



Agenda
Jefferson County Planning Commission
Tuesday, July 25, 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: 813 7935 6903
Meeting Link: <https://us02web.zoom.us/j/81379356903>

**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:** July 11, 2023
2. **Request for postponement.**
3. **Public Hearing:** Waiver from Section 20.201A.2 of the Subdivision Regulations to allow a sixth lot to access an existing 50' wide access easement (Sunnyside Lane) without upgrading it to meet county grade standards. Applicant/Property Owner: David Lutman; Property Location: Sunnyside Lane, Shenandoah Junction, WV; Parcel ID: 09001800050007; Size: 18.1 acres; Zoning District: Rural (File: 23-19-PCW).
4. **Public Workshop:** Canter Hollow Apartments (fka Miller Station Apartments); redesign of previously approved project (08-09-22) to consist of approximately 20 multi-family (apartment) buildings with approximately 150 units, associated parking, stormwater management facilities, and signage. (File #22-6 - SP). Applicant/Property Owner: Cantor Hollow, LLC; Property Location: Captain Chews Trace, Charles Town, WV; Parcel ID: 02008C00010000 – 02008C0008000 (8 lots); Combined Size: 10 acres; Zoning District: Residential/Light Industrial/Commercial (File: 22-6-SP).
5. **Public Hearing:** Request for a Variance from Section 2.1 of the 1979 Subdivision Ordinance (Outsale Exemption) to lift the single family restriction to allow for the establishment of a Kennel on the property; Applicant/Property Owner: Nicholas Russo and Alice Davenport; Property Location: 1899 Trough Road, Shepherdstown, WV; Parcel ID: 09000900070006; Size: 10 acres; Zoning District: Rural (File: 23-2-PCV).
6. **Public Hearing:** Request for a Waiver from Section 20.201A.2, to reduce the width of the required access easement from 50' to 40' for a proposed two (2) lot minor subdivision. (File: 23-18-SD). Applicant/Property Owner: Palmisano A W-TR; Property Location: 2034 Persimmon Ln, Shepherdstown, WV; Parcel ID: 09000700050000; Size: 47.73; Zoning District: Rural (File: 23-18-PCW).

There is no public comment for the following items.

7. **POSTPONED until 8/8/23 by request of the Applicant: 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 Rural to Residential Growth (RG) is

consistent with the *Envision Jefferson 2035 Comprehensive Plan*. Property Owner: Arcadia Land Inc.; Property Location: Vacant parcels, which are a part of the Harvest Hills Subdivision, located east of the intersection of Flowing Springs Rd and Brass Harness Drive. Tax District: Shepherdstown (09), Tax Map: 24; Parcels: 12 & 13; comprised of 94.63 acres (P12) and 257.62 acres (P13). Zoning District: Rural (File: 23-5-Z)

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

- Email from Doug Rockwell Re: 2045 Comprehensive Plan Survey
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