



Agenda

Jefferson County Planning Commission

Tuesday, April 11, 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: 848 9977 4097
Meeting Link: <https://us02web.zoom.us/j/84899774097>

**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:** March 14, 2023 and March 28, 2023
2. **Request for postponement.**
3. **Withdrawn. 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 waiver from Section 20.203B.2 of the Subdivision Regulations, which requires a Limited Site Plan when the footprint of an addition or a new structure is greater than 1,200 square feet and less than 3,000 square feet. The applicant is requesting to waive the requirement of a Site Plan to allow for the placement of one (1) 2,100 square foot office trailer and one (1) 460 square foot office trailer to be located on an existing impervious area. Property Owner: W A Chester LLC. Property Location: 3607 Berryville Pike, Charles Town WV; Parcel ID: 06001100010003 Size: ~11.26 acres; Zoning District: Industrial Commercial (File: 23-7-PCW).

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 Residential-Light Industrial-Commercial (RLIC) 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: 23-3-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 parcel from Rural (R) to Residential-Light Industrial-Commercial (RLIC) is consistent with the *Envision Jefferson 2035 Comprehensive Plan*. Property Owner: Saif & Shahzad Rehman; Applicant: ILA Properties, Inc.

(Joshbeen Grewal); Property Location: Vacant Parcel; south of Route 115 West approximately ¼ mile southeast of the Berkeley/Jefferson County Line; Tax District: Middleway (07), Map: 2, Parcel: 2.2; Acreage: ~12.8 acres; Zoning District: Rural (File: 23-4-Z).

7. Discussion and Approval: Planning and Zoning 3rd Quarterly Report for FY 2022-2023 for the County Commission.

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. 2023-C-48 (RE: PC File #21-8-SP Berryville Pike Telecommunications Tower).

9. Planner's Memo

10. President's Report

11. Actionable Correspondence

12. Non-Actionable Correspondence
