



Jefferson County
Board of Zoning Appeals Agenda
Thursday, December 14, 2023 at 2:00 p.m.

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

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: 859 6001 7007
Meeting Link: <https://us02web.zoom.us/j/85960017007>
Phone Option (Dial by Location): 301-715-8592
Find your local number: <https://us02web.zoom.us/j/85960017007>

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

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

Approval of Minutes: November 9, 2023

Public Hearing – Administer Oath

ITEM # 1 FILE #: 23-36-ZV – *POSTPONED UNTIL JANUARY 25, 2024*

Request: Variance request from Section 9.7 to reduce the front setback along Mahoney Drive from 20' to 4'; and to reduce the rear setback along the eastern property line from 12' to 2' for an existing 12' tall fence.

Owner: Guy Chappuis

Parcel Info: 26 Benson Drive, Harpers Ferry WV

Parcel ID: 04003A00370000; Size: .58 acres; Zoning District: Village

ITEM # 2 FILE #: 23-37-ZV

Request: Variance request from Appendix B to reduce the non-residential side setback requirement from 50' to 8' along the northern property line for a 12' x 28' shed to be used for equipment storage related to an existing landscaping business (Snyder's Property Squad, LLC).

Owner: Stephen Patrick Snyder

Parcel Info: Riverside Subdivision, Sec. 7A, Lot 735. 38 Marcum Lane, Harpers Ferry, WV

Parcel ID: 06002601510000; Size: 1.18 ac; Zoning District: Rural

ITEM # 3 FILE #: 23-10-CUP

Request: Request by Songbird House Assisted Living Residence for a Conditional Use Permit to operate a Nursing or Retirement Home, as defined in Article 2 of the Zoning Ordinance. The proposal consists of providing homecare for up to 16 residents. The application includes a 560 square foot expansion to increase the existing living space. The facility will have up to four (4) caregivers/employees. All parking will occur on site. No signs are proposed.

Owner: Blue Iris LLC and Blue Tulip LLC / Attn: Sharon Hallinan, Manager

Applicant: Songbird House Assisted Living Residence / Attn: Beata Scott

Parcel Info: Farview Farm, Lot 8, 217 Deer Trail, Shepherdstown, WV

Parcel ID: 09000900350000; Size: 2.52 acres; Zoning District: Rural

ITEM # 4 FILE #: 23-38-ZV

Request: Variance request from Section 5.6B to reduce the distance requirement for Industrial Uses from 1,000' to 300' along the southern property line to allow for the construction of an asphalt plant accessory to the quarry operation.

Owner: Millville Quarry, Inc.

Parcel Info: 165 Bradstone Lane, Harpers Ferry, WV 25425

Parcel ID: 04001100220000; Size: 272+ ac; Zoning District: Industrial Commercial

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: November 9, 2023

1. Variance request from Section 8.4. Applicant: QRF Solutions K9. Owner: Nicholas Russo and Alice Davenport. File: 23-34-ZV.
2. Variance request from Section 10.4.B.4. Applicant: Dino Kids / Attn: Cordelia Courtney. Owner: Peter Corum. File: 23-35-ZV.
3. Request Earthworx General Contracting Services, LLC for a Conditional Use Permit. Owner: Jeremy and Tiffany Martin. File: 23-9-CUP.
4. Request by Rippon Energy Facility, LLC for an extension of the previously issued Conditional Use Permit for a Solar Energy Facility. Applicant: Rippon Energy Facility, LLC / Attn: Sam Gulland and Brian Kusiak. Owners: Bullskin LLC, Clarence E Hough, Et Al, View Mountain Farm LLC, and Stanley & Katherine Dunn. File: 22-9-CUP.