



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

File #: 23-6-CUP
R'cvd Date: 06 / 01 / 23
Mtg. Date: 07 / 27 / 23
Fee Paid: \$ _____
Staff Int.: jth

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Application for a Conditional Use Permit

Project Name

Tree Nexus

Property Owner Information

Name: Carl Epstein

Business Name: Tree Nexus

Mailing Address: 20780 Eskridge Ct Sterling, VA 20165

Phone Number: 5713527312 Email Response: carljepstein@gmail.com

Mail ☐ Yes

Response: ☒ No

Applicant Information

Name: Carl Epstein

Business Name: Tree Nexus

Mailing Address: 20780 Eskridge Ct Sterling, VA 20165

Phone Number: 5713527312 Email Response: carljepstein@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: lot 713 and 714 Marcum Lane, Harpers ferry WV 25424

Tax District: Kabletown (06)

Map No: 26

Parcel No. 98 & 99

Parcel Size: 1.18 & 1.21 = 2.39 ac combined

Deed Book: 1212

Page No: 704

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: Marcum lane if this is a secondary road?

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

I have a small 3 man tree service business. I want to park my trucks on the property at night. There will be no customers coming to the property and no signs and no business conducted at the property, just used as a storage lot for the business vehicles and equipment (SEE ATTACHED)

Please provide any information or known history regarding this property.

This has always been an empty lot. I purchased it and added a storage building a few years ago. I use the building for my personal wood working hobby use. (SEE ATTACHED)

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*

see attached

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*

see attached

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*

There will be no changes to the property. I have an existing driveway and an existing flat area. Also see attached.

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. Commercial and Industrial Uses shall be in conformance with Section 8.9 of the Zoning Ordinance.

☒ I am aware of the standards outlined in Section 8.9 of the Zoning Ordinance and will be in compliance.

6. 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. Property Owner Signature Required.

Carl Epstein

5/30/2023

Property Owner

Date

Property Owner

Date

Carl Epstein
Marcum lane property
Zoning change
Lot 713 and 714

Property History. I purchased this property in 2018. Both lots for 28k because it was a mess. Someone had gone over it with a bulldozer and then used it for a dump property that was never developed in the community. I removed many trailer loads of what looked like construction debris, probably from when other houses were built years ago. The weeds were over 6 ft tall. Since then I have added a water well, had the property perk tested, built a storage building and had permanent electric installed. The neighbors used to see piles of debris and a lot full of weeds. Now the lot is much improved and buildable for a future house. This was a much needed upgrade to the community. I would now like to run a 3 man tree business out of the property.

Answer to question 1 comprehensive plan

The total area of change will be less than 1 lot per 15 acres. In this case it will be a total of 2 lots totaling 2.39 acres to change from rural to allow a small business parking and remain rural zoning. This is not a high density area having approx 1 house per acre or one house per 2 acres. Since there will be no residence at this property there will be no impact on local infrastructure.

Answer to question 2 compatible with intensity and scale.

Having this area used for the parking of company vehicles will not hinder future development of any neighboring properties and will not degrade property value. Most of the property is surrounded by a natural raised hill barrier that impedes the view of the equipment and there will be no signs or advertisements of any kind so no one will ever know there is a business there except for seeing some company equipment in the parking areas. There are only 2 company employees so there will only be 2 single cars driving on the road in the morning and 2 single cars leaving at the pm. All parking is on the property and will not be on or along Marcum lane. The existing building height is used for personal use and will not be altered. There will be no changes to the existing impervious land surface on the property.

The current road Marcum lane has approx 20 resident houses all with multiple cars that go up and down Marcum lane all day. Me having 3 pickup trucks leave in the morning will have no effect at all on this road or to the residents.

There will be no toxic waste or hazardous chemicals stored. Only the same things like a gas can that all the other houses have already.

There will be no changes to the property at all. I have an existing building for my personal storage. There is an existing driveway and an existing flat area. The building will remain personal. The driveway will not change and the flat areas will be used to park the 3 pickup trucks and related tree trailers and brush chipper on.

Neighbors

All on marcum lane 31,221, 146, 126, 100

We will have normal day hours. Leave approx 8 am and back approx 5 pm. M-F.

This is a small 3 man tree service business. There are 3 pickup trucks and a couple trailers that will leave in the am and return in the pm. There will be no customers on this property and no signage on the property. The existing building is for my personal storage and not for business use. There is no address and no mailbox at this property so there will officially be no business listed here. It is literally me parking my work trucks and equipment on my personal property and no customers will ever know this property exists. No advertisements will ever show this property. There is existing vegetation surrounding most of the property.

Thank you,

Carl Epstein
5/30/2023

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Marcum lane

There is a natural grass hill about 3 feet high along the whole property along Marcum lane that helps impede the view of the property from the road as well as natural vegetation.

On the west side property line the building and parking lot are about 6 feet lower than the property line and there is natural vegetation along the property line that impedes the view from the west side neighbor.

existing tree line

existing tree line

existing shrub line

existing driveway

existing building

Flat parking area 2

flat parking area 1

existing tree and vegetation line

slope downhill to bottom of image

Hill slopes up from here to parking area 2

Lot 713 and 714