



Jefferson County
Board of Zoning Appeals Agenda
Thursday, February 23, 2023 at 2:00 p.m.

Members
Tyler Quynn, Chair
Matthew McKinney, Vice Chair
Steven Guier, Secretary
David Wiegand
Jacob Harris
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: 829 7009 9490
Meeting Link: <https://us02web.zoom.us/j/82970099490>
Phone Option (Dial by Location): 301-715-8592
Find your local number: <https://us02web.zoom.us/u/kdV71ZSZyO>

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.

Approval of Minutes: January 26, 2023

Public Hearing – Administer Oath

ITEM #1 FILE #: 23-4-ZV and 23-5-ZV

The following two requests pertain to a 2,420 square foot addition to the existing Walmart Store in Charles Town. The existing retail store and shopping center site plan was approved in 1996 (Site Plan File #S96-16).

Request #1: Variance from Section 8.9A.9 to eliminate the requirement to install a frontage road (similar request granted for original site design in 1996 – File #ZV96-55); and Section 8.9.A.10 to maintain landscape buffer standard that was approved in 1996 (File #ZV96-52) along US Route 340 which was reduced from 50’ to a varying width of approximately 21’- 40’; and to reduce the commercial setback from 25’ to 24’ from the edge of the existing landscape buffer for the proposed 2,420 sf addition. (File #23-4-ZV)

Request #2: Variance from Section 11.1A to waive the requirement to install an additional 13 parking spaces for the proposed expansion; to remove ten existing parking spaces where the addition will be constructed; and to reduce the number of required parking spaces from 1,204 (as approved via variance on 08/21/03 – File #ZV03-21) to 1,154 (actual number of parking spaces on site, after construction of proposed addition). (File #23-5-ZV)

Applicant: Dewberry / Attn: Carolyn Howard

Owner: SUSO 2 ALABAMA LP

Parcel Info: 96 Patrick Henry Way, Charles Town WV; Parcel ID: 02000800290002;
Size: ~21 acres; Zoning District: Residential- Light Industrial-Commercial

ITEM #2 FILE #: 23-6-ZV

Request: Variance from Section 10.4B.2 to increase the maximum size of a freestanding sign face from 100 sq. ft. to 122 sq. ft. for a gas station and convenience store (Site Plan File #19-4-S).

Applicant: Holtzman Oil Corp

Owner: Charles Town Burr Park Station, LLC / Attn: Richard Koonz, Jr.

Parcel Info: Burr Business Park, Lot 16A, 60 War Admiral Blvd., Kearneysville, WV;
Parcel ID: 02000100690000; Size: ~5 acres; Zoning District: Industrial Commercial

ITEM #3 FILE #: 23-7-ZV

Request: Variance from Section 9.6C to allow an accessory structure within the required front yard; and Section 9.7 to reduce the front setback from 20' to 10' along a platted 30' wide right-of-way (McShanes Landing Ln) for a 36' x 20' accessory structure (pavilion).

Owner: Douglas and Lenore Stroop

Parcel Info: River Farm Subdivision, Section 3, Lot 12,
200 McShanes Landing Ln, Shepherdstown, WV
Parcel ID: 09011A00550000; Size: ~0.41 ac; Zoning District: Rural

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-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: January 26, 2023

- 1. Variances from Appendix B. Owner: Summit Point Library Commission. File: 23-1-ZV & 23-3-ZV.
- 2. Variance from Section 5.7D.2. Owner: Barry and Jody Swaldo. File: 23-2-ZV.
- 3. Request by “The Quarry” for a Conditional Use Permit to operate a Special Event Facility. Owner: Alexis Bonnell and Kerian McManus. File: 23-1-CUP.