



Agenda
Jefferson County Planning Commission
Tuesday, March 14, 2023 at 7:00 PM

**By order of the President of the Jefferson County Planning Commission,
Public Participation is available in-person only.
The meeting will be broadcast live via ZOOM for viewing purposes only.**

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

ZOOM Broadcast Information*: Meeting ID: 886 0118 8531
Meeting Link: <https://us02web.zoom.us/j/88601188531>

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

1. **Approval of Meeting Minutes:** February 14, 2023
2. **Request for postponement.**
3. **Postponed until April 11, 2023. Public Hearing:** Request for a waiver from Section 20.201A.2 to reduce the width of the required access easement from 50' to 20' for a three lot minor subdivision. Property Owner: Susan Reichel Et Al. Property Location: 2195 Engle Molers Rd, Harpers Ferry, WV. Parcel ID: 04000100060005; Size: 10 acres; Zoning District: Rural (File: 23-3-PCW).
4. **Public Hearing:** Request for a Final Plat Amendment to lift the single family restriction to allow a detached Accessory Dwelling Unit for a family member. See PC File #05-23; Final Plat Note #1, PB 23 / PG 57. Property Owner: Michael and Johnna Oehlsen. Property Location: Ryans Glen Subdivision, Lot 10, 227 Ryans Glen Dr., Charles Town, WV. Parcel ID: 06020B00100000; Size: 2.16 ac; Zoning District: Rural (File: 23-2-FPA).

There is no public comment for the following items.

5. **Discussion and Action:** Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone the subject parcels from Industrial-Commercial to Rural is consistent with the *Envision Jefferson 2035 Comprehensive Plan*. Property Owner: Lutman Land Development LLC. Property Location: Vacant parcels located southeast of the intersection of Norfolk & Southern Railroad and Lewisville Road, Charles Town/Summit Point, WV. Located behind John's Family Restaurant- 847 Berryville Pike & 340 Defense Shooting Range and Firearms Training - 459 Berryville Pike, Summit Point. Tax District: Kabletown (06), Map: 29; Parcel 2 comprised of 66 acres and Parcel 6 comprised of 30.89 acres. Zoning District: Industrial-Commercial (File: 23-1-Z).

6. Discussion and Action: Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone the subject parcels from Residential Growth to Residential-Light Industrial-Commercial is consistent with the *Envision Jefferson 2035 Comprehensive Plan*. Property Owner: Federal Group, Inc. Property Location: 233 Lowe Drive, Shepherdstown, WV. Tax District: Shepherdstown (09), Map: 8; Parcel 24.3 comprised of 1.02 acres, which is designated as a right-of-way (Lowe Drive) and Parcel 10.9 comprised of 23.67 acres (formerly the Shepherdstown Clarion). Zoning District: Residential Growth (File: 23-2-Z).

7. Discussion and Action: To affirm the final language for the proposed Planning Commission Policy RE: Clarification of Vested Property Rights for Concept Plans and Preliminary Plats for Phased Projects

8. Reports from Legal Counsel

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

9. Planner's Memo

10. President's Report

11. Actionable Correspondence

12. Non-Actionable Correspondence
