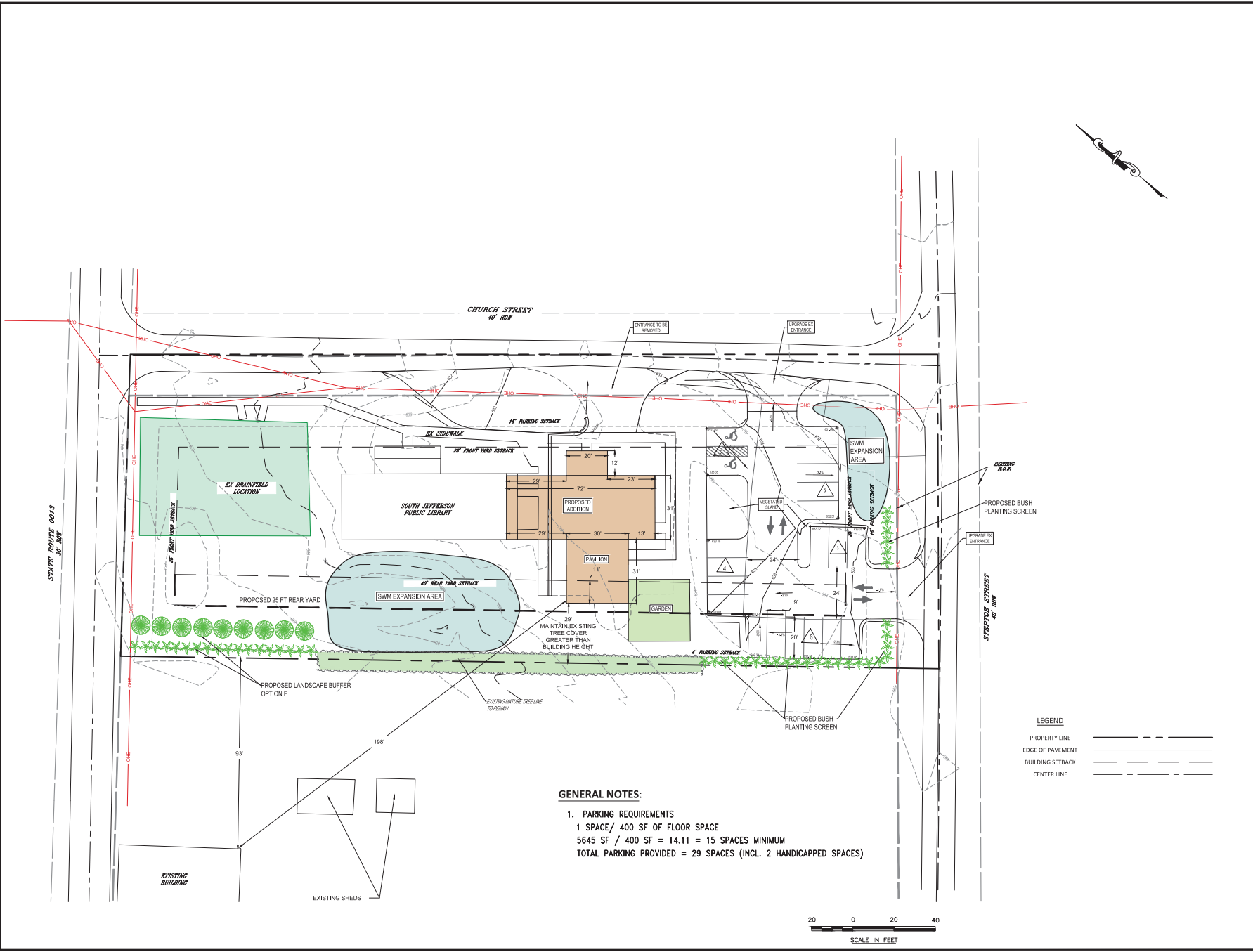
Notification Requirements (to be completed by staff)

Notice of a public hearing for an appeal shall be advertised in a newspaper having general circulation in the County at least 15 days before the hearing. The subject property shall be posted conspicuously by a zoning notice no less than 28" x 22" in size, at least 15 days before the hearing (pursuant to the Zoning and Land Development Ordinance Section 6.1B).

01-26-23
Date of Public Hearing

01-11-23
Advertising Date

01-11-23
Placard Posting Date

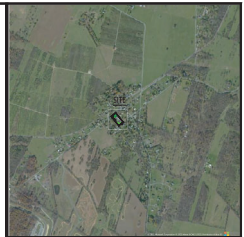
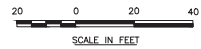


GENERAL NOTES:

1. PARKING REQUIREMENTS
 1 SPACE / 400 SF OF FLOOR SPACE
 $5645 \text{ SF} / 400 \text{ SF} = 14.11 = 15 \text{ SPACES MINIMUM}$
 TOTAL PARKING PROVIDED = 29 SPACES (INCL. 2 HANDICAPPED SPACES)

LEGEND

PROPERTY LINE	_____
EDGE OF PAVEMENT	_____
BUILDING SETBACK	_____
CENTER LINE	_____



LOCATION MAP
SCALE: 1" = 200'

NO.	DATE	DESCRIPTION	BY
1	1-18-22	REV. PLANNING LOGS	JAB
2	2-28-22	REV. PLANNING LOGS	JAB

CALL BEFORE YOU DIG!
 WEST VIRGINIA RESOURCES
 3 WORKING DAYS NOTICE FOR CONSTRUCTION PHASE
 10 WORKING DAYS IN DESIGN STATE
 20% CALL
 West Virginia One Call System, Inc.
WEST VIRGINIA 811
YOU DIG! Dial 811 or 800.245.4848
 SERIAL NO.



717-827-6599
 362 W BURR BLVD SUITE 3
 KEARNEYSVILLE, WV 25430
 PA • OH • NY • WV • VA • MD

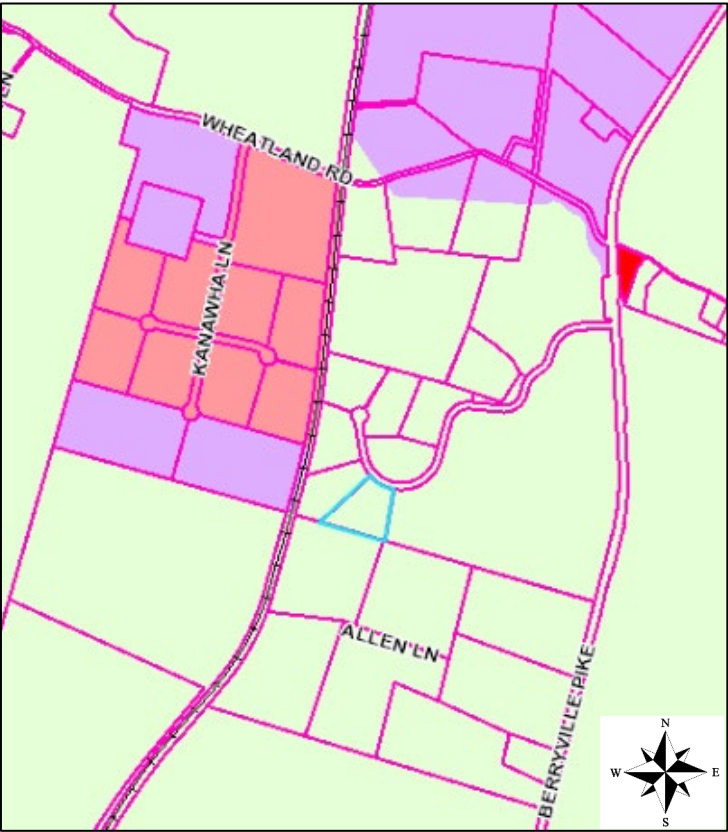
PROJECT NO:	2021-0359	SJPL	DATE:	2022-03-08	
SCALE:	NOTED	DRAWN:	JAB	DESIGNED:	CLW

LIBRARY ADDITION
 SOUTH JEFFERSON PUBLIC LIBRARY
 LOCATED IN
 KABLETON DISTRICT, JEFFERSON COUNTY, WEST VIRGINIA

TITLE:	JEFFERSON COUNTY, WV
PLAN NUMBER:	SITE PLAN
SHEET NO.:	1

Staff Report
 Jefferson County Board of Zoning Appeals
 January 26, 2023
23-2-ZV Swaldo Variance Request

Item #3 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.

Owner/Applicant:	Jody and Barry Swaldo
Parcel Information and Zoning District:	<p style="text-align: center;">The Woods at Wheatland Subdivision, Lot #7 449 Jenkins Hill Road, Charles Town, WV Parcel ID: 06001200160012; Size: 3 acres; Zoning District: Rural</p> 
History:	10/21/08: The Woods at Wheatland Subdivision recorded in PB 25, PG 73 07/01/11: Final Plat Minor Plat Change recorded in PB 25, PG 286
Waivers/Variations:	None
Approved Activity:	Single Family Residence
Site Visit Conducted:	Site visit not conducted

Staff Overview

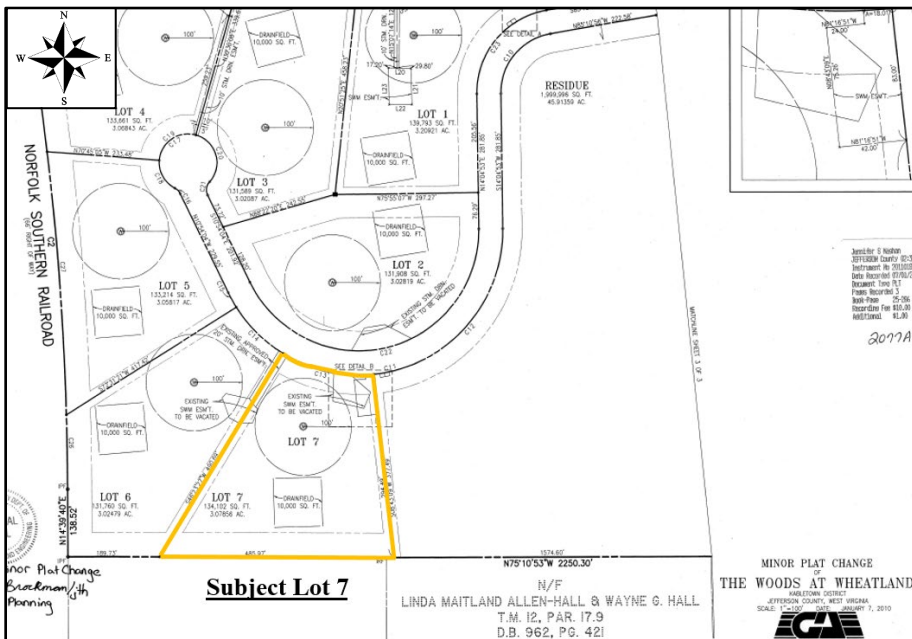
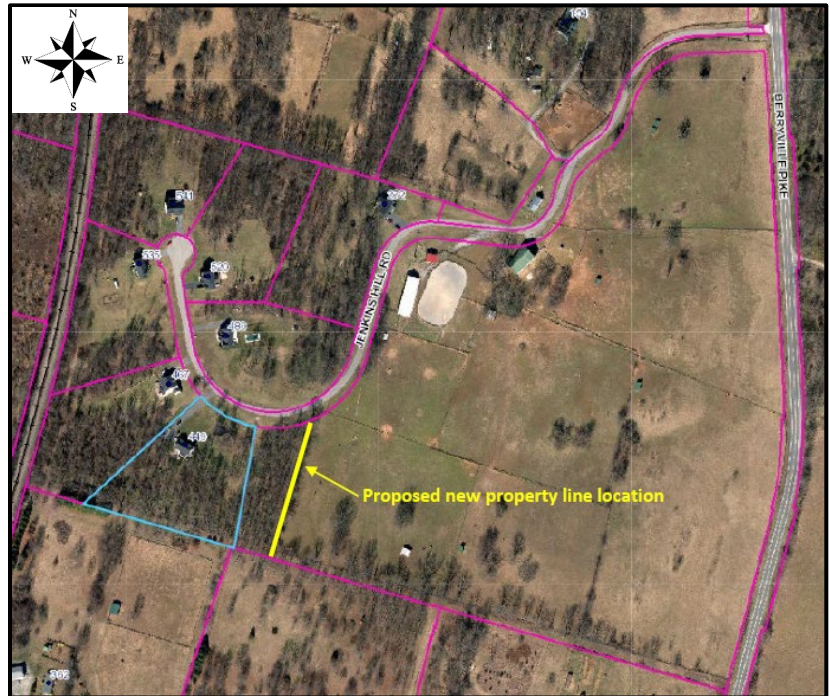
The subject parcel is designated as Lot 7 of the Woods at Wheatland Subdivision (PC File #07-22). Pursuant to Section 5.7D.2 of the Zoning Ordinance (amended 09/28/06), the required maximum lot size to process a cluster subdivision was 3 acres.

The purpose of the maximum lot size criteria was to preserve agricultural land and maintain the rural character of the County while allowing low-density development to occur.

Staff Report
 Jefferson County Board of Zoning Appeals
 January 26, 2023
23-2-ZV Swaldo Variance Request

It should be noted that if the boundary line adjustment were proposed for an adjoining lot outside of the approved subdivision, the subject variance would not be required; however, because the request is to increase the three-acre maximum lot size requirement of one of the existing lots in the approved subdivision, Staff determined that a variance from the maximum lot size standard would be required.

The boundary line adjustment will not increase the development rights for Lot 7 because only the residue parcel retains the right to further subdivide. The reduction in acreage for the residue parcel will not impact the ability to continue farming activities, should the property owner choose to continue farming the land.



Staff Report
Jefferson County Board of Zoning Appeals
January 26, 2023
23-2-ZV Swaldo Variance Request

Conditions of Approval

Should the Board choose to approve this request, possible conditions of approval include:

1. A boundary line adjustment plat and deed will be required to process in accordance with Section 20.106 of the Subdivision Regulations.

Section of Ordinance to be Considered

Section 5.7 Rural District

2. Clustering

b. Requirements

7. Maximum lots size shall be 3 acres.

[AMENDED BY ACT OF THE COUNTY COMMISSION,
EFFECTIVE APRIL 8, 2005 AT 5:00 P.M.]

Additional Attachments

Approved Community Impact Statement for The Woods at Wheatland Subdivision (PC File #07-22)

THE WOODS AT WHEATLAND
JEFFERSON COUNTY, WEST VIRGINIA
COMMUNITY IMPACT STATEMENT

1. Name and address of owner/developer:

County Green, LLC
835 East Washington Street, Suite 105
Charles Town, WV 25414
304-728-0146

2. Name and address of contact person:

William H. Gordon Associates, Inc.
301 North Mildred Street, Suite 1
Charles Town, WV 25414
Attn: Chad Wallen
304-725-8456

3. Tract size, shape, location and zoning:

The proposed subdivision is located in the Kabletown Tax District, Map 12, Parcel 16 (Deed Book 797, Page 485). The parcel has a total acreage of approximately +/-70.6 acres and is irregular in shape. The subject property is located within the rural zoning district and will be developed using the rural residential cluster development provision found in Section 5.7(d)2 of the Jefferson County Zoning & Land Development Ordinance. The property is approximately 4 miles southwest of Charles Town, located west of Berryville Pike (Route 340). Access to the proposed lots will be provided through internal subdivision roads, accessed from Berryville Pike (Route 340).

See Appendix A, Exhibit 1 – Tract Location Map

4. Project Design and Layout:

The subject property will be a rural cluster development as defined under Section 5.7.d.2 of the Jefferson County Zoning & Land Development Ordinance. This development will contain 7 single-family lots and a residue parcel; the allowable density for a rural cluster development is 1 residential lot per every 10 acres of the subject property. General criteria under this section are:

- Maximum lot size (excluding residue parcel) 3.0 acres
- Minimum lot size 40,000 sf
- All clusters of three (3) or more lots shall be served by an internal subdivision road.

The residue parcel will contain all lands exclusive of the proposed lots, roads, open space areas and land required to meet Jefferson County Subdivision Ordinance criteria. It is anticipated that the residue parcel will be approximately 46.6 acres in size or greater. It will be noted on the Preliminary and Final Plat that "*the land lies within an approved rural cluster development and no further subdivision of the remaining land is permitted unless the property is placed in another zone or further subdivision is allowed by ordinance or regulation*".

Jefferson County, West Virginia
Community Impact Statement
The Woods at Wheatland
September, 2007

The proposed layout includes 7 single-family lots and a residue parcel on which existing barns and other farm use buildings are located. No residential structure currently exists on the property and one residential dwelling may be located on the residue parcel. The proposed residential lots have been located in the wooded area of the property to the west, which abuts the Norfolk & Western Railroad and residential/agricultural land on adjacent properties. The location of the proposed lots will minimize disturbance to the existing farmlands located on the eastern portion of the property adjacent to Route 340. Existing vegetation and distance from Route 340, will aide in preserving the rural views of the property from Route 340, while providing a desirable community containing older vegetation on the wooded lots.

There is an existing 40' easement on the northern boundary, which currently provides access to three adjacent parcels (parcels 16.3, 16.4 & 16.5) and the subject property. The proposed road will serve a total of 11 parcels (3 adjacent, 7 proposed & 1 residue). This easement may be modified or abandoned to meet Jefferson County and WVDOH criteria. Adjacent parcels using this easement will be provided access to their parcels at all times during and after the construction process. The subdivision road will contain a gravel surface meeting Jefferson County Subdivision Ordinance criteria. A paved surface may be implemented as determined at final engineering.

The existing and proposed entry to the property is located in the FEMA 100-year floodplain. Upon final engineering and potential floodplain study, the entry road may be relocated to avoid the existing FEMA floodplain.

Stormwater management will be provided in accordance with section 8.2.c of the Jefferson County Subdivision Ordinance. If practical, and supported by staff, the Applicant may seek cooperation from Jefferson County engineering staff to utilize low impact design techniques for stormwater management. Low impact design techniques may include, but are not limited to, water quality control measures such as bio-retention areas, infiltration trenches and grass swales. These facilities will be designed during the preparation of the preliminary plat. Storm water management areas may be provided within an easement located on the residue parcel

All lots will contain individual well and septic. Approval of these facilities will need to be permitted through the Jefferson County Health Department as part of the preliminary plat.

See Appendix A, Exhibit 8 – CIS Sketch Plat

5. Number, approximate size and location of proposed lots:

Total number of lots	7
Residue	1

Lot Area Calculations

*Minimum Single Family Lot Area Requirement	40,000 s.f.
*Maximum Single Family Lot Area Requirement	3.0 ac

**(Lots may vary in size but must have a minimum area per dwelling unit of 40,000 s.f. and a maximum area of 3 acres for single-family lots per Jefferson County Zoning Ordinance.)*

Average lot area	3.0 ac
Largest lot area (excluding residue)	3.0 ac
Smallest lot area	3.0 ac

Total Lot Area (excluding residue)	21.0+/- ac
Residue Parcel	46.6+/- ac
<u>Subdivision Roads</u>	<u>3.0+/- ac</u>
Area of subject property	70.6± ac

*** Lot / areas for planning purposes only and may vary with final engineering or site topography constraints.
 *** Residue may contain storm water management facilities.*

Land for Parks and Recreation (Section 12.0 Jefferson County Subdivision Ordinance)

An average lot size of three acres will provide on-lot opportunities for recreational activities. Per Section 12 of the Jefferson County Subdivision Ordinance, land reservation for parks & recreation is not required for developments containing a density less than 2 dwelling units per acre. This development currently does not include a parks and recreation component.

Parcel Area	70.6+/- ac
Dwelling Units	8 (including residue)
Dwelling Units Per Acre	0.114

This development will generate an estimated \$6,008.00 in Parks & Recreation impact fees.
 (8 single-family homes x \$751.00 impact fee = \$6,008.00)

6. General description of surface conditions (topography):

Two distinctive land types characterize the subject property. Open fields / pastures can be found on the central and eastern portions of the property adjacent to Route 340. The western portion of the property contains a forested area consisting of deciduous trees and understory growth.

Slopes on the subject property range from relatively flat, to slopes over 20%. Generally the property slopes towards the northern property line. Near the center of the property is a ridgeline, running northsouth, which directs the property's drainage to two locations: the existing entrance to Route 340 and an area near the center of the northern boundary line. Lesser areas of the property drain to the adjacent properties via sheet flow. See the existing conditions map for a graphical representation of the drainage patterns.

The highest elevation on the subject property is approximately 525 feet and can be located approximately 200 feet from the western boundary line in the northwest corner of the property.



JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 716
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: 23-2-ZV
 Staff Initials: gt
 Meeting Date: 1/26/23
 Fees Paid (\$100 or \$150): 100-

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Zoning Variance Request

Variations from the Zoning and Land Development Ordinance must comply with Article 8A-7-11 of the WV State Code. A variance is a deviation from the minimum standards of the ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district, nor shall it involve changing the zoning classification of a parcel of land.

Property Owner Information *Applicant

Name: GONTAREK, STANLEY & SUSAN M. CHRISTIAN
 Mailing Address: VACANT - RESTORE LOT, JENKINS HILL RD, CHARLES TOWN
 Phone Number: 540-454-2902 Email: SUEMCHRISTIAN@HOTMAIL.COM

Applicant Contact Information *Property Owner

Name: SWALOO, BARRY A. & JODY M. SWALOO
 Mailing Address: 449 JENKINS HILL RD. CHARLES TOWN, WV 25414
 Phone Number: 330-620-9220 Email: barsdms1@msn.com

Applicant Registered Engineer(s), Surveyor(s), or Consultant(s)

Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Physical Property Details

Physical Address: Lot # 7, in 449, JENKINS HILL RD. CHARLES TOWN
 City: CHARLESTOWN State: WV Zip Code: 25414
 Tax District: 06 Map No: 12 Parcel No: 0016.0012
 Parcel Size: ~ 3 ac Deed Book: 1145 Page No: 10

Zoning District (please check one)

Residential Growth (RG) <input type="checkbox"/>	Industrial Commercial (IC) <input type="checkbox"/>	Rural (R) <input checked="" type="checkbox"/>	Residential- Light Industrial- Commercial (R-LI-C) <input type="checkbox"/>	Village (V) <input type="checkbox"/>	Neighborhood Commercial (NC) <input type="checkbox"/>	General Commercial (GC) <input type="checkbox"/>	
<p align="center">RECEIVED</p> <p align="center">DEC 14 2022</p> <p align="center">JEFFERSON COUNTY PLANNING ZONING & ENGINEERING</p>			Highway Commercial (HC) <input type="checkbox"/>	Light Industrial (LI) <input type="checkbox"/>	Major Industrial (MI) <input type="checkbox"/>	Planned Neighborhood Development (PND) <input type="checkbox"/>	Office/Commercial Mixed-Use (OC) <input type="checkbox"/>

On a separate sheet of paper, provide a sketch showing the shape and location of the lot indicating all roads, rights of way, and easements. Show the location of the intended construction or land use indicating building setbacks (i.e. the distance of the structure from all property lines), size, and height. Identify all existing buildings, structures, or land uses on the property. The sketch should show the full extent of the property. Sign and date the sketch.

Is there a Code Enforcement action pending in relation to this property? Yes No

Reference the section of the Zoning Ordinance pertaining to this request: SECTION 5.7d.2

Briefly describe the nature of the variance request: *2 acres (per 01/04/23 applicant email)

WE WOULD LIKE TO REMOVE APPROXIMATELY 1.5 ACRES* FROM 06001200160000 AND ADD IT TO 06001200160012. WHICH WILL RESULT IN A LOT LARGER THAN 3 ACRES.

If this request is for a setback variance, please check one of the following:

Front Setback Side Setback Rear Setback Reduction From _____ to _____

Please explain why granting the variance will NOT adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents:

THE PROPERTY IS A VACANT WOODED AREA NOT BEING USED FOR ANY PURPOSE.

In what way does this request arise from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance?

PROPERTY IS NOT BEING USED FOR PASTURE SO WE ARE WANTING TO CLEAR IT FOR PROPERTY PURPOSES.

How will granting this variance eliminate an unnecessary hardship and permit a reasonable use of the land?

CURRENTLY THERE IS NO HARSHSHIP, BUT IT WILL PERMIT THE LAND TO BE CLEARED & MAINTAINED.

How will granting this variance allow the intent of the Zoning Ordinance to be observed and substantial justice to be done?

THIS WILL ALLOW THE LAND TO BE UTILIZED FOR ITS BEST USE.

Original signature is required. If additional signatures are necessary, please attach a separate piece of paper.

By signing this application, I give permission for the Office of Planning and Zoning staff to walk onto the subject property, if necessary, in order to take photos for the Board of Zoning Appeals staff reports. The information given is correct to the best of my knowledge.

 12/14/22
Signature of Property Owner Date

Signature of Property Owner Date

Notification Requirements (to be completed by staff)

Notice of a public hearing for an appeal shall be advertised in a newspaper having general circulation in the County at least 15 days before the hearing. The subject property shall be posted conspicuously by a zoning notice no less than 28" x 22" in size, at least 15 days before the hearing (pursuant to the Zoning and Land Development Ordinance Section 6.1B).

01/26/23
Date of Public Hearing

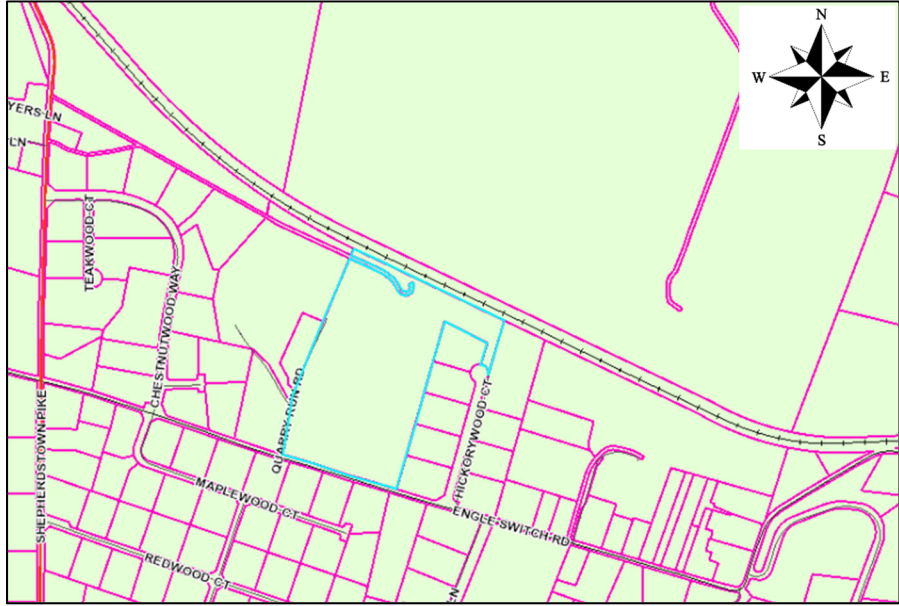
01/11/23
Advertising Date

01/11/23
Placard Posting Date

Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 January 26, 2023

23-1-CUP The Quarry (Special Event Facility) Conditional Use Permit Request

Item #4 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 Information and Zoning District:	<p style="text-align: center;">Mallard’s Paddle Place Subdivision, Lot 3 144 Quarry Run Road, Harpers Ferry, WV (Parcel ID: 04000400080000); Parcel Size: 21 acres; Project Size: 18 acres; Zoning District: Rural</p> 
Surrounding Properties:	Zoning Map Designation: North & South: Rural East & West: Rural
Approvals:	Mallard’s Paddle Place Subdivision recorded on 02/10/1992 in PB 10/PG 63 Bed and Breakfast Operation Zoning Certificate #22-48-ZC issued 08/11/22
Site Visit Conducted:	No.

Summary of Request and Purpose of Ordinance Requirements

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.

Article 2 defines Special Event Facility as:

A facility where special events are permitted to occur. Special event facilities are subject to a use agreement between a private group or individual and the facility owner. The facility owner may or may not charge a rental fee for the use of the facility. Facilities may operate entirely within a structure, entirely outside of a structure, or both inside and outside a structure.

Staff Report
Jefferson County Board of Zoning Appeals Meeting
January 26, 2023

23-1-CUP The Quarry (Special Event Facility) Conditional Use Permit Request

Article 2 defines Special Event as:

A gathering of individuals for the common purpose of attending a celebration, ceremony, reception, or similar activity for the benefit of someone other than the property owner. Private parties, gatherings, and similar activities that are not subject to a use agreement between a private individual or group and the property owner are not defined as a special event.

Property Description

The subject parcel is the residue parcel of the Mallard’s Paddle Place Subdivision, which was recorded on February 10, 1992 in Plat Book 10 at Page 63 (PC File #91-39). The lot is approximately 21 acres, which is surrounded by primarily residential development and an active farm. The northern property line is immediately adjacent to an active railroad.



The property is accessed off of Engle Switch Road (State Route 29) via a 50’ wide access easement (Quarry Run Road). Engle Switch Road is a 30’ wide state road (i.e. not a private / HOA subdivision road).

The property is buffered by existing trees along the northern and eastern property lines.

Conditional Use Permit Process

Section 6.3 of the Zoning Ordinance states:

“The Board of Zoning Appeals shall have the authority over the issuance or denial of a conditional use permit for uses listed as “Conditional Uses (CU)” in each zoning district. The Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed conditional use permit:”

The following General Standards shall be considered in approving or denying the CUP:

Staff Report
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23-1-CUP The Quarry (Special Event Facility) Conditional Use Permit Request

1. The proposed use is compatible with the goals of the adopted Comprehensive Plan. (Sec. 6.3A.1)

The subject parcel is shown as “Large Lot Residential” on the Envision Jefferson 2035 Comprehensive Plan’s Future Land Use Guide (see below) and it is outside of the County’s Residential Preferred Growth Area.



“...This Plan recommends eliminating the LESA system and modifying the CUP process for use exclusively for non-residential development projects in the Rural Zoning District.” (Page 24, Rural/Agricultural Areas)

“... This Plan further recommends amending the Zoning Ordinance to eliminate the LESA point system and to develop procedures that would allow the use of a more traditional CUP process in the Rural District for non-residential uses. This CUP process should require a public hearing before the Board of Zoning Appeals to determine if the use is compatible in scale and intensity with the rural environment and poses no threat to public health, safety, and welfare.” (Page 36, Rural Land Use)

23-1-CUP The Quarry (Special Event Facility) Conditional Use Permit Request

“Amend the Zoning Ordinance to eliminate the Land Evaluation Site Assessment (LESA) system and to modify the Conditional Use Permit (CUP) process in the Rural Zoning District, which would be used for compatible non-residential development only.” (Page 39, Recommendation #4.b – Rural Land Use Planning Recommendations (Goal 2))

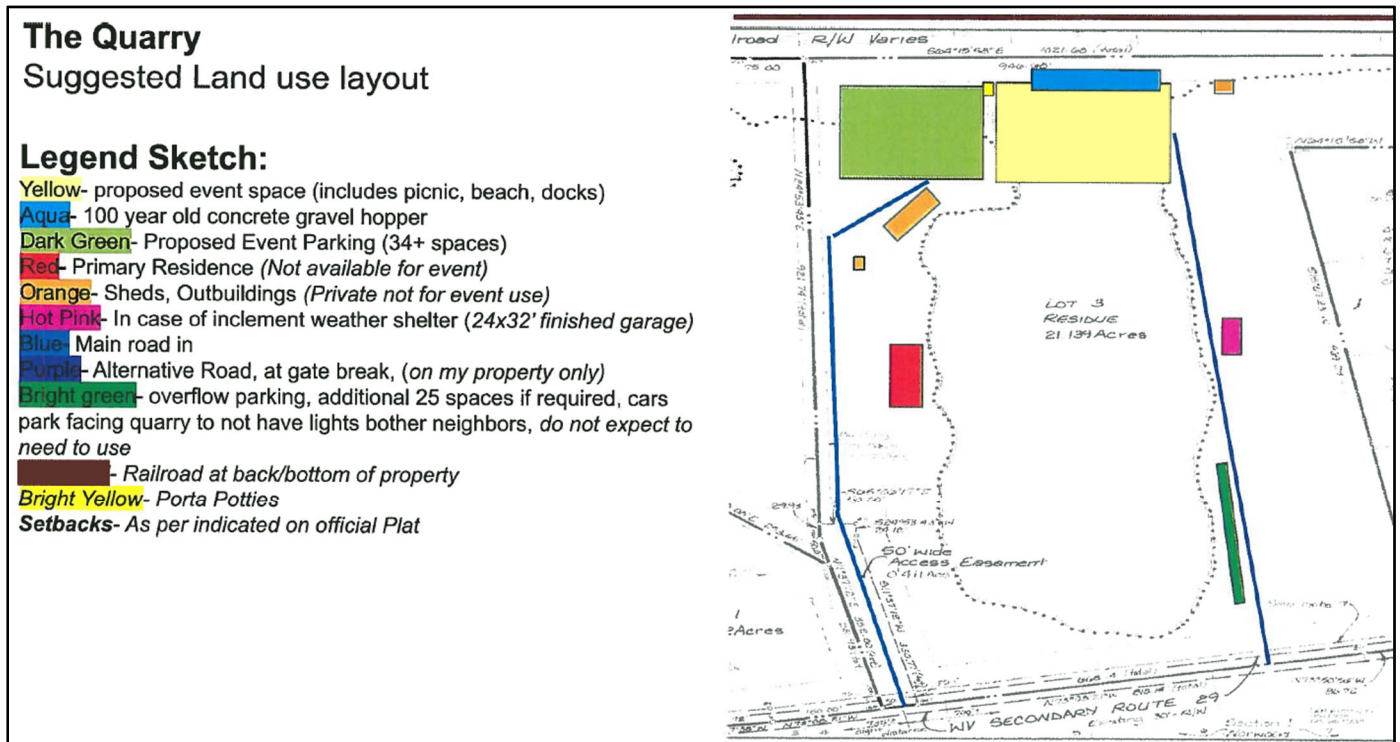
“Recommendation 5: Amend the Zoning and Land Development Ordinance to permit additional non-residential rurally compatible uses.

Recommendation 5b: Amend local land use regulations to permit non-agriculturally related commercial uses by the Conditional Use Permit (CUP) process in the Rural zone if the use is agriculturally and rurally compatible in scale and intensity, poses no threat to public health, safety, and welfare, and if the use helps to preserve farmland and open space and continue agricultural operations. (Page 77, Agricultural and Rural Economy Recommendations (Goal 8))”

2. The proposed use is compatible in intensity and scale with the existing and potential land uses on the adjoining and confronting properties, and poses no threat to public health, safety and welfare. (Sec. 6.3A.2)

The property is located off of State Route 29, Engle Switch Road. The property is surrounded primarily by residential development, with active railroad tracks to the north, and a farm beyond the railroad tracks.

No new buildings are proposed. Porta potties will be provided on site and will be serviced weekly. A tent will be erected for event space and a grass area located in the northern portion of the property will be utilized for parking (as opposed to installing gravel or asphalt parking). The applicant also stated that parking will be available for approximately 30 cars and that if additional vehicles are proposed, small group transport will be required.



23-1-CUP The Quarry (Special Event Facility) Conditional Use Permit Request

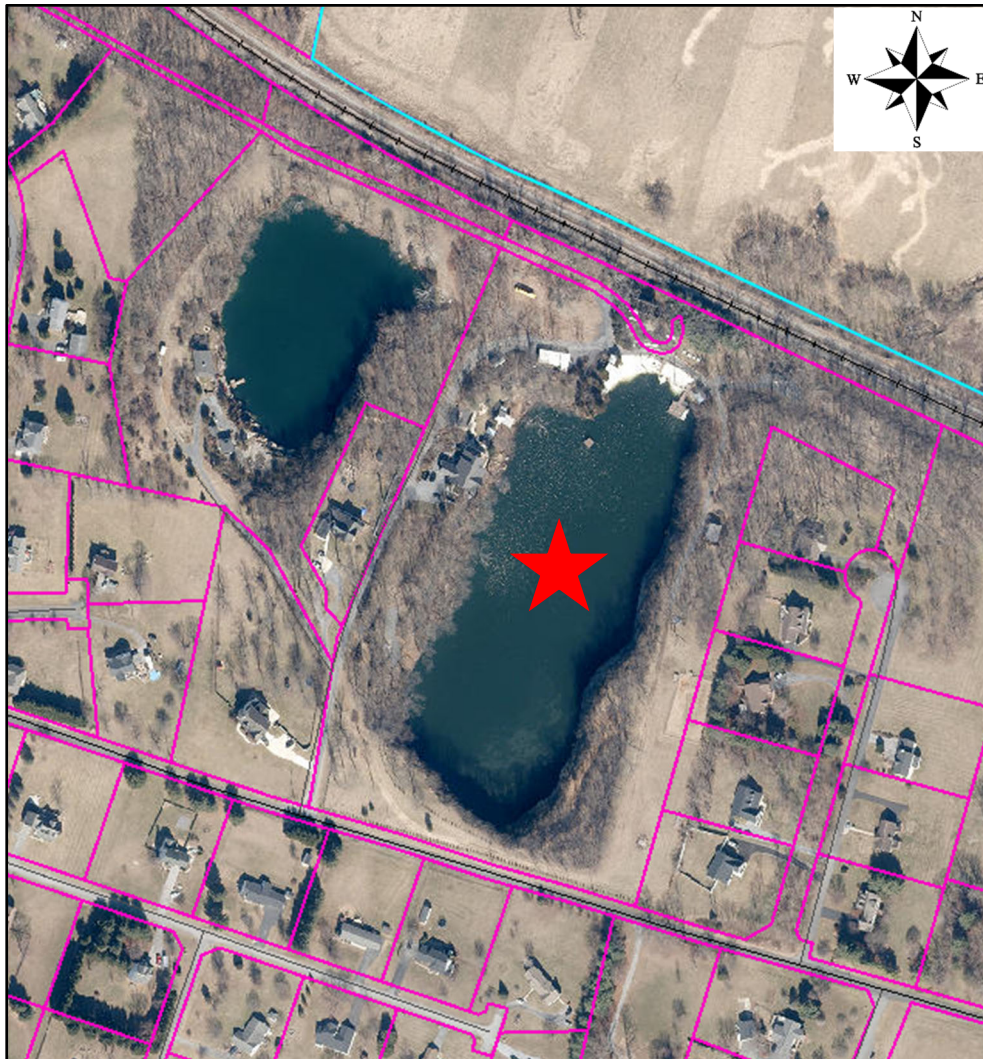
3. **The proposed site development shall be such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings. (Sec. 6.3A.3)**

Based on the information provided, the proposed site development will not hinder nor discourage the appropriate development and use of adjacent land and buildings.

4. **Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements found in Appendix B and Section 4.11 of this Ordinance. (Sec. 6.3A.4)**

As presented, a site plan **is not** required because there are no new buildings proposed and the applicant is proposing to utilize grass parking. If a site plan were required, the applicant would be required to install a 20' wide buffer along the western, northern, and eastern property lines, and would be required to install street trees along the southern property line (fronting Engle Switch Rd).

The Board has the authority to require that landscaping buffers be installed as a condition of approval. The applicant states on page 4 of their application, "I will ensure adherence to all relevant set-backs and ensure Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements as well as potentially cover the cost and construction of reasonable neighbor preferred additional screens if appropriate."



23-1-CUP The Quarry (Special Event Facility) Conditional Use Permit Request

5. Commercial and Industrial Uses shall be in conformance with Section 8.9 of this Ordinance. (Sec. 6.3A.5)

As part of the Conditional Use Permit application, the applicant was informed of this criteria and shall comply with this standard.

Section 8.9 Industrial and Commercial Uses²³

A. Industrial and commercial uses in all districts shall comply with the following standards:

1. Noise

All noise shall be muffled so as not to be objectionable due to intermitting, beat frequency, or shrillness. Noise levels shall not exceed the following sound levels dB(A). The sound-pressure level shall be measured at the property line with a sound level meter.

<u>Sound Measured In</u>	<u>DAY</u> 7 AM - 6 PM	<u>NIGHT</u> 6 PM - 7 AM
Adjoining Agricultural or Residential Growth District	60 dB(A)	50 dB(A)
Residential Uses in R-LI-C District	65 dB(A)	55 dB(A)
Commercial Uses	70 dB(A)	60 dB(A)
Light Industrial Uses adjacent to noise source	85 dB(A)	80 dB(A)

The following sources of noise are exempt:

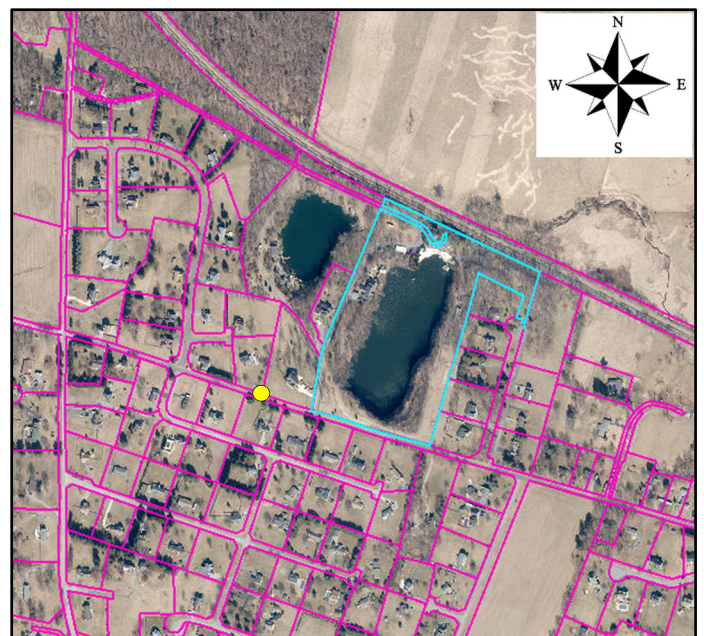
- a. Transportation vehicles not under the control of the industrial use.
- b. Occasionally used safety signals, warning devices and emergency pressure relief valves.
- c. Temporary construction activity between 7:00 a.m. and 7:00 p.m.

6. For properties in the Rural zoning district, roadway adequacy shall be assessed by the Comprehensive Plan’s Highway Road Classification Map. (Sec. 6.3A.6)

Engle Switch Road is classified as a Minor Collector (local) Road and is subject to this criteria. The applicant provided a summary of the expected traffic impact on page 4 of their application.

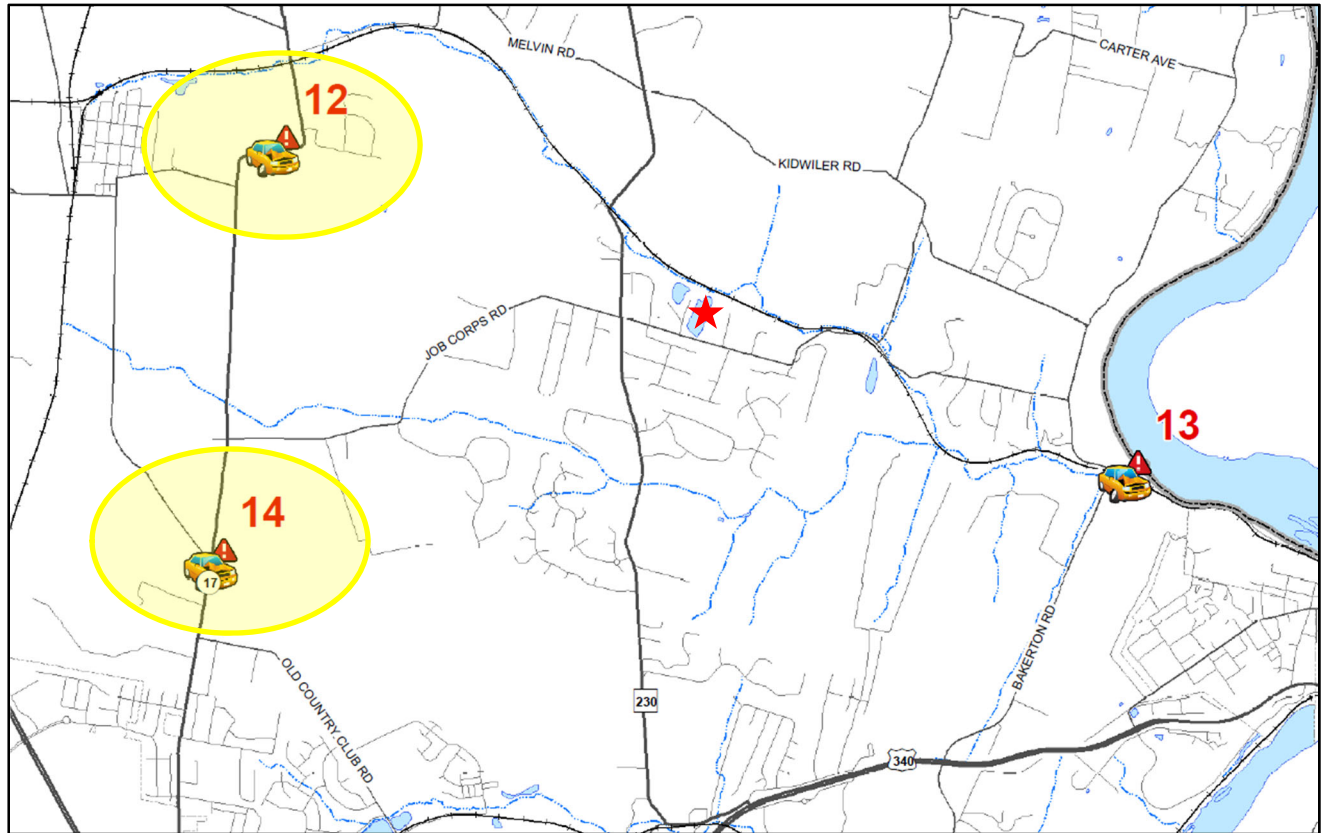
As a reference, a traffic count study was conducted by Department of Transportation in 2017 near the Engle Switch Rd/Chestnutwood Way intersection [●]. The study reflects that the annual average daily traffic count on Engle Switch Road (Station ID 193027) was 888 (Source: [2017 WVDOT AADT – Traffic County Study](#)).

Below is an excerpt from the Comprehensive Plan’s Highway Problem Areas Map followed by the map index.



Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 January 26, 2023

23-1-CUP The Quarry (Special Event Facility) Conditional Use Permit Request



Highway Problem Areas in Jefferson County			
Number	Route/Road	Location	Problem
1	Scrabble Road	1/4 mile West of Shepherherd Grade Road	90 Degree turn
2	WV 45	Intersection with WV 480, WV 45 and WV 230	Road width through historic area limits turn movements
3	River Road	Near Potomac Ridge Lane	Prone to flooding
4	Trough Road	One mile east of WV 230	90 Degree turn
5	Ridge Road	Intersection with Gardners Lane	Poor intersection angle causing poor visibility
6	Intersection of WV 230 and Flowing Springs Road	Intersection of WV 230, Flowing Springs Road, Gardners Lane and Trough Road	High number of access and turning movements, visibility constraints
7	Trough Road	1/2 mile north of Engle Molers	Two 90 degree turns
8	WV 230	1 mile south of Flowing Springs Rd	S Curve
9	Flowing Springs Road	Approximately 1 south of WV 230 intersection	Curve
10	Engle Molers Road	1/4 mile south of Uvilla	Two 90 degree turns
11	Luther Jones Road	Intersection with Wiltshire Road and Old Charlestown Road	Limited stacking area at light due to tracks. Development is expected to take place in this area over next two decades
12	Flowing Springs Road	Approximately 700 feet north of Shenandoah Junction Road	Two 90 degree turns
13	Bakerton Road	Bakerton Road Tunnel	Sharp Curve, Poor Sight Distance, One Lane Tunnel
14	Daniel Road	Intersection with Flowing Springs Road just north of Old Country Club Road	Poor intersection angle causing poor visibility
15	Sun Road	Intersection with WV 9 West	No merge lane on Route 9
16	Cattail Run Road	Intersection with Marlow RD and Cattail RD	90 Degree turn
17	Cattail Run Road	At intersection with WV 115	Poor sight distance pulling onto WV 115
18	Bloomery Road	1,000 north of WV 115	Within 100 Year Floodplain, periodic flooding

Staff Report
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23-1-CUP The Quarry (Special Event Facility) Conditional Use Permit Request

7. Historic Landmarks Commission's Findings related to the proposed land use. (Sec. 6.3A.7)

The subject property does not contain any Category I or II historic sites as defined by the Zoning Ordinance; therefore, this criteria does not apply.

8. Any signs associated with the proposed Conditional Use shall be reviewed by the Board in accordance with Section 10.6. (Sec. 6.3A.8)

Signs accessory to a Conditional Use are subject to Section 10.6 of the Zoning Ordinance, which requires that as part of the application, signage shall be addressed for review and consideration by the Board at the required Public Hearing.

The applicant stated on page 3 of their application that they are not proposed any permanent signs and that temporary directional signs would be placed on site for each event.



JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 East Washington Street, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: 23-1-CUP
 R'cvd Date: 01/03/23
 Mtg. Date: 01/26/23
 Fee Paid: \$ 1,150
 Staff Int.: gt

Email: zoning@jeffersoncountywv.org

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

Application for a Conditional Use Permit

Project Name

"The Quarry" a special event facility

Property Owner Information

Name: Alexis Bonnell & Kerian McManus

Business Name: _____

Mailing Address: 144 Quarry Run Road, Harpers Ferry, WV 25425

Phone Number: 703-888-6314 Email Response: alexisbonnell@gmail.com

Mail Yes
 Response: No

Applicant Information

Name: Alexis Bonnell

Business Name: _____

Mailing Address: 144 Quarry Run Road, Harpers Ferry, WV 25425

Phone Number: 703-888-6314 Email Response: alexisbonnell@gmail.com

Mail Yes
 Response: No

Engineer(s), Surveyor(s), or Consultant(s) Information

Name: _____

Business Name: _____

Mailing Address: _____

Phone Number: _____ Email Response: _____

Mail Yes
 Response: No

Physical Property Details

Physical Address: 144 Quarry run Road, Harpers Ferry, West Virginia, 25425

Tax District: 04

Map No: 0004

Parcel No. 0008

Parcel Size: 21.14 acres

Deed Book: 1232

Page No: 524

Zoning District (please check one)

Residential Growth (RG)

Industrial Commercial (I-C)

Rural* (R)

Residential-Light Industrial-Commercial (R-LI-C)

Village (V)

Neighborhood Commercial (NC)

General Commercial (GC)

Highway Commercial (HC)

Light Industrial (LI)

Major Industrial (MI)

Planned Neighborhood Development (PND)

Office/Commercial Mixed-Use (OC)

* For properties in the Rural Zoning District:

Is property located on a primary or secondary road?

Yes No

Name of Road and/or Route Number: Engle Switch Road (Minor Collector Road)

State the proposed land use as listed in Appendix C and provide a description of the proposed use.

Small event venue, special event facility, please see additional included description

Please provide any information or known history regarding this property.

Was a working quarry, currently in a rural area mainly surrounded by farms and residential properties. The property is our home as well as a location where we occasionally host airbnb guests in our primary residence and have applied and recieved appropriate approvals from the county for that purpose.

Please respond in detail to the following questions to show how the proposed project complies with the criteria located in Section 6.3 of the Zoning Ordinance:

1. How is the proposed use compatible with the goals of the adopted Comprehensive Plan? *Section 6.3A.1*

The proposed use is compatible because the primary use will remain residential and the business aspect will remain compatible in scale and intensity with the rural environment. This supports economic, recreation, tourism, and other goals of the comprehensive plan, please see additional attached information.

2. How is the proposed use compatible in intensity and scale with the existing and potential land uses on surrounding properties? How will the proposed project mitigate potential threat to public health, safety, and welfare? *Sec. 6.3A.2*

This will be a small event venue only, with limited use in a given year expected around 15 occasions. It will adhere to all local noise restrictions. Porta potties will be provided and regularly maintained. Cars will be generally limited to approximately 30 vehicles or small group transport will be required.

3. Describe how the proposed site development will be designed such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings. *Section 6.3A.3*

Small event use would not change the character of local or adjacent development or use of adjacent land and buildings. The use would not change the experience of the property physically nor impede neighbors current use or future use of their properties.

4. Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements found in Appendix B and Section 4.11 of this Ordinance. *Section 6.3A.4*

I am aware of the landscaping buffer requirements and will adhere to them.

I am aware of the landscaping buffer requirements; however, I may be seeking a variance to modify them.

5. For properties in the Rural zoning district, roadway adequacy shall be assessed by the Comprehensive Plan's Highway Road Classification Map. If a rural parcel is not shown as commercial on the Future Land Use Guide or does not front on a Principal Arterial, Minor Arterial, or Major Collector road (as identified in the Comprehensive Plan), the applicant shall submit trip generation data, including Average Daily and Peak Hour trips, for the Board of Zoning Appeals to review in conjunction with the Highway Problem Areas Map when determining roadway adequacy for the proposed use. *Section 6.3A.6*

Applicable (Trip Generation Data attached)

Not Applicable

The information given is correct to the best of my knowledge. Original Signature Required.

Property Owner

12/30/22

Date

Property Owner

12/30/22

Date

Project Business Name: *The Quarry*

I am requesting to utilize our unique property for a small event venue, and conditional use as a special event facility, to host special occasions, moments, and memories for people. This might include small weddings, family picnics or reunions, bereavement service location, wedding proposals, scout troops, rehearsal dinners, corporate retreats or other small and constrained gatherings.

This would be made available by advance booking only. There would be no open and public access. All events would have to be pre-arranged and meet event requirements.

Event requirements:

- All events must be completed by noise ordinance hours and adhere to previously agreed attendee and vehicles limits.
- All events must provide a timeline that clearly indicates a flow of events that respects hours of operation and noise restrictions
- Expected hours of events would be 11am-9pm, 10 pm max *but will comply w/ local ordinance*
- All events must meet noise ordinance restrictions
- The only full-time employees would be the residence owners. However a local special event venue creates a unique partnership with local caterers, photographers, florists and other event specialty companies in the area.
- Other other staff required would be provided by the event planning and vendors like caterers.
- All waste must be placed in the provided dumpster or removed at the end of the event.
- Events will not be accepted that are expected to be overly boisterous, as an example there will be no bachelor or bachelorette parties.

Event numbers:

I expect most events to be between 10-50 people, with a few events each year that are between 50-100, no event will exceed 125 people. I expect an average of about 15 events per year.

I plan to restrict car access to approximately 30 vehicles, and have dedicated parking at the bottom of my property away from neighbors to accommodate this. I will encourage any event that expects to require transport of more than 30 cars to use small rental transport like party buses to reduce the traffic on our site.

In the instance of a larger event, I can use an alternative upper gate entrance which is direct access from Engle Switch Road onto my property, removing the need for any guest to drive on a road shared with neighbors.

All event elements will occur at the lower end of my property, which has no direct neighbor adjacency, to further limit any disruption.

I am happy to add any trees, or fencing that is preferred or requested by my adjacent neighbors and their specific property that lessens any perceived or real impact on them.

I have already planted over 300+ trees (Green Giants) along my fence line that are approx 4-5' in height.

I will not have any permanent signage on the main road, outside of no trespassing signs. On the day of an event, temporary directional signage only will be used in order to limit any disruption to a neighbor. I will provide my direct contact information to all neighbors to ensure that they can reach me in the instance of any concern.

Events would use the outdoor beach, picnic and dock areas. There is a flat space where a temporary tent can be erected. Additionally, a small empty converted garage can be used in the event of bad weather.

I will provide permanent porta potties on site and will have them serviced weekly. So there is no strain on the residential plumbing.

I am not proposing any new buildings and propose to utilize grass parking.

I will ensure adherence to all relevant set-backs and ensure Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements as well as potentially cover the cost and construction of reasonable neighbor preferred additional screens if appropriate.

Trip Generation Calculations:

We understand that Engle Switch Road is classified as a Minor Collector Road, and thus have used the attached Trip Generation approach (see later document in package) to estimate that our average trip generation rate would be calculated for our average size event which we expect to be 25-50 people, but are calculating for the purpose of over-estimation an event capacity of our preferred max which is 125 people. Our calculation according to document guidance we found attached is to calculate the following:

75% event capacity max = 93

Wedding party and vendor early arrival (more than 1 hour before ceremony)= 10% = 9

93-9= 84

Assume 2 guest per vehicle which is approximately 42 vehicles.

Trip generation is an average of .3, which means that those 42 vehicles would be distributed over the arrival hour in .3 spread.

NOTE- We generally expect far smaller events AND to limit cars to 30 max in most event circumstances, so our numbers will be far lower than this.

In the instance of an event with around 100 attendees, if traffic was a concern, we could utilize both the main entrance road, as well as our field private entrance to disperse the traffic off the road at 2 times the speed.

How is the property currently used:

The property is currently our primary residence and occasionally we rent out our basement on Airbnb and have obtained the zoning approvals to do so.

Any known information/history regarding this property:

This property was previously a working rock quarry, until it was sold for private use, the property was split up into Rural-zoned parcels with residential use. This parcel is approximately 21 acres and in the middle of it is the rock quarry lagoon which is filled with water.

I applied for zoning permission to airbnb my basement and do so occasionally.

How is the proposed use compatible with the goals of the adopted Comprehensive Plan? Section 6.3A.1

The proposed use is compatible because the primary use will remain residential and the business aspect will remain compatible in scale and intensity with the rural environment.

We believe we can contribute to the comprehensive plan and vision for Jefferson County in a few main areas:

1. Economic Development, Employment, and Infrastructure (includes Transportation & Tourism)
 - a. We believe this will contribute to the local business community relevant to special events including driving hotel and overnight bookings at local accommodation, business with photographers, caterers, transport, florist, and other local specialty providers. We plan on

maintaining a “preferred list of vendors” that are located in Jefferson County. These businesses all employ critical local talent. We also believe that success will mean part-time roles at our location for local talent as well. We of course will contribute to local, state and appropriate tax revenues, and most of all, these special events are amazing opportunities to introduce tourists especially local but also others to the amazing beauty and bounty of the Jefferson County area.

2. Cultural and Natural Resources, and Recreation

- a. The Quarry is an incredibly beautiful natural resource where special event participants can take part in recreation activities where appropriate like canoeing, fishing, swimming etc. It is important to us to use this opportunity to both share access with others to this amazing location while being mindful and intentional about limiting the imposition on surrounding neighbors and protecting its ecology. We have already opened access upon request to our neighbors to the Quarry far more than previous owners to ensure more can enjoy its beauty while maintaining our rights as property owners.
- b. We believe we meet Goal 8.6.c perfectly which is focused on: *Provide more alternatives to promote rural tourism and rural land uses.*
- c. *Goal 9.1.A . Increase awareness of public and private recreational opportunities that are available to visitors and residents of Jefferson County.*
- d. *Goals 14/15.1.A Identify and implement ways to balance accessibility to, and awareness of, historic sites with privacy and property rights of landowners.*

3. Conservation and maintaining Rural land use.

- a. Our approach to the special event facility allows us to maintain the unique landscape of the Quarry as well as maintain the special open rural land footprint without adding any additional disruption or development.

Additionally, in the Additional Information Sections that follow, please see a letter I mailed to all of my neighbors on January 3rd in hopes that I can continue to be available and open to constructive dialog and feedback to ensure that our pursuit of this dream of ours does not negatively impact our neighbors.

Thank you for your consideration. I hope we can in a small way, contribute to the local economy and further fulfill people’s experience in our Wild and Wonderful West Virginia!

Additional Information

Sketch: Included See next pages:

Trip Calculation Approach Description

Adjoining Properties Per Tax Map:

Copy of Letter sent to my neighbors:

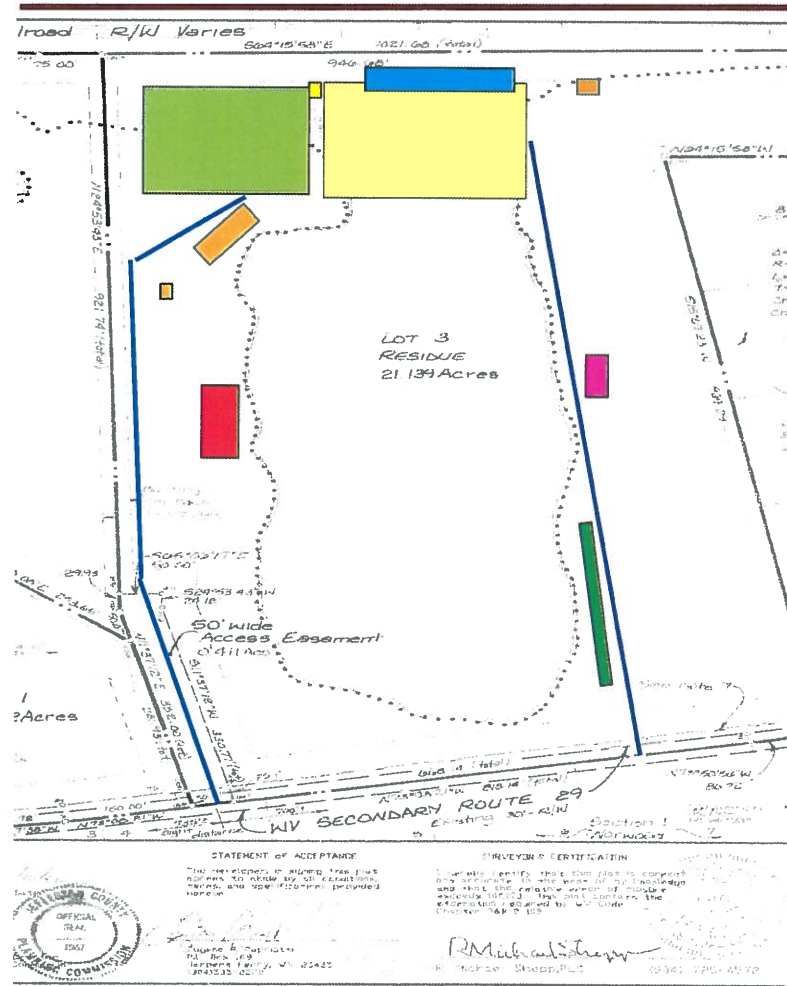
Sketch

The Quarry

Suggested Land use layout

Legend Sketch:

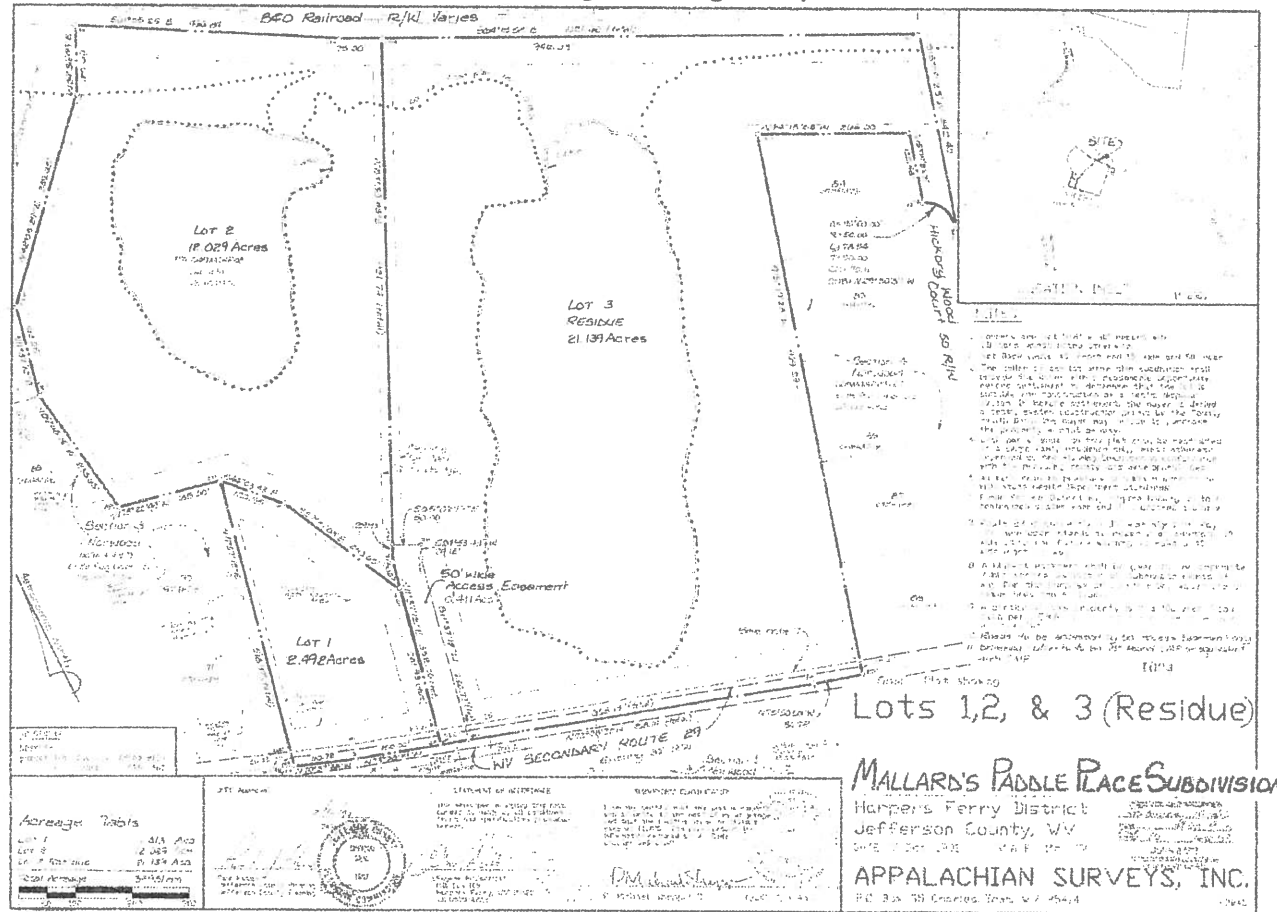
- Yellow**- proposed event space (includes picnic, beach, docks)
- Aqua**- 100 year old concrete gravel hopper
- Dark Green**- Proposed Event Parking (34+ spaces)
- Red**- Primary Residence (Not available for event)
- Orange**- Sheds, Outbuildings (Private not for event use)
- Hot Pink**- In case of inclement weather shelter (24x32' finished garage)
- Blue**- Main road in
- Purple**- Alternative Road, at gate break, (on my property only)
- Bright green**- overflow parking, additional 25 spaces if required, cars park facing quarry to not have lights bother neighbors, do not expect to need to use
- Black**- Railroad at back/bottom of property
- Bright Yellow**- Porta Potties
- Setbacks**- As per indicated on official Plat



Platt Zoom in



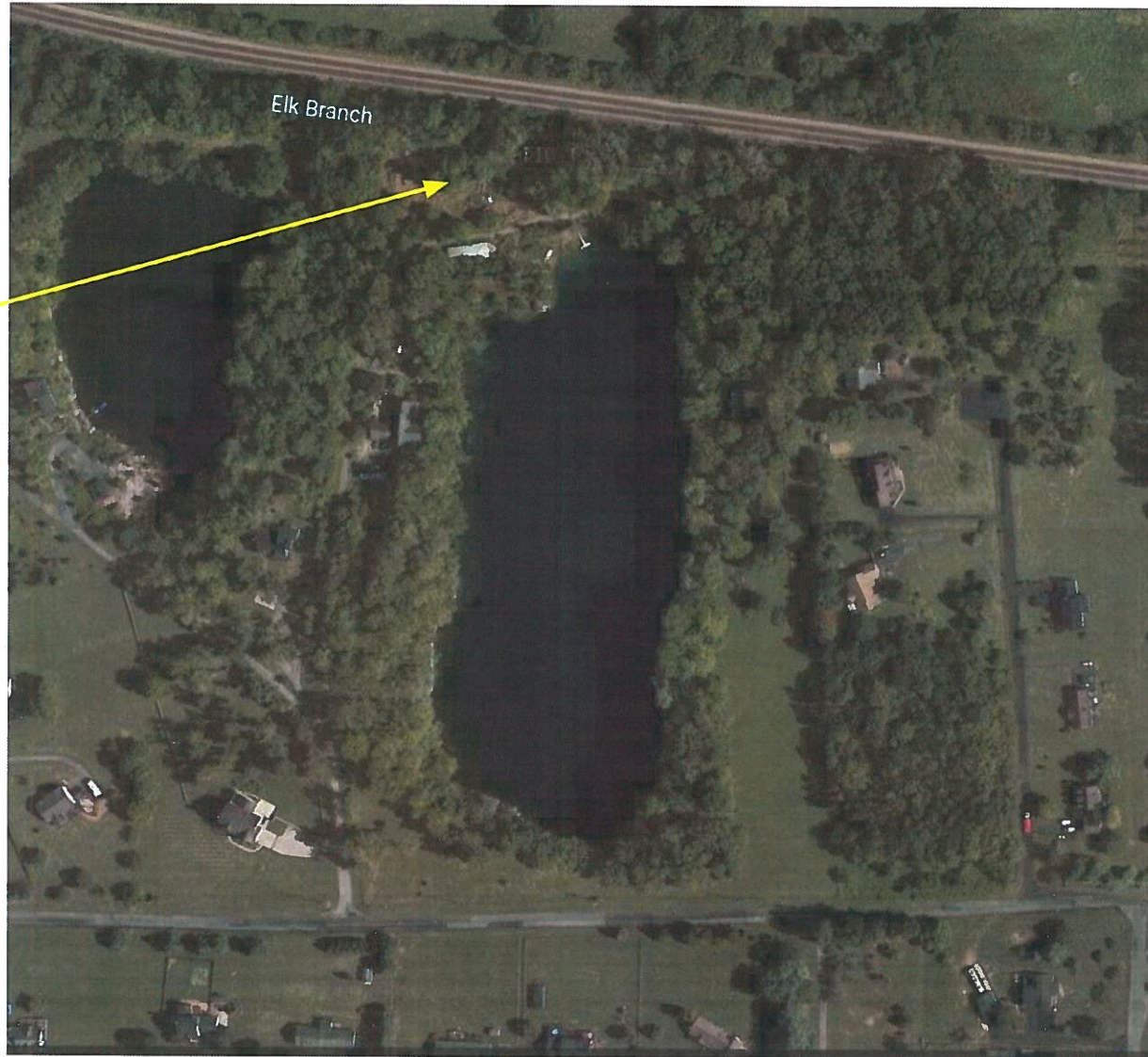
Platt Zoomed out, with Neighboring Properties

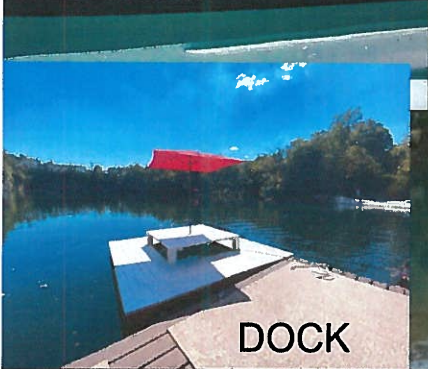


Lots 1, 2, & 3 (Residue)

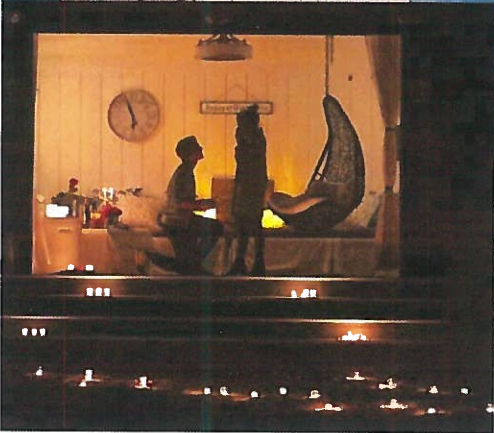
MALLARD'S PADDLE PLACE SUBDIVISION
 Harpers Ferry District
 Jefferson County, WV
 DATE: 10/10/2011
APPALACHIAN SURVEYS, INC.
 P.O. Box 78 Charles Town, WV 25414

While this is an older Google Earth shot, most of the trees and other topography are consistent. This area has been a bit more cleared for greater parking ease.





DOCK



Beach cabana (repurposed run-in shed)

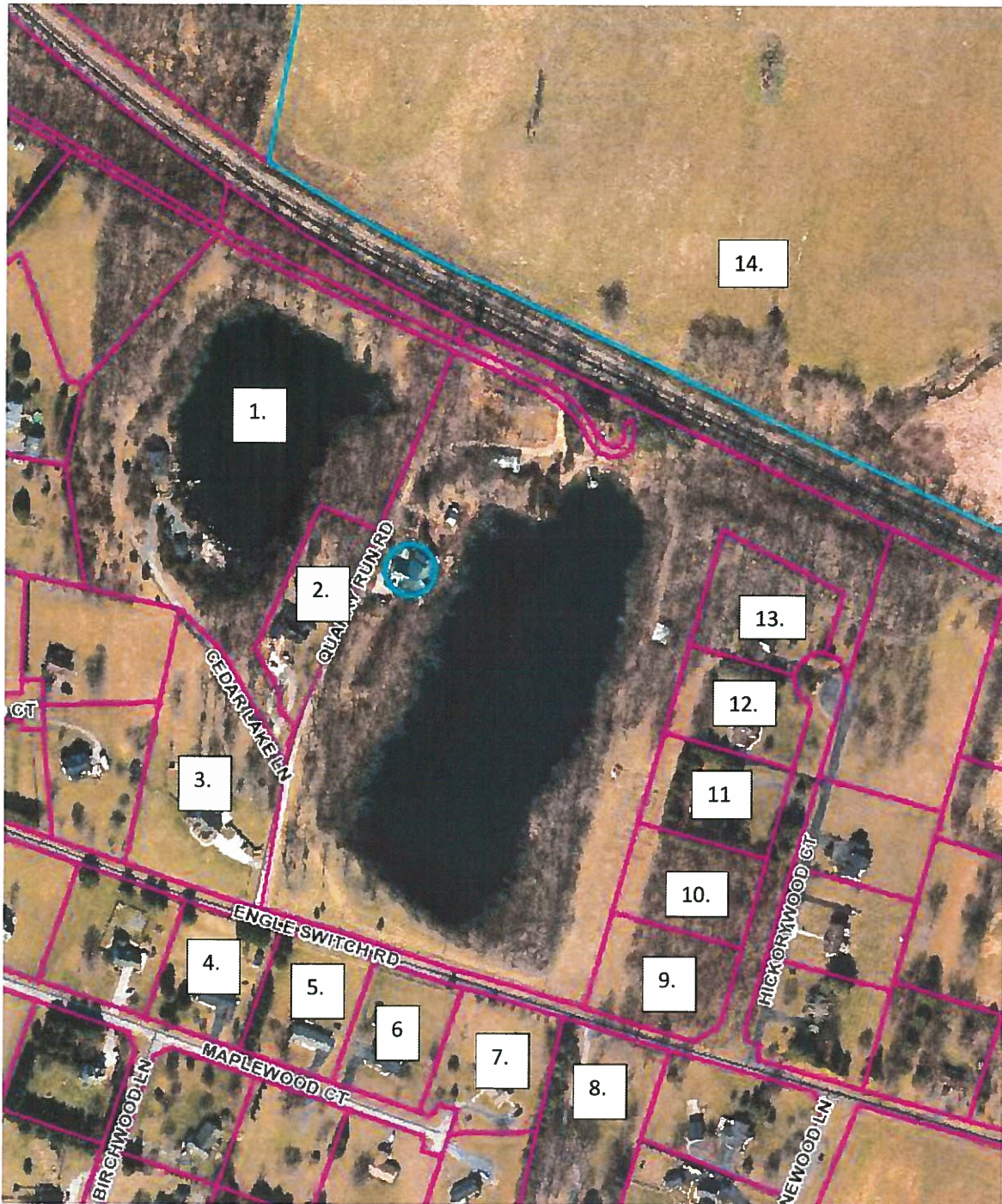


Beach



Picnic Area and old Gravel Hopper

adjoining properties



Adjoining Properties Per Tax Map:

1. Pamela Underhill Living Trust
P.O. Box 709
Harpers Ferry, WV 25425
2. Douglas Keefer & Wesley Godfrey-
Keefer
24 Cedar Lake Lane
Harpers Ferry, WV 25425
3. Matthew and Denise Cockerham
21 Quarry Run Road
Harpers Ferry, WV 25425
4. Mark & Christine Whitmore
185 Maplewood Court
Harpers Ferry, WV 25425
5. Madonna Ashley
223 Maplewood Court
Harpers Ferry, WV 25425
6. Patrick & Michelle Hopwood
251 Maplewood Court
Harpers Ferry, WV 25425
7. Karen Miller
277 Maplewood Court
Harpers Ferry, WV 25425
8. Eric & Joanne Cembrook
396 Engle Switch Road
Harpers Ferry, WV 25425
9. Richard & Alicia Pierce
39 Hickorywood Court
Harpers Ferry, WV 25425
10. Bradley & Joselyn Woodcock
47 Hickorywood Court
Harpers Ferry, WV 25425
11. Elisa Ballard
91 Hickorywood Court
Harpers Ferry, WV 25425
12. Maria & Caleb Skowronski
107 Hickorywood Court
Harpers Ferry, WV 25425
13. Henry & Gloria Lee
143 Hickorywood Court
Harpers Ferry, WV 25425
14. Springdale Farm, LLC
P.O. Box 1140
Inwood, WV 25428

Dear Valued Neighbor,

1/2/23

Kerian and I have been so blessed to find our home in West Virginia. We have found the Quarry to be an incredible place to heal and celebrate special moments. We also were lucky enough to witness others' special moments over the past challenging three years at the Quarry including some friends' marriage proposals and a small wedding and elopement of our close friends over the last few years. As well as a few bereavement services for friends and members of the local community who had lost loved ones and who asked to do the service at our property. We hope that those times were never a source of headache or bother for you.

We always strive to be the best of neighbors and to be the type of people you can reach out to with any concern or complaint and we will try to do the right thing.

In that spirit, I wanted to reach out and let you know of a dream I am pursuing, and to encourage you to let me know if you have any concerns, or requests as I look to appropriately navigate this. Both to continue to be a great neighbor and citizen of Jefferson County.

I would like to be able to invite more people to create and share special moments at the Quarry. This might include small weddings/elopements, family reunions, remembrance services, scout troupe events, picnics, etc. (small events)

These events would adhere to all noise guidance and hour restrictions, as well as vehicle number restrictions. My thought right now is I expect to cap the number of events per year to around 15.

This is first and foremost Kerian's and my home, and we are both employed full-time, so this would be a small occasional opportunity to share our space and would not be created to replace our normal work, nor become a site that was open to the public or constant use.

As I put my plan together, if you are interested, I am happy to take your consult, advice and great ideas. I again, simply love the magic of sharing this very special place and am looking to find a structured way to pursue that, while not infringing on any of the delight you take in your properties as my neighbor.

Formalizing this will include my requesting the county for a conditional permit to allow this as a use of my property. The process will include me posting a temporary notice sign, a notice in the local paper as well as a certified letter to each of you as my neighbors.

I felt it was important that I be the first one you hear about my dream from and please let me know if you have any concerns, and if you are supportive, any letter to that effect would mean the world to me.

Most of all, I hope this letter finds you well and that you are happy and thriving. Feel free to email me at alexisbonnell@gmail.com or text me at 703-888-6314 if you have thoughts, insights and advice.

Best,
Alexis

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

2000 Ashby
97 Hickory Court
Harpers Ferry WV 25425

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Alain & Sarah Stewart
107 Maplewood Court
Harpers Ferry, WV 25425

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Madonna Ashby
225 Maplewood Court
Harpers Ferry WV 25425

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Karen Miller
272 Maplewood Court
Harpers Ferry WV 25425

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Paul & Family
10 W. 509
Harpers Ferry WV 25425

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Patrick & Michelle Hopwood
251 Maplewood Court
Harpers Ferry WV 25425

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Eric & Jennie Cornbuck
371 Eagle Smith Road
Harpers Ferry WV 25425

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Doug, Wes & Family
24 Cedar Lake Lane
Harpers Ferry, WV 25425

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Springdale Farm, LLC
P.O. Box 1140
Inwood, WV 25428

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Michael & Helen Price
39 Hickory Court
Harpers Ferry, WV 25425

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Matt & Denise
21 Quarry Run Road
Harpers Ferry WV 25425

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Brian & Glorin Lee
143 Hickorywood Court
Harpers Ferry WV 25425

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Bridley & Jocelyn Woodcock
47 Hickorywood Court
Harpers Ferry WV 25425

A. Bonnell & K. McManus
Temple Asset Management
144 Quarry Run Road
Harpers Ferry, WV 25425

Mark & Christine Whitmore
185 Maplewood Court
Harpers Ferry WV 25425

Estimating Trip Generation and Distribution for a Wedding Venue



By Mike Spack

February 13, 2018

10th Edition Trip Generation Manual, trip gen special occasion, Trip Generation, tripgeneration.org, wedding venue

By Mike Spack, PE, PTOE

Kent Harbert from the Colorado DOT reached out to me wondering if we have trip generation data for wedding venues. We don't, but we've estimated trip generation for a couple of wedding venues and I emailed our rough process to Kent. Kent ran with it and put together the draft guideline below for use in Colorado.

Why am I sharing this with my readers? I want to share this with you as it's a good process to think through for estimating trip generation at special events. I would however, like to get your thoughts on calculating trip generation data for special events.

1. **What Do You Think?** Kent and I would like to hear from you if you have thoughts on the guideline. Please add your thoughts to the comment section.
2. **Wedding Venue Data.** If you have trip generation data for wedding venues, please email data to me at mspark@spackconsulting.com and we'll add it to our free TripGeneration.org dataset. I'd like to share your data with Kent and the rest of the world.

From Kent Harbert, Colorado DOT:

The ITE Trip Generation Guide does not include a land use category for wedding venues. It is, therefore, desirable to establish a standard methodology to project the trip generation rates and the trip distribution assumptions. The following is proposed:

Trip Generation

A wedding is a single event at a pre-established time. All of the wedding party and wedding guests will be in attendance at the ceremony. Therefore, the trip generation rate will be based on the capacity of the area within the venue to be used for the ceremony

Typically, a wedding party will rent a venue with a capacity near the size of their wedding. Estimate that 75% of the venue capacity will be the typical size used for trip generation.

Estimate that the wedding party and vendors represent 10% of those attending the wedding and that they arrive more than one hour before the ceremony. The remaining 90% will arrive during the one-hour period before the ceremony.

Many of the wedding guests travel together as couples, families or groups of friends. Assume there will be 2 to 2.5 guests per vehicle.

Using the above factors gives a range of 0.27 to 0.33 for the trip generation factor as a function of the venue capacity. Use an average rate of 0.30 with 100% entering.

If the venue does not include a reception area use the same 0.30 rate for the exiting trips. If the venue has a reception area the exiting traffic will be dispersed over a few hours. Use a rate of 0.12 ($0.30 \times 40\%$) for the peak hour of exiting vehicles.

Trip Distribution

Trip distribution for a wedding venue is not like other land uses where the traffic in one direction plus the traffic in the opposite direction totals to 100% of the design hour volume. For a wedding venue the majority of the traffic can be to and from one direction for one wedding and to and from the other direction for a different wedding. The two distributions need to be analyzed separately, not averaged.

Free Trip Generation Data at TripGeneration.org

At **Spack Consulting**, we collect local data on many, if not most, of our traffic studies. And we make that data available to you for free. This living document now includes over 10,500 hours of data and allows you to see the full 24-hour data collected. Go to **TripGeneration.org** to download the raw data we've collected.

Interested in helping us collect trip generation data? We have a limited supply of **COUNTcam 2 traffic video recorders** that we lend to companies to collect traffic data, and make available on **TripGeneration.org**. If you would like to use a camera to collect your next turning movement count and participate in our trip generation data collection, please contact us at **sales@countingcars.com**.

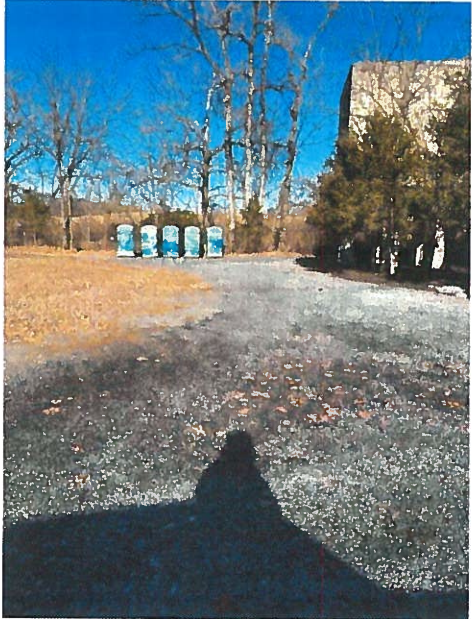


Mike Spack, PE, PTOE
Mike is the founder of Spack Enterprise and creative force and principal writer behind MikeOn Traffic.
He is the recognized industry leader of traffic studies and traffic data collection. He is also the author of numerous industry leading guides used by transportation professionals around the world and presenter for Traffic Corner Tuesday webinars.



Resource: <http://www.spackconsulting.com/estimating-trip-generation-distribution-wedding-venue/>

Main Parking Area



Conditional Use Permit Application

The requirements for a Conditional Use Permit are outlined in Article 6, Section 6.3 of the Jefferson County Zoning and Land Development Ordinance.

While not required, all applicants are encouraged to schedule a Pre-Proposal Conference with the Office prior to the submission of a Conditional Use Permit application.

Please submit the following documents:

- Conditional Use Permit Application Form (attached) with application fee**
 - Application Fee: \$250 + \$50/acre
- Site Sketch**
 - Show location of proposed building(s) / additions to existing buildings *no new buildings*
 - Show location of proposed parking area *done*
 - Show location of proposed access *done*
 - Show location of proposed sign(s) *none*
 - Show topography, natural features, etc. *done*
 - Show existing vegetation and/or location of proposed landscaping *google earth attached*
- Narrative (optional)**
 - Description of the proposed land use. May include information pertaining to hours of operation, number of employees, number of customers, etc.
 - Traffic characteristics – type and frequency of traffic (i.e. both existing traffic and level of traffic that would be generated by proposed land use.
 - Any other relevant information.
- List of adjoining property owners**
 - This includes the properties located across any road, right-of-way, or easement.
The Jefferson County Court House is the source for property owner information.

Note: Approval of a Conditional Use Permit, with or without conditions, allows the proposed land use only. Further processing may be required (i.e. site plan).

A Conditional Use Permit shall become void eighteen (18) months after the date of issuance if the construction or use for which the permit was issued has not commenced. A one-time extension of this time frame may be granted by the Board of Zoning Appeals after evaluation of the hardship involved with noncompliance of this regulation. The length of time extended shall be at the discretion of the Board of Zoning Appeals and shall not exceed eighteen (18) months. (Section 3.2G)

23-1-CUP The Quarry - Alexis Bonnell Public Comment Index

- Submitted 2023-01-17 by Karen Miller
- Submitted 2023-01-18 by Elisa Ballard
- Submitted 2023-01-18 by Maria & Caleb Demas
- Submitted 2023-01-18 by Karen Miller
- Submitted 2023-01-19 by Matthew Cockerham

Karen Miller
277 Maplewood Court
Harpers Ferry, WV 25425
304-261-3595
millekare@gmail.com

January 16, 2023

Jefferson County, West Virginia
Office of Planning and Zoning
116 E. Washington Street, 2nd Floor
Charles Town, WV 25414

To Whom It May Concern:

I am writing to express my severe opposition to the issuance of a conditional use permit for a special event facility at Project Name: "The Quarry," 144 Quarry Run Road, Harpers Ferry, WV, Parcel ID: 04000400080000.

My opposition lies in the fact that this is not a suitable location for an event facility. "The Quarry" is in the middle of residential neighborhoods, without proper space to host events without interference to surrounding residents. Our property values will suffer by the conversion of this parcel to an event facility location, and there is not adequate infrastructure to support increased travel and parking. Additionally, allowing additional swimming in the quarry by event guests poses a safety risk and strain on our emergency transport services.

I have lived in this home for 31 years, and I never would have purchased it had I known that an event facility could be directly behind my home. My property value, as well as the property values of the other surrounding houses and neighborhoods, will fall drastically if we have an event facility at this location. The revenue lost to the county by the decreased real estate value will not be offset by the slight revenue that this event space could produce. We will see this area of the county suffer if this permit is issued.

Additionally, the road adjacent to this property, Engle Switch Road, is not suitable for event travel. It is a narrow, unpainted rural road. The "grass parking spaces" referenced would be directly behind my house. I have already witnessed individuals getting lost, or parking on my property while trying to find their destination as there is not a paved driveway or proper road to the field for parking. There is no fence or separation from these "grass parking spaces" to Engle Switch Road, making it not only an eyesore, but also putting rowdy event guests at risk of walking into the road at the end of the evening.

Finally, having this quarry location act in the capacity of an event facility poses a high safety risk by allowing more individuals to swim in this water during events. As stated in The Journal in its July 26, 2022 article *Hidden dangers prevalent in quarry swimming*, "steep drop-offs, sharp rocks, flooded equipment, submerged wires and other potential industrial waste can make swimming risky in quarries." The article was published after a recent death in the Bakerton quarry and had the support of Jefferson County Sheriff's Department Chief Deputy Victor Lupis. He warns of the dangers of quarry swimming, particularly to the public who are unfamiliar with the associated risks in these waters.

I strongly urge you to deny the request for the conditional use permit. Thank you for your time and consideration.

Sincerely,

Karen S. Miller

Memo

To: Alexandra Beaulieu, Zoning Administrator, Jefferson County, WV

Board of Zoning Appeals Members

From: Elisa Ballard, 91 Hickorywood Ct, Harpers Ferry, WV

Date: January 18, 2023

Re: Request for a Conditional Use Permit

Project Name: The Quarry

File #: 23-1-CUP

Dear Ms Beaulieu and Board of Zoning Appeals Members –

I am writing in response to certified mail #7015 0640 0004 5288 1625 notifying me of a Request for a Conditional Use Permit to operate a Special Event Facility at the residence of Alexis Bonnell and Kerian McManus at 144 Quarry Run Road, Harpers Ferry, WV.

I reside at 91 Hickorywood Ct, which abuts the Bonnell-McManus property and site of the proposed special event facility. I strongly oppose the Conditional Use Permit for several reasons.

First, Bonnell-McManus have held several events in the past, and they have not been mindful or respectful of adjoining property owners on those occasions.

- One evening last summer, they hosted a party that lasted well into the night. At approximately 1:45 am, I went to their home to complain of the music, which sounded like a commercial-sized boom box blaring over a beach at an adult resort. I encountered half a dozen individuals or so down by the quarry. I explained that I was a neighbor who had been invited by Alexis, and since I could hear the music, I assumed the party was still going. I indicated that I lived over the tree line on the side of the quarry. Someone insisted that “nobody lives over there”. And that seems to be their modus operandi, that “nobody lives over there, at least nobody very important, and this is our neighborhood to rule, to pursue our dreams, regardless of the feelings and desires of those surrounding us.” The music finally went off around 2:00 am.
- On a couple of occasions in the past, their guests used the field between my house and the quarry as a parking lot. One evening, I was sitting on my patio with a few friends enjoying a beverage on a weekend night. Suddenly, there were cars driving in the field, lights glaring in our faces and into my home, exhaust fumes, and noisy, boisterous people walking through the field to access the quarry. My guests and I had to move

indoors. I know at least 2 families who complained about this event. Alexis apologized and said she wanted to get me a gift as an apology. I thought the offer was a bit offensive. The best gift would be a cessation of the behavior.

- A few months ago, Alexis advertised in an online neighborhood forum that she had a 10-acre field with a large plot for a garden that she didn't have time to tend. She asked if anyone wanted to use the garden. The garden sits directly behind my house, within a few feet of the fence that divides our properties. There are now strangers who show up to work in the garden in their trucks, parking right outside my patio. They have installed large plastic water tanks, and there are currently about 20-30 large garbage bags sitting in the area. I imagine the activity will pick up, maybe even on a daily basis, as the weather warms. I can see them through my windows, and if I dare to venture out on my patio, I will be able to hear their conversations, and they, mine. I was not asked in advance if this would pose an inconvenience.
- For the past year, Bonnell-McManus have used the 10-acre field as a dumping ground, or a space to put items they do not want near their own home. For example, for the better part of last year, a school bus sat in the field. It was removed a few weeks ago. Presently, there are several trailers and what appears to be a small boat in the field. I asked about their plans for these items, specifically the bus, but I never received a response.

Second, the proposed plans do not respect the rural environment; do not mitigate potential threats to public safety, health and welfare; nor do they mitigate the potential risk of disrupting plans for the use of adjoining land and properties.

- We live in a quiet residential neighborhood. The Land Use Guide for Jefferson County designates our area as rural/agriculture or large lot residential. There are no businesses in the vicinity. We have homes, 2-lane roads that curve around bends and rise and fall over hills. We have children and pets, school bus stops, deer, fox, rabbits, and small gardens. We have cul-de-sacs and quiet roads where parents can safely push baby strollers and walk dogs. And with the exception of the Bonnell-McManus field, where clutter appears to be growing, we have some of the most gorgeous views in the county.
- Do you know what we don't have and DO NOT want? Porto potties, loud music, fields turned into parking spaces, fireworks (an almost given at larger events throughout the summer and end of the year), and strangers just feet away from our houses walking through the field.
- Even though they propose 15 events per year, it is likely that the events will occur in the summer months, given that this is an outdoor venue. This means it is possible that every weekend of the summer, there will be activities that prevent me from using my patio and outdoor space. That unequivocally disrupts use of my personal space and property!
- If I were to put my home on the market, do you think potential homebuyers would elect to live on a property that abuts another that hosts loud, outdoor events with music, fireworks, etc.?

I strongly encourage the Board of Zoning Appeals to reject this Request for a Conditional Use Permit.

Respectfully,

Elisa Ballard

January 17, 2023

Dear members of the Board of Zoning Appeals,

I am a teacher, and because I teach during the workday, I cannot be present at the hearing for Ms. Bonnell's application request. My husband and I live on the property that directly borders 144 Quarry Road, and we would like to outline a few of our major concerns should Ms. Bonnell's application be accepted by the Board.

Our first concern: We live, run, bicycle, and walk our dog on Engle Switch Road. This is an unlit, unmarked road near Sam Michael's Park (for those members who are unfamiliar with the area). Drivers already speed down Engle Switch, and speed passed our Norwood North neighborhood. We are worried that if the Quarry property owners are allowed to open their property up to out-of-town visitors who don't know the roads and the steep hills, we will see a significant increase of speeding and dangerous driving down our small road.

Our second concern: My husband and I live on the property that faces the spot where – we are assuming – Ms. Bonnell and Mr. McManus will be allotting for the 30 guest vehicle spaces. We have only a thin wire fence separating our property from their proposed parking lot. Last May, Bonnell and McManus did a test run for this “dream” of opening a special events venue. They hosted McManus's rugby team for a gathering at the Quarry, and cars were lined up facing the back of our home from noon until late into the evening. We are worried that if this permit is granted, the beautiful field that our home faces in the summertime will become a mere parking lot of sedans and minivans and pickup trucks. Our immediate neighbor already complained to the Quarry owners last May after their rugby event; our neighbor lives alone with 4 Labradors, and she had vehicle headlights shining into her living room from dusk until she was trying to go to bed that night. We do not want our privacy violated because the Quarry owners have turned the land facing our homes into a parking lot.

Our third concern: We moved to West Virginia from northern Virginia because we sought peace and quiet. The Quarry owners propose 15 events a year; that is at least 1/3 of the year that our property will be subjected to noise, excessive speeding, strangers wandering around the edge of our property to get back to their cars, and potential drinking-and-driving dangers (should patrons of the Quarry events not act as responsibly as they should). We are a small neighborhood; the homes here are quiet. We have dogs and small children, and we like to sit outside on our decks, enjoying the sounds of nature that we came looking for when we left the bustle of northern Virginia. We are saddened that Ms. Bonnell and Mr. McManus would exploit that peace and the beauty of the land just to make an extra profit from their property.

The Quarry owners may have a large property, but that does not give them the right to subjugate those of us who live on the properties bordering theirs. We sincerely hope the Board does not approve this application for a special events permit. My husband and I, as well as our neighbors in Norwood North, hope to be able to stay in Jefferson County for many years to come.

Thank you for your attention,

Maria & Caleb Demas

107 Hickorywood Court, Harpers Ferry, WV

Matthew Cockerham
21 Quarry Run Road
Harpers Ferry, WV 25425

1/17/2023

The Board of Zoning Appeals
116 East Washington Street, 2nd Floor
Charles Town, WV 25414

RE: Lot 3 Mallard's Paddle request for a Conditional Use Permit ("The Quarry")

Board of Zoning Members,

I am writing in response to the Request for a Conditional Use Permit by Alexis Bonnell and Kerian McManus. I had a meeting with Alexis last week to discuss my concerns. At the conclusion of the meeting I felt that when issues arise we could resolve them neighborly. Although we had a good meeting I have two requests that I would like to become part of the official record.

My first request is that if a permit is issued that it would only be valid while Alexis and Kerian held this property as their primary residence and were actively engaged in the management of the events.

My second request is that any event that exceeds 30 vehicles use an entrance that is not adjacent to my property.

Thank you for your consideration of my request

Sincerely,



Matthew Cockerham

RECEIVED

JAN 19 2023

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

Rules of Procedure of the Jefferson County Board of Zoning Appeals

Jefferson County, West Virginia
Effective ~~March 25, 2021~~October 27, 2022

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RULES OF PROCEDURE OF THE
JEFFERSON COUNTY BOARD OF ZONING APPEALS

WHEREAS, W.Va. Code § 8A-8-1, et seq., provides for the establishment and powers of a Board of Zoning Appeals, and

WHEREAS, the Jefferson County Board of Zoning Appeals is duly authorized, pursuant to W.Va. Code § 8A-8-9, to adopt rules of procedure to carry out its obligations pursuant to the Jefferson County Zoning and Development Review Ordinance and West Virginia law, and

WHEREAS, the Jefferson County Board of Zoning Appeals wishes to establish certain rules and regulations to effectuate its purpose and provide consistency for its proceedings,

NOW, THEREFORE, the Jefferson County Board of Zoning Appeals hereby adopts these Rules of Procedure which shall be applicable to all proceedings of the Board.

ARTICLE I – GENERAL

Section 1.1 – Definitions

As used throughout these Rules of Procedure, the following terms shall be defined as follows:

<i>Administrative Official</i>	Refers to any member of staff, including but not limited to the Zoning Administrator, who has made a decision or determination of an issue relating to the Zoning Ordinance.
<i>Appellant</i>	Refers to any party which has filed a timely appeal with the Board.
<i>Board</i>	Refers to the Jefferson County Board of Zoning Appeals.
<i>County Commission</i>	Refers to the County Commission of Jefferson County.
<i>Item</i>	Refers to any matter before the Board for consideration or discussion, and shall be construed broadly.
<i>Member</i>	Refers to a member of the Board.
<i>Ordinance</i>	Refers to the Jefferson County Zoning and Land Development Ordinance.

- Present* A person is present at a meeting when in attendance physically, or by video conference when the meeting is so noticed.
- Respondent* The Zoning Administrator when a timely appeal is filed alleging error with respect to a formal zoning decision or zoning determination or the owner of the property subject to an appeal by a third party.
- Staff* Refers to the Department of Zoning and its employees.

Section 1.2 – Authority

These Rules of Procedure and its provisions are authorized by W.Va. Code § 8A-8-9, which empowers the Board, among other things, to adopt rules and regulations concerning the filing of appeals, applications for variances and conditional uses, the giving of notice, and the conduct of hearings.

Section 1.3 – Severability

The invalidation of any provision or section of these Rules of Procedure shall not invalidate any other provision or section of these Rules of Procedure.

Section 1.4 – Amendments

These Rules of Procedure may be amended at any regular meeting of the Board by a majority vote of the Board, and shall take effect immediately or at a date certain determined by the Board.

ARTICLE II – ORGANIZATION

Section 2.1 – Membership

Pursuant to W.Va. Code § 8A-8-4, the Board shall be comprised of five (5) members appointed by the County Commission. Membership on the Board shall be in compliance with all the requirements of W.Va. Code § 8A-8-4.

Section 2.2 – Term of Office

Upon appointment to the Board, a member shall serve a term of three (3) years pursuant to W.Va. Code § 8A-8-4(d). If a vacancy occurs, the County Commission shall appoint a member for the unexpired term.

Section 2.3 – Powers and Duties

In addition to the powers and duties provided in these Rules of Procedure, the Board and its members shall have such other powers and duties as provided by ordinance and/or law, including but not limited to W.Va. Code § 8A-8-9.

ARTICLE III – OFFICERS

Section 3.1 – Elections

At its first regular meeting each year, the Board shall elect from its members a Chairperson and Vice Chairperson.

Section 3.2 – Chairperson

The Chairperson shall serve a term of one (1) year, and shall preside at all public hearings held by the Board. The Chairperson may call special meetings of the Board as necessary, and is empowered to certify by signature or otherwise any official and valid action of the Board. The Chairperson shall also perform such duties and functions as may from time to time be required by the Board.

Section 3.3 – Vice Chairperson

During any absence of the Chairperson, the Vice Chairperson shall assume the duties and functions of Chairperson. The Vice Chairperson shall also perform such duties and functions as may from time to time be required by the Board.

Section 3.4 – Secretary

In the absence of both the Chairperson and Vice Chairperson, the Board Secretary shall fulfill the duties and functions of the Chairperson and/or Vice Chairperson.

~~Section 3.4 – Absence of Chairperson and Vice Chairperson~~

~~In the absence of both the Chairperson and Vice Chairperson, any present member may call to order a regular or special meeting of the Board, which shall thereupon immediately empower one or more of its present members to fulfill the duties and functions of Chairperson and/or Vice Chairperson during said absence.~~

Section 3.5 – Replacing Officers

In the event of the death, resignation, or removal of an officer of the Board, the Board shall thereupon elect one of its members to complete the unexpired term. A four-fifths majority of the total membership of the Board may, at any regular meeting, remove the Chairperson and/or the Vice Chairperson from office, provided that a new election to fill the remaining term(s) of office is immediately held.

Section 3.6 – Alternate Members

Pursuant to W.Va. § Code 8A-8-4(e), the County Commission may appoint up to three (3) additional members to serve as alternate members of the Board. The term for an alternate member is three (3) years. An alternate member shall serve on the Board when one of its regular members is unable to serve, and in such instance shall have all powers and duties of a regular member. The alternate member shall serve until a final determination is made in the matter to which the alternate member was initially called on to serve. Alternate members shall be entitled to be present at all Board meetings and deliberations.

ARTICLE IV – MEETINGS

Section 4.1 – Regular Meetings

The Board shall hold regular meetings on the fourth (4th) Thursday of each month at 2:00 p.m. in the ground floor meeting room of the Old Charles Town Library, at 200 East Washington Street, Charles Town, West Virginia. Prior notice shall be provided in the event that any regular meeting is held at a different location, at a different time, or by video conference. A regular meeting may be postponed, cancelled or rescheduled for appropriate reasons such as inclement weather or conflict with a holiday, and in such case prior notice of said postponement or cancellation shall be provided if possible.

Section 4.2 – Special Meetings

A special meeting may be called by the Chairperson or by two or more members of the Board, with said meeting to be held on a different day and/or a different time than regular meetings. Pursuant to W.Va. Code § 8A-8-5, notice for all special meetings shall be in writing, include the date, time and place (and will state that the meeting will be held by video conference, if applicable) of the special meeting, and be sent to all members at least two days before the special meeting. Written notice of a special meeting is not required if the date, time and place of the special meeting were set in a regular meeting. A special meeting may be postponed or cancelled for appropriate reasons, and in such case prior notice of said postponement or cancellation shall be provided to the public and members if possible.

Section 4.3 – Recording of Meetings

All meetings of the Board shall be recorded, and such recordings shall be maintained and made available, upon request and in accordance with the procedures of the Board and/or its staff, to the public. Recordings shall be maintained by staff for a minimum of five years.

Section 4.4 – Quorum and Majority Vote

In order to conduct a regular or special meeting, a quorum of members must be present. A majority of members of the Board shall constitute a quorum. Once the requirement for a quorum has been met, no action of the Board shall be official or valid unless authorized by a majority of members making up said quorum at a regular or special meeting.

Section 4.5 – Agendas

An agenda shall be made available prior to the start of all regular and special meetings. Items shall be listed on the agenda in such a manner as to sufficiently identify the substance of the item and allow for a vote on the item by the Board if necessary. The Board may deviate from the order of an agenda if necessary.

Section 4.6 – Executive Sessions

The Board may hold an executive session, closed to the public, during any meeting to consider matters permissible in executive sessions pursuant to W.Va. Code § 6-9A-4, including, but not limited to, deliberations toward a decision on an appeal or other item, privileged discussions with legal counsel, and personnel matters.

Section 4.7 – Procedures for Conducting Meetings

In the absence of state law or of other procedures of the Board, Roberts Rules of Order, current edition, shall be the parliamentary authority of meetings of the Board.

Section 4.8 – Open Governmental Proceedings

All meetings and actions of the Board shall comply with the requirements of West Virginia’s open meetings laws, codified at W.Va. Code § 6-9A-1, et seq.

ARTICLE V – CONSIDERATION OF ITEMS

Section 5.1 – Voting

A member must be present at a meeting to vote on any item considered at said meeting. Voting by proxy is not permitted. Abstention and recusal shall be permitted only for reasons set forth in these Rules. Any member who abstains, recuses himself/herself, or otherwise chooses not to participate in a vote shall thereupon publicly state the reason.

Section 5.2 – Recusal

A member may recuse himself/herself in relation to an item for the reasons set forth herein, in which case such member shall not participate in discussion, consideration or vote on said item. Valid reasons for recusal include (1) having a personal interest in an item, (2) having a contractual, employment, or other relationship with a party involved with an item, (3) being unable to impartially consider an item, or (4) having been absent from part or all of the discussion or consideration of an item. A member recusing himself or herself shall thereupon state the reason for such recusal and leave the meeting, remaining absent for the duration of consideration and/or discussion of the item.

At all times, a member shall recuse himself or herself when his or her participation in the consideration, discussion, or vote regarding an item would give rise to the appearance of impropriety.

At all times, a member shall make full public disclosure of any and all issues which may tend toward an appearance of impropriety, and such disclosure shall be made prior the Board’s consideration of the relevant item.

Section 5.3 – Ex Parte Communications

For purposes of these Rules of Procedure, ex parte communications consist of communications regarding the substance of an item that is or will be before the Board for consideration and/or discussion, when such communications are between one or more members of the Board and one or more individuals involved with the item. No member of the Board shall voluntarily and knowingly engage in ex parte communications without the authority of the Board. In the event that a member of the Board has engaged in or receives any ex parte communication, said member shall bring the same to the attention of the Board and shall publicly disclose the same. Communications with third parties regarding procedural aspects of items do not constitute ex parte communications.

Section 5.4 – Continuance

The Board may continue, reschedule, or re-open proceedings on an item for any good cause.

Section 5.5 – Notice

All items shall be noticed in accordance with the Ordinance, these Rules of Procedure, and staff procedures. In accordance with Section 3.4A(3)(b)(ii) of the Jefferson County Zoning and Land Development Ordinance (6/1/14), “the subject property shall be posted conspicuously” shall mean that a notice shall be posted on every road, right-of-way, and/or easement on which the public may travel adjoining or abutting the property, as determined by the Zoning Administrator. If an item is continued, rescheduled, or postponed, and the new time and date are announced at the same meeting, then no additional notice is required for that item. If an item is continued, rescheduled, or postponed, and the new time and date are not announced at the same meeting, all parties of record shall be provided not less than seven (7) calendar days notice of the new time and date.

Section 5.6 – Submissions to the Board

Submissions regarding all items for Board consideration shall be made in accordance with the Ordinance, these Rules, and relevant staff procedures. Staff may establish deadlines for submittal of applications and supplemental material. Late submissions, including submissions made the day before or the day of any meeting of this Board, may not receive full consideration by the Board due to the lack of time for proper Board and staff review.

Section 5.7 – Procedure for Hearings

Prior to hearings on all items, the Board will require all persons present who wish to give comments on any item to place their name on a written list of anticipated speakers.

Hearings on items shall be conducted in the following manner:

- (1) Chairperson opens public hearing;
- (2) Staff presents summary of application and staff report;
- (3) Applicant/Appellant testimony;
- (4) Respondent(s) testimony;
- (5) Public comment;

- (6) Rebuttals of staff, applicant/appellant and respondent(s);
- (7) Chairperson calls for a vote for closed deliberation and recesses public hearing if motion carries;
- (8) After consideration, Board reopens public hearing and renders a decision.
- (9) In the case of a variance request where no one has filed written opposition and no one but the applicant appears to testify, any member may move for summary approval by unanimous consent based on the Board's consideration of the application and the written staff report.

The Chairperson shall preside at the hearing and shall make such rulings as may be necessary to conduct a hearing in an efficient and orderly manner including, but not limited to, the imposition of time limitations and the exclusion of irrelevant, repetitive, or cumulative evidence or testimony. A member may question the rulings of the Chairperson, and such questions may be decided by a motion and subsequent majority vote of the Board.

Section 5.8 – Reopening Hearing

At any time prior to the rendering and/or filing of a decision, the Board may, upon the request of a party or upon its own motion, reopen proceedings on an item for the receipt of further evidence or information. All parties of record shall be given proper notice of the reopening and granted an opportunity to review additional evidence and information and file any rebuttal or additional comments.

ARTICLE VI – APPEALS

Section 6.1 – Scope of Appeals to the Board

Pursuant to W.Va. Code § 8A-8-9, the Board shall hear, review and determine appeals from an order, requirement, decision or determination made by an administrative official or party charged with the enforcement of a zoning ordinance or rule and regulation adopted pursuant thereto.

Section 6.2 – Time

All appeals to the Board shall be filed within thirty (30) days of the entry of the order, requirement, decision or determination which is the subject of the appeal. Within ten (10) days of receipt of a complete appeal form and associated fee(s), the Board, through its Staff, shall set a date for a public hearing of the appeal.

Section 6.3 – Posting of Property

If an appeal hearing involves the use of land, including requests for exceptions, variances, and conditional use permits, the property owner shall post signs on the property showing the date, time, and place of the hearing on every road, right-of-way, and/or easement on which the public may travel adjoining or abutting the property, as determined by the Zoning Administrator. The signs shall be posted at least fifteen (15) days in advance of the hearing. All signs shall be prepared by the Board's staff and the Appellant shall bear reasonable costs associated therewith.

The property owner is responsible for compliance with the posting requirements set out herein, and said property owner shall bear the burden of proof of compliance in the event that a question regarding compliance arises. In the event that the application is for an appeal of a decision made by the Zoning Administrator that involves a property not owned or leased by the appellant, staff shall contact the property owner and inform them of the need to post a sign on their property. If they are unwilling to allow the appellant to post the sign, staff shall post the sign.

Section 6.4 – Publication of Notice

At least fifteen (15) days prior to an appeal hearing, the Board, through its staff, shall publish a notice of public hearing in a local newspaper. The notice shall include the date, time, and place of the hearing and shall be a class I legal advertisement in compliance with W.Va. Code § 59-3-1, *et seq.* The Board may require the Appellant to pay for the cost of the advertisement.

Section 6.5 – Supplementation of Record for an Appeal Hearing

Appellant(s) may provide two copies of supplemental materials to the Board in advance of a hearing on an appeal of an administrative decision and the same must be submitted no later than 15 days prior to the hearing date. The Appellant(s) shall also deliver complete copies of the supplemental materials to any applicable Respondent(s) at the same time and shall certify to staff that such materials were delivered as required.

No later than one (1) week prior to an appeal hearing, any Respondent(s) may file documentation with the Board for consideration and shall deliver complete copies of any material submitted to all other parties and shall certify to staff that such materials were delivered as required. The Board may consider the written decision being appealed together with all materials in the official file maintained by staff at the time of the hearing without necessity of mailing or delivery to any party. The parties may review the administrative file prior to the hearing.

All submissions shall be made in accordance with the Board of Zoning Appeals Rules of Procedure. Failure to follow submission guidelines by an Appellant shall be considered failure to file a complete appeal and the Board in its discretion may postpone the hearing until the Appellant complies or ignore the supplemental materials and base its decision upon other materials provided.

Section 6.6 – Appeals of Board Decisions

Pursuant to W.Va. Code § 8A-9-1, every decision of the Board is subject to review by petition for writ of certiorari in circuit court.

These rules became effective on the 2527th day of ~~March, 2021~~ October 2022.

JEFFERSON COUNTY
BOARD OF ZONING APPEALS,

By: _____
Chairperson



Jefferson County, West Virginia

Department of Engineering, Planning, and Zoning

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

Charles Town, WV 25414

Email: zoning@jeffersoncountyv.wv.org

Phone: (304) 728-3228

Zoning Administrator's Report January 26, 2023 Board of Zoning Appeals Meeting

Date of Memo: January 20, 2023

- 1) The next regular meeting is scheduled for **February 23, 2023** (deadline for submission is Tuesday, January 30, 2023).
- 2) Two alternate member positions remain available. One term ending 01/01/24 and the other term ending 01/01/25.

Persons interested in serving on the Board of Zoning Appeals should contact the County Commission Office at 304-728-3284 / jjames@jeffersoncountyv.wv.org.



Jefferson County, West Virginia
Department of Engineering, Planning and Zoning
Office of Planning and Zoning
116 E. Washington Street, 2nd Floor, P.O. Box 716
Charles Town, West Virginia 25414
www.jeffersoncountywv.org

January 2023
Zoning Certificate Activity Report

File #	22-23-ZC
Request:	New 150' Wireless Telecommunications Tower Facility/Tower
Property Owner:	The Potomac Edison Company / Attn: Richard Marquiss
Applicant:	Melham Associates / Attn: John Melham
Parcel Information:	1320 Old Country Club Road, Charles Town, WV Parcel ID: 04001000030005; Size: 4.22 acres (after merger); Zoning District: Residential Growth; Deed Book: 1287; Page: 242; Approvals: 20-40-ZV, 22-8-PCW, 22-1-SP, & 22-17-M (Plat Book: 26, Page 424)
Date of Issuance:	01/04/2023
File #	22-58-ZC and 22-60-ZC
Request 1:	Accessory Dwelling Unit: Agricultural/Caretaker (22-58-ZC)
Request 2:	Accessory Dwelling Unit: In-Law Suite (22-60-ZC)
Property Owner:	Tammy Lynn Miller
Parcel Information:	Riccards' Estate Minor Subdivision, Lot 2 1335 Gardners Ln, Shepherdstown, WV 25443; Parcel ID: 09001700090004; Size: ~35 acres; Zoning District: Rural; Deed Book: 1245; Page: 64; Plat Book: 9; Page: 18; *Planning Commission Approval (File 22-6-FPA)
Date of Issuance:	01/20/2022
File #	22-66-ZC
Request:	Short Term Rental (Heaven on Earth LLC)
Property Owner:	Ryan Gauvin, Manager
Parcel Information:	878 Wilt Rd., Charles Town, WV 25414 Parcel ID: 02002000350000; Size: 1.25ac; Zoning District: Rural; Deed Book: 1287, Page: 102
Date of Issuance:	12/21/2022
File #	22-68-ZC
Request:	Day Care Center, Large (Pathway Childcare Center, LLC)
Property Owner:	Alice Chapman
Parcel Information:	15943 Charles Town Road, Charles Town, WV 25414 Parcel ID: 02019A00020004; Size: 1.71 acres; Zoning District: Rural; Deed Book: 1101, Page: 192; PC File 22-8-CUP
Date of Issuance:	12/16/2022
File #	22-69-ZC
Request:	Cottage Industry: A Charitable Chiropractic Clinic (Acts of Kindness)
Property Owner:	David Miljour
Parcel Information:	2129 River Road, Shepherdstown, WV 25443 Parcel ID: 09001000100000; Size: 3.32 acres; Zoning District: Rural; Deed Book: 714; Page: 42
Date of Issuance:	12/16/2022

Zoning Certificate Activity Report

January 2023

Page 2 of 2

File #	23-3-ZC
Request:	Blake Solar Project
Property Owner:	Horus West Virginia, I
Parcel Information:	Multiple Parcels: Parcel ID: 02001900140000, 02001900150002, & 02001900150003; Size: 516 acres total; Zoning District: Rural; Deed Book: 1293; Page: 350 *Thorn Hill Subdivision consolidation (Deed Book: 1293; Page: 116) PC Files: 22-4-CUP & 22-7-SP
Date of Issuance:	01/18/2023
