



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 #: 23-9-CUP
 R'cvd Date: 10/06/23
 Mtg. Date: 11/14/23
 Fee Paid: \$ 300/chk#0405
 Staff Int.: AS

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Application for a Conditional Use Permit

Project Name

Property Owner Information

Name: Jeremy + Tiffany Martin
 Business Name: _____
 Mailing Address: 104 Winebrenner Rd Shepherdstown, WV 25443 Mail Yes
 Phone Number: _____ Email Response: hcooper1926@gmail.com Response: No

Applicant Information

Name: Jeremy + Tiffany Martin
 Business Name: Earthworx General Contracting Services, LLC
 Mailing Address: P.O. Box 1555 Shepherdstown, WV 25443 Mail Yes
 Phone Number: 304 283 8553 Email Response: earthworxgcs@outlook.com Response: No

Engineer(s), Surveyor(s), or Consultant(s) Information

Name: _____
 Business Name: _____
 Mailing Address: _____ Mail Yes
 Phone Number: _____ Email Response: _____ Response: No

Physical Property Details

Physical Address: 104 Winebrenner Rd Shepherdstown, WV 25443
 Tax District: Shepherdstown (09) Map No: 7 Parcel No: 2.2
 Parcel Size: 16.49 acres Deed Book: 1290 Page No: 456

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)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General Commercial (GC)	Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/Commercial Mixed-Use (OC)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

* 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: Winebrenner Road

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

Supports some non-res use in the rural zoning district and encourages the Conditional use permit process.

Please provide any information or known history regarding this property.

Vacant until Sept 2022 when we purchased and began to develop.

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

Contractor with outdoor storage - see attached narrative

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

There are several farms surrounding our property and the proposed business will have minimum impact. We planted trees as a buffer to lower impact.

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

proposed business is limited in scale.

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.

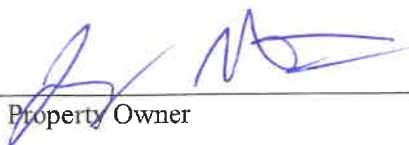
I am aware of the standards outlined in Section 8.9 of the Zoning Ordinance and will be in compliance.

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.


Property Owner

10/5/23
Date


Property Owner

10/5/23
Date

Narrative for 104 Winebrenner Road, Shepherdstown, WV 25443

Description of land: This property is currently a farm registered as ag use. We have had our horses, cows there since November 2022. We also park our equipment for our small excavating business and have done so since October 2022. Currently, we are building our home on the farm. This property is primarily our home and farm and is our land personally, however, we do store our equipment on the gravel parking pad as shown on the site sketch. No customers come to our location, we have no employees, and we operate during construction hours off site.

Traffic: Currently the traffic to and from the farm is mainly for our personal use. However, we do operate our business on a part-time (2 days a week, currently). That equals 4 trips per week if you are including 2 trips per day for 2 days. This will not change with what is currently happening and has been happening since October 2022 as we have had the equipment stored there since then. However, in the future – our 10-year plan is to grow our business and possibly work 4-5 days a week and hire 4-5 employees which could then increase the trips to 50 in any given week. We do not believe that this will create any inconvenience to the surrounding properties due to the location and layout of our land.

Signage: There will be no signage for our business at this location.

Site Sketch/Pictures: Looking at the site sketch you can see that we planted 20 trees down the fence line where our property adjoins 4 Belmeade Way. There were a few bare spots in the fence line and we wanted to create more privacy for both parties. As you can see, our property line that adjoins all neighboring properties located in the neighborhood have trees, most areas thicker than just a tree line.

Other notes: Please note that we have had no complaints regarding our business storage or operation until this time and recently we started working on the foundation of our new home. In doing this, we ran into a rock ledge where the house needs to go and had to break rock and have upset neighboring properties due to the noise. However, we are operating during normal construction hours and once our home is complete the current issues will go away. As I first stated, I do not believe that parking our equipment is of concern to neighbors rather that we are building a home. Please also see attached the letter of support from Karen Lemons who is the neighbor behind us, located at 106 Winebrenner Road. We want to enjoy our land and our home. Yes, we also own a small business but we have a good reputation with our customers and have tried to reduce any impact that our business or home may cause.

List of adjoining properties to 104 Winebrenner Road:

Jarrold & Shannon Plotner
4 Belmeade Way
Shepherdstown, WV 25443

Daniel Murray
32 Belmeade Way
Shepherdstown, WV 25443

Aaron & Jennifer Krouse
102 Blemeade Way
Shepherdstown, WV 25443

Katelyn Phillips
126 Belmeade Way
Shepherdstown, WV 25443

Karen Lemons
106 Winebrenner Road
Shepherdstown, WV 25443

Michael Lillie - across Rd- Winebrenner
2001 Winebrenner Rd
Shepherdstown, WV 25443

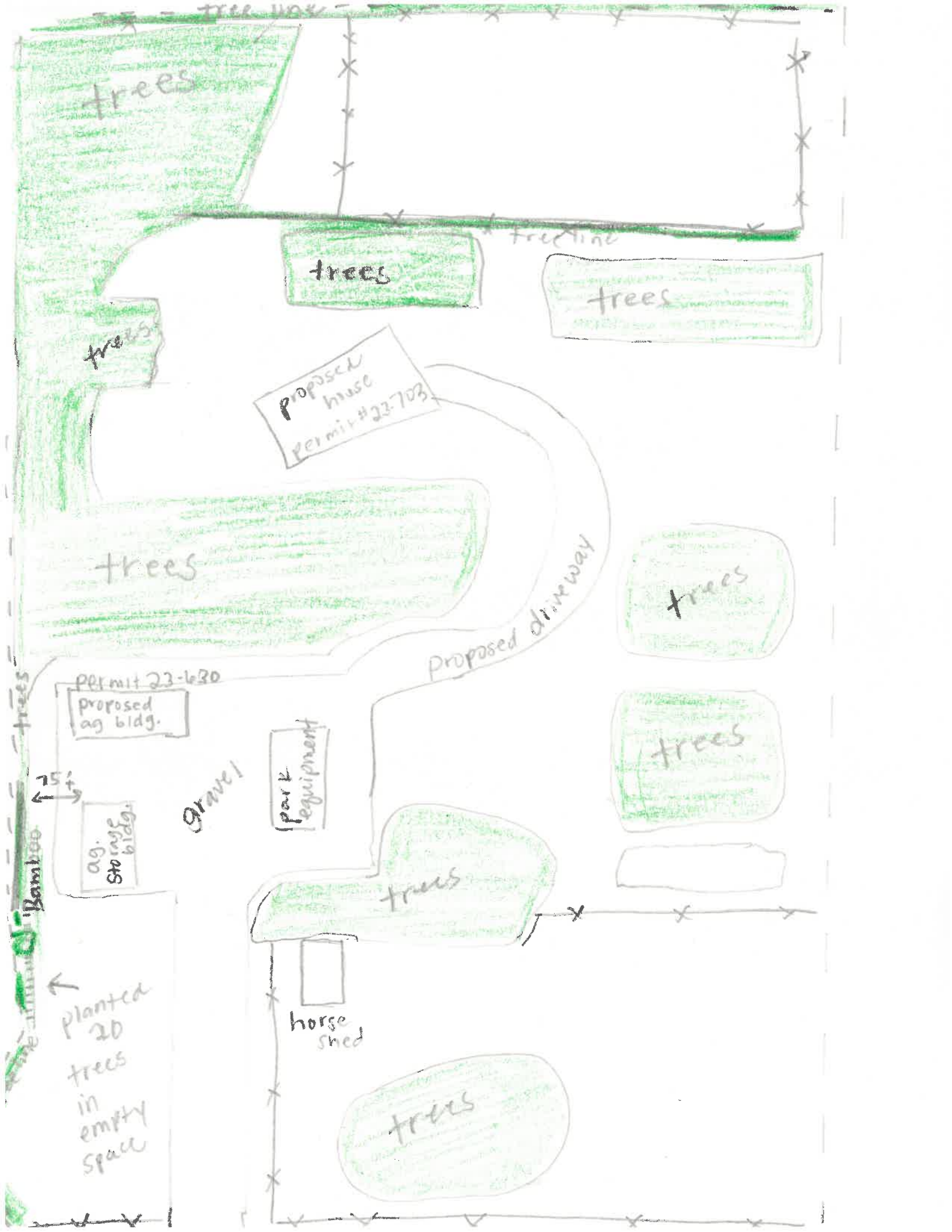
October 5, 2023

To Whom it May Concern:

I reside at 106 Winebrenner Road in Shepherdstown and it has come to my attention that Jeremy & Tiffany Martin are applying for a permit through Jefferson County. I have gotten to know Tiffany and Jeremy and their children after they purchased the 16 acre property adjacent to mine in September 2022. The property was used to store equipment for their business and as farmland for their horses. They have recently decided to make it their homestead and primary residence preparing to break ground to build a home. To my knowledge, the couple has been respectful of noise during waking hours although I am sure the county understands farmers must start their day early to get everything done. They have recently hit rock at the site of what will be their home causing an increase in the use of heavy equipment which is a normal part of construction. I understand it has caused issue with some neighbors but will be temporary as the excavation is done and the home is constructed. Thankfully my cattle rise early and have not complained about the matter. The Martins and myself share a driveway/right-of-way and Jeremy asked permission before making improvements to the driveway as it opens onto Winebrenner. He has improved visibility and keeps the property in wonderful shape. He has maintained both sides of the right-of-way mowing and even helped spread gravel in my driveway. They have not caused any issues for myself, my farm or my family and wish to be an asset to the neighborhood. Don't hesitate to contact me if I can be of assistance.

Karen Lemons

(540)535-6118



trees

trees

trees

trees

Proposed house
Permit #23-703

trees

Proposed driveway

trees

Permit 23-630
proposed
ag bldg.

trees

25'

Gravel

park
equipment

ag.
storage
bldg.

trees

Bamboo

horse
shed

trees

Planted
20
trees
in
empty
space

earthworxgcs@outlook.com

From: Jeremy Martin <jmartin32glove@gmail.com>
Sent: Thursday, October 5, 2023 6:17 PM
To: earthworxgcs@outlook.com
Subject: Pictures of trees etc at farm











View from Winebrenner Rd +
private farm lane (unnamed)





