



Agenda
Jefferson County Planning Commission
Tuesday, August 8, 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 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: 899 9411 8943
Meeting Link: <https://us02web.zoom.us/j/89994118943>

**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 25, 2023
2. **Request for postponement.**
3. **POSTPONED from 7/25/23 by request of the Applicant: 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 Hearing:** Hunter Hills Preliminary Plat. The proposal consists of 642 lots [471 Single Family Detached and 171 Townhomes (SFA)] and associated infrastructure. Owner/Applicant: Ernest Hunter, Et. Al.; Developer: Joshbeen Grewal, ILA Properties, Inc., 4115 Charles Town Rd., Kearneysville, WV. Property Location: 4469 Charles Town Rd, Kearneysville; Parcel ID: 0700010002); Parcel Size: +/- 107 Ac.; Zoning District: Residential-Light Industrial-Commercial (File #21-21-SD).
5. **Public Workshop:** Concept Plan for Valley Storage Shepherdstown Expansion for the expansion of the existing self-storage facility. Owner/Applicant: Todd Snook; Property Location: 1744 Shepherd Grade Road, Shepherdstown; Parcel ID: 09000300200001; Size: 10.07 acres; Zoning District: Rural (File #23-8-SP).
6. **Public Hearing:** Request for a Waiver from Sections 20.201C and 20.202 of the Subdivision Regulations, which requires Non-Residential Subdivisions of greater than two lots to process as a Major Subdivision, to allow a proposed 4-lot Non-Residential Subdivision to process as a Minor Subdivision. Owner/Applicant: Sidewinder Enterprises LLC / Sean Masterson; Property Location: 1 Grace Street, Kearneysville; Parcel ID: 07002200090000; Size: 259.54 acres; Zoning District: Industrial-Commercial (File #23-20-PCW).

7. **Public Hearing:** Request for Variance from Article 6; Section 6.3 of the 1979 Subdivision Ordinance, which requires a Final Plat Public Hearing every two years, for an extension to January 11, 2026; Owner/Applicant: Roderick Planes, LLC / Maurice Gladhill; Property Location: Northeast corner of Old Country Club Road and Flowing Springs Intersection, Charles Town, WV; Parcel ID: 02000400190000; Size: 55.03 acres; Zoning District: Rural (23-3-PCV).

There is no public comment for the following items.

8. **POSTPONED to TBD 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).

9. Reports from Legal Counsel

- a. Discuss and review Jefferson County Circuit Court Civil Action No. 2021-C-109 (PC File #21-2-Z).
- b. Discuss and 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. Discuss and review of 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 (PC File #21-8-SP).
- e. Discuss and review of VB BTS, LLC v. Jefferson County, WV and the Jefferson County Planning Commission, U.S. N.D. W. Va. Case No. 3:23-CV-171 (PC File #23-3-SP).

10. Planner's Memo

11. President's Report

12. Actionable Correspondence

13. Non-Actionable Correspondence
