



**Jefferson County**  
**Board of Zoning Appeals Agenda**  
**Thursday, November 9, 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: 875 6750 7251  
Meeting Link: <https://us02web.zoom.us/j/87567507251>  
Phone Option (Dial by Location): 301-715-8592  
Find your local number: <https://us02web.zoom.us/u/kgkZrq439>

*\*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: October 26, 2023**

**Public Hearing – Administer Oath**

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**ITEM # 1 FILE #: 23-34-ZV**

**Request:** Variance request from Section 8.4 to reduce the distance requirement from 300' to 135' along the western property line and from 300' to 75' along the eastern property line for a proposed kennel with an outdoor training area.

**Owner:** Nicholas Russo and Alice Davenport

**Applicant:** QRF Solutions K9

**Parcel Info:** 1899 Trough Road, Shepherdstown, WV  
Parcel ID: 09000900070006; Size: 10 acres; Zoning District: Rural

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**ITEM # 2 FILE #: 23-35-ZV**

**Request:** Variance request from Section 10.4.B.4 to allow a freestanding business sign to be installed in a location that faces an adjoining residential property.

**Owner:** Peter Corum

**Applicant:** Dino Kids / Attn: Cordelia Courtney

**Parcel Info:** 3988 Kearneysville Shepherdstown, WV  
Parcel ID: 09001300260002; Size: 2 acres; Zoning District: Neighborhood Commercial

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**ITEM # 3 FILE #: 23-9-CUP**

**Request:** Request by Earthworx General Contracting Services, LLC for a Conditional Use Permit to operate a Contractor with Outdoor Storage business, as defined in Article 2 of the Zoning Ordinance. The proposal consists of storing construction equipment on an outdoor gravel pad. No customers will come to the property. No new structures or signs are proposed.

**Owner:** Jeremy and Tiffany Martin

**Applicant:** Earthworx General Contracting Services, LLC

**Parcel Info:** 104 Winebrenner Road, Shepherdstown, WV  
Parcel ID: 09000700020002; Size: 16.5 acres; Zoning District: Rural

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

**ITEM #4 EXTENSION REQUEST RE: FILE #: 22-9-CUP**

**Request:** Request by Rippon Energy Facility, 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 June 7, 2024 to December 7, 2025.

**Applicant:** Rippon Energy Facility, LLC / Attn: Sam Gulland and Brian Kusiak

**Parcel Info:** Bullskin LLC, Owner  
673 Old Shennandale Rd, Charles Town, WV  
Parcel ID: 06001100090000; Lot Size: 133.75 / Project Size: 106.52 ac

**Parcel Info:** Clarence E Hough, Et Al, Owner  
Vacant parcel west of the property addressed as 957 Myerstown Rd, Charles Town, WV  
Parcel ID: 06001000030001; Lot Size: 108.66 ac / Project Size: 99.84 ac;

**Parcel Info:** View Mountain Farm LLC, Owner  
28 Dutch Hill Rd, Charles Town, WV  
Parcel ID: 06002100060000; Lot Size: 101.6 ac / Project Size: 97.01 ac;

**Parcel Info:** Stanley & Katherine Dunn, Owner  
2646 Kabletown Rd, Charles Town, WV  
Parcel ID: 06002100050000; Lot Size: 174.6 ac / Project Size: 165.52 ac;

**Parcel Info:** Stanley & Katherine Dunn, Owner  
Vacant parcel east of the property addressed as 28 Dutch Hill Rd, Charles Town, WV  
Parcel ID: 06002100070000; Lot Size: 89.39 ac / Project Size: 86.07 ac

**Parcel Info:** Stanley & Katherine Dunn, Owner  
Vacant parcel east of the property addressed as 2646 Kabletown Rd, Charles Town, WV  
Parcel ID: 06002200050001; Lot Size: 232 ac / Project Size: 169.15 ac;

**Parcel Info:** Stanley & Katherine Dunn, Owner  
1371 Myerstown Rd, Charles Town, WV  
Parcel ID 06001000050000; Lot Size: 366 ac / Project Size: 12.27 ac

\*All of the subject parcels are zoned Rural.

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**Zoning Administrator Report**

- a. Monthly Zoning Certificate Activity Report

**Legal Update**

- a. Discussion of the following pending lawsuits:
  1. Jefferson County Circuit Court Case #CC-19-2022-C-141 (RE: Rippon Solar Energy Facility / File 22-9-CUP) Rockwell v. JCBZA
  2. Jefferson County Circuit Court Case #CC-19-2023-C-131 (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: October 26, 2023**

1. Variance request from Section 5.4B. Owner: David Cebulski. File: 23-33-ZV.
2. Request by Tracy Dove dba Charles Town Car Storage for a Conditional Use Permit Owner: Tracy and Marketa Dove. File: 23-8-CUP.
3. Request by Wild Hill Solar Project for an extension of the previously issued Conditional Use Permit for a Solar Energy Facility. Applicant: Wild Hill Solar, LLC. Owners: Clarence & Donna Hough, T. Todd & Susan Hough, and Charles & Marie Hough (Life). File: 23-5-CUP.