



**JEFFERSON COUNTY, WEST VIRGINIA**  
**Department of Engineering, Planning and Zoning**  
**Office of Planning and Zoning**  
 116 East Washington Street, 2<sup>nd</sup> Floor  
 Charles Town, West Virginia 25414

File #: 24-3-CUP  
 R'cvd Date: 01/24/24  
 Mtg. Date: 02/22/24  
 Fee Paid: \$ 550.00  
 Staff Int: jth

Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Phone: (304) 728-3228

**Application for a Conditional Use Permit**

**Project Name**

Viking Tree Service, LLC - Company Yard

**Property Owner Information**

Name: Erik and Cheryl Berndt  
 Business Name: Viking Tree Service, LLC  
 Mailing Address: 1227 River Rd Shepherdstown, WV 25443  
 Phone Number: (707) 338-0144 Email Response: erik@vikingtreewv.com Mail  Yes  
 Response:  No

**Applicant Information**

Name: Erik and Cheryl Berndt  
 Business Name: Viking Tree Service, LLC  
 Mailing Address: 1227 River Rd Shepherdstown, WV 25443  
 Phone Number: (707) 338-0144 Email Response: erik@vikingtreewv.com Mail  Yes  
 Response:  No

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

Name: Richard Klein, PE  
 Business Name: Alpha Associates, INC  
 Mailing Address: 535 West King St Martinsburg, WV25401  
 Phone Number: (304) 264-0051 Email Response: richard.klein@thinkalphafirst.com Mail  Yes  
 Response:  No

**Physical Property Details**

Physical Address: NA  
 Tax District: Shepherdstown Map No: 10 Parcel No: 7  
 Parcel Size: 6.06 AC Deed Book: 1227 Page No: 470

**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: River Rd

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

See attached Narrative.

**Please provide any information or known history regarding this property.**

The previous owners of this property were granted a zoning variance to allow a six-site campground.

**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*

Goal 6, Objective 1: (...)work to build and expand existing local businesses(...); We have operated in Jefferson County since Feb. of 2018; we employ six Jeffco residents, and provide a living wage, including health, vision, and dental coverage, as well as a 401k plan. This proposed site will help us expand our processes.

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*

The intensity and scale of our proposed use is congruent with other agricultural activities in the area. We intend to comply with zoning ordinances and to maintain good relationships with our neighbors.

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*

The site selected for the parking and building proposed in this CUP request is set well back from all property lines, and will be constructed in an aesthetically pleasing manner. We live adjacent to the site, and desire to maintain a tidy property, as well as a harmonious existence with our neighbors.

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.

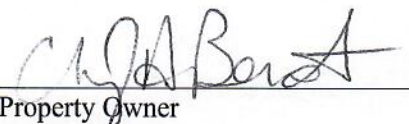
6. For properties in the Rural zoning district, roadway adequacy shall be assessed by the Comprehensive Plan's Highway Road Classification Map. If a rural parcel is not shown as commercial on the Future Land Use Guide or does not front on a Principal Arterial, Minor Arterial, or Major Collector road (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  
1-24-24  
Date

  
Property Owner  
1-24-24  
Date

**Erik and Cheryl Berndt**

1227 River Rd  
Shepherdstown, WV 25443  
(304) 839-8673  
erik@vikingtreewv.com

January 14th, 2024

**Board of Planning and Zoning**

116 East Washington Street in Charles Town, WV 25414

**Subj:** Conditional Use Permit Narrative

Dear Planning and Zoning Board Members,

We are requesting your consideration for our Conditional Use Permit application. We own Viking Tree Service, LLC, and wish to use a portion of our 6-acre parcel for vehicle and equipment parking on a gravel pad, as well as to construct a pole building shop. We currently have five full-time employees, and one part-time employee, but are requesting approval for up to ten employees for future growth, should that opportunity make sense for us. Our typical work day begins at 7:30 AM; employee vehicles are parked upon their arrival, company vehicles are readied for use, and the crew departs by 8:00 AM to the first off-site job of the day; the vehicles and crew remain off-site for the duration of the day. Typically, all vehicles and equipment are back at the yard by 4:30 PM, and employees depart for the day. On occasion there will be mid-day return trips to drop equipment/pick up additional equipment. There may also be emergency operations related to weather events or other unplanned events.

Our current vehicle and equipment complement is as follows: four 1-ton pickup trucks, two heavy duty trucks (one grapple truck and one grapplesaw crane), five trailers, a spider lift, a stump grinder, two articulating mini-loaders, and two wood chippers. We don't have any additional equipment acquisitions planned currently, but we do plan to update several of our older vehicles and equipment within the next two-three seasons. We consider this equipment dual-purpose, as it is also used to maintain our property, as well as to conduct agricultural activities.

We are not requesting to have any customers visit our site.

Trip generation calculations are as follows:

M-F:

AM - max 10 vehicles arriving; max 8 vehicles departing; total 18 trips AM

PM - max 8 vehicles arriving; max 10 vehicles departing; total 18 trips PM

Weekend:

AM - max 5 vehicles arriving; max 5 vehicles departing; total 10 trips AM

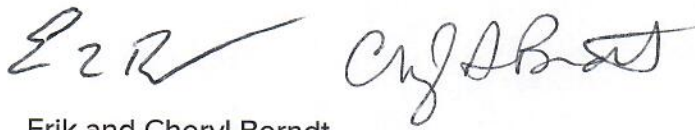
PM - max 5 vehicles arriving; max 5 vehicles departing; total 10 trips PM

Weekly Total:

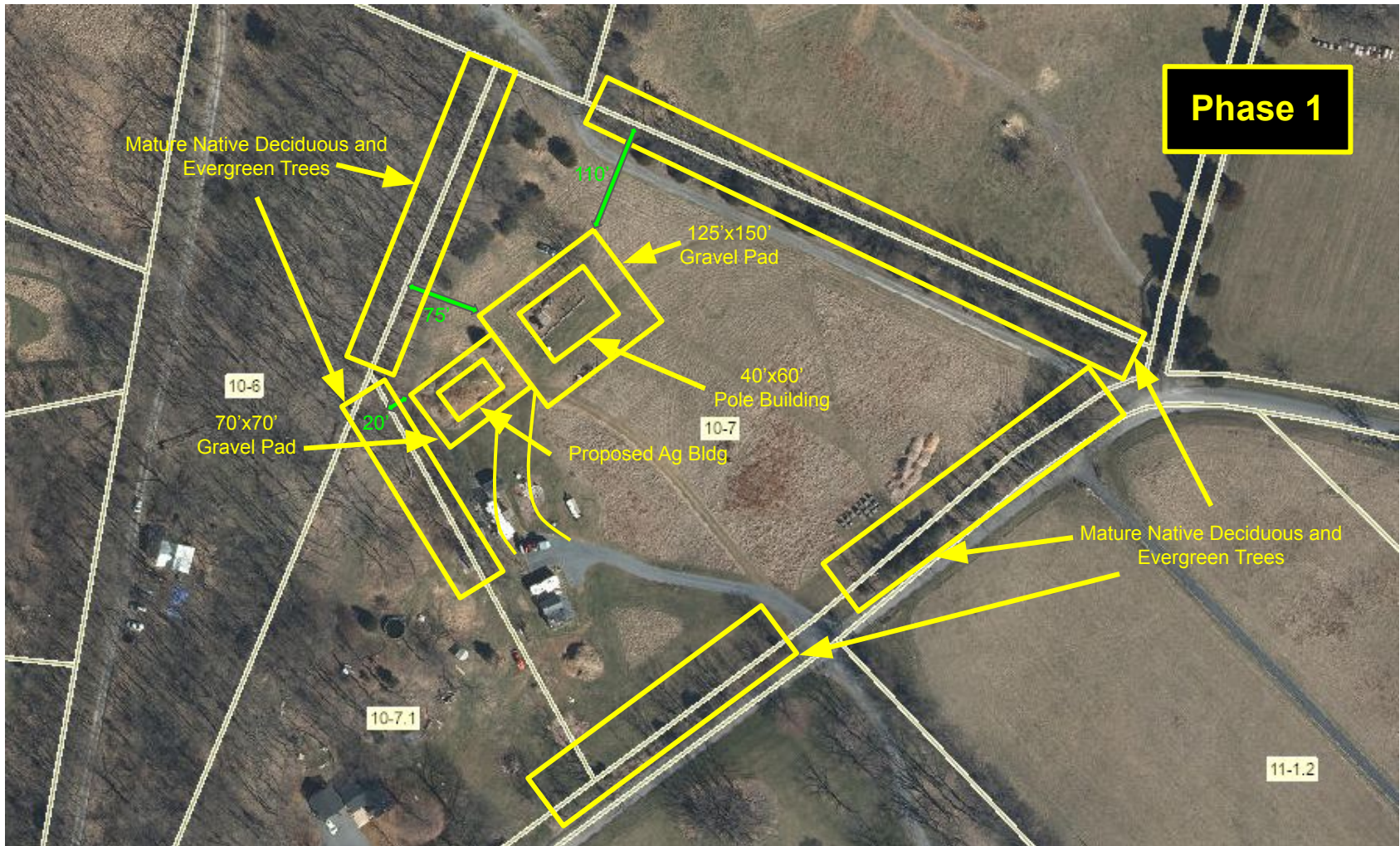
AM - 100

PM - 100

Sincerely,

Handwritten signatures of Erik and Cheryl Berndt. Erik's signature is on the left, and Cheryl's is on the right.

Erik and Cheryl Berndt



**Phase 1**

Mature Native Deciduous and Evergreen Trees

125'x150' Gravel Pad

40'x60' Pole Building

Proposed Ag Bldg

Mature Native Deciduous and Evergreen Trees

10-6  
70'x70' Gravel Pad

10-7

10-7.1

11-1.2

