



**Jefferson County**  
**Board of Zoning Appeals Agenda**  
**Thursday, October 26, 2023 at 2:00 p.m.**

Members  
Tyler Quynn, Chair  
Matthew McKinney, Vice Chair  
Steven Guier, Secretary  
David Wiegand  
Jacob Harris  
Mikala Shremshock, Alternate

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**Effective July 27, 2023, Public Participation is available in-person only. The meeting will be broadcast live for viewing purposes only.**

**Meeting Location:** County Commission Meeting Room located in the lower level of the Charles Town Library (entrance on Samuel St.)  
200 East Washington Street, Charles Town, WV 25414

**Broadcast Information:** Meeting ID: 865 1739 1310  
Meeting Link: <https://us02web.zoom.us/j/86517391310>  
Phone Option (Dial by Location): 301-715-8592  
Find your local number: <https://us02web.zoom.us/j/86517391310>

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

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**All requests are pursuant to the Zoning & Land Development Ordinance.**

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**Approval of Minutes: September 28, 2023**

**Public Hearing – Administer Oath**

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**ITEM #1 FILE #: 23-33-ZV**

**Request:** Variance request from Section 5.4B of the Zoning Ordinance (as amended 11/07/02) to reduce the rear setback along the eastern property line from 20' to 16' for an 18' x 8' deck.

**Owner:** David Cebulski

**Applicant:** Stoneridge Outdoor Living, LLC / Attn: Robert Warren

**Parcel Info:** Deerfield Village, Lot 43, 476 Deerfield Village Dr., Shepherdstown, WV  
Parcel ID: 09014B00430000; Size: 0.26 ac; Zoning District: Rural

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**ITEM #2 FILE #: 23-8-CUP**

**Request 1:** Request by Tracy Dove dba Charles Town Car Storage for a Conditional Use Permit to operate a Commercial Storage facility, as defined in Article 2 of the Zoning Ordinance. The proposal consists of converting an existing storage building into a nonresidential car storage facility for up to 28 vehicles. No expansion of the existing structure is proposed. No employees beyond the property owners. One 3' x 4' sign to be located at the entrance of the property.

**Owner:** Tracy and Marketa Dove

**Parcel Info:** Dove Minor Subdivision, Lot 1 (Residue), vacant parcel located immediately south of 428 Flowing Acres Road, Charles Town, WV  
Parcel ID: 02004D00110000; Size: 4.65 acres; Zoning District: Rural

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**THE FOLLOWING REQUEST IS NOT SUBJECT TO A PUBLIC HEARING.**

**ITEM #3 EXTENSION REQUEST RE: FILE #: 22-5-CUP**

**Request:** Request by Wild Hill Solar, LLC for an eighteen month extension of their Conditional Use Permit to operate a Solar Energy Facility. Per Section 3.2G of the Zoning Ordinance, the applicant is requesting an extension from March 30, 2024 to September 30, 2025.

**Applicant:** Wild Hill Solar, LLC

Parcel Info: Clarence & Donna Hough, Owner

Vacant parcel north of the property located at 340 Old Shennandale Rd., Charles Town, WV

Parcel ID: 06000500060000; Lot Size: 49.04 ac / Project Size: 49.04 ac; Zoning District: Rural

Parcel Info: T. Todd & Susan Hough, Trustees

340 Old Shennandale Rd, Charles Town, WV;

Parcel ID: 06000500010000; Lot Size: 206.84 ac / Project Size: 181.70 ac; Zoning District: Rural

Parcel Info: Charles & Marie Hough (Life), Owner

620 Old Shennandale Rd, Charles Town, WV;

Parcel ID: 06001100080000; Lot Size: 118.05 ac / Project Size: 32.11 ac; Zoning District: Rural

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### **Zoning Administrator Report**

- a. Monthly Zoning Certificate Activity Report
- b. Approval of the 2023 Board of Zoning Appeals Meeting Schedule

### **Legal Update**

- a. Discussion of the following pending lawsuits:
  1. Jefferson County Circuit Court Case #CC-19-2022-C-81 (RE: ZTA22-01 Solar Energy Facilities) Rockwell v. JCPC, JCBZA and JCCC
  2. Jefferson County Circuit Court Case #CC-19-2022-C-141 (RE: Rippon Solar Energy Facility / File 22-9-CUP) Rockwell v. JCBZA
  3. Jefferson County Circuit Court Case #CC-19-2023-C-131 f/k/a CC-19-2023-P-95 (RE: Williamson Fence / 23-13-ZV) Gallagher v. JCBZA and Timothy Williamson
- b. Discussion with possible deliberative session and signing of draft Findings/Decisions.

### **Meeting: September 28, 2023**

1. Variance request from Section 9.7. Owner: Sharon Tennant. File: 23-27-ZV.
2. Variance request from Section 8.10. Owner: Flowing Springs Road, LLC. File: 23-28-ZV.
3. Variance request from Section 5.7(b). Owner: Charles and Shelly Wolfe. File: 23-29-ZV.
4. Request for a Special Exception Permit for an Off-Premise Sign for Bakerton Market. Owner: Barbara Sullivan. Applicant: Bakerton Market / Attn: Kevin Cueller and Katty Vocal. File: 23-2-SE.
5. Variance request from Section 5.7(b). Owner: Barbara Sullivan. Applicant: Bakerton Market / Attn: Kevin Cueller and Katty Vocal. File: 23-30-ZV.
6. Variance request from Section 5.7D.2.b.i(b). Owner: Elevation Properties, LLC. Applicant: P.J. Raco Consulting, LLC / Attn: Paul Raco. File: 23-31-ZV.
7. Variance request from Section 10.4B.2. Owner: Charles Town Burr Park Station, LLC. Applicant: Holtzman Oil Corp / Attn: Lindsay Racer. File: 23-32-ZV.