



Agenda

Jefferson County Planning Commission

Tuesday, July 9, 2024 at **6:00 PM**

**By order of the President of the Jefferson County Planning Commission,
Public Participation is available in-person only.
The meeting will be broadcast live via ZOOM for viewing purposes only.**

In-Person Meeting Location: County Commission Meeting Room located in the lower level of the Charles Town Library (side entrance on Samuel Street)
200 East Washington Street, Charles Town, WV 25414

ZOOM Broadcast Information*: Meeting ID: 890 0075 3530
Meeting Link: <https://us02web.zoom.us/j/89000753530>

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

- 1. Discussion and Possible Action:** Related to the Comprehensive Plan Update: Review Part 2 of 2 of the Draft 2045 Comprehensive Plan
- 2. Approval of Meeting Minutes:** June 11, 2024
- 3. Request for postponement.**

The following items are open for public comment.

- 4. Concept Plan Public Workshop:** A Concept Plan for a Minor Site Development that contains more than 5,000 square feet of gross floor area (GFA). The proposal includes construction of a new structure to be used as a brewpub, a pavilion, and associated parking. Applicant: BCL Properties, LLC. Property Owners: Nicholas Wilson, Karen Dowd Wilson, Katie Main, and Ryan Main. Property Location: 640 War Admiral Boulevard, Charles Town, WV. Parcel ID: 02000100270001; Size: 4.7 acres; Zoning District: Industrial Commercial (File #24-5-SP).
- 5. Public Hearing:** Request for a Final Plat Amendment to lift the single family restriction to allow for the construction of an Accessory Dwelling Unit for use by a family member (see Final Plat Note #4 recorded in PB10/PG65). Applicant: Clare Grice. Property Owner: Dean Ott. Property Location: Sharp Minor Subdivision, Lot 3, 105 Cardinal Knoll Lane, Shenandoah Junction, WV. Parcel ID: 09002000060002; Size: 2.34 ac; Zoning District: Rural (File #24-1-FPA).
- 6. Public Hearing:** Request for a Final Plat Amendment to lift the single family restriction to allow for the construction of an Accessory Dwelling Unit for use by a family member (see Final Plat Note #4 recorded in PB17/PG32). Applicant/Property Owner: Rebecca and Duane Dunn. Property Location: Hardesty Minor Subdivision, Lot 1, 230 Macoughtry Rd., Kearneysville, WV. Parcel ID: 07002400040002; Size: 6.10 ac; Zoning District: Rural (File #24-2-FPA).

There is no public comment for the following items.

- 7. Waiver Request:** Request for a waiver from Section 2.2K.3 of the Subdivision Regulations to allow a gravel walkway area, as opposed to concrete; and, to allow the walkway grade to be greater than 5% (but not more than 10%) for public use to allow for the expansion of the existing Devil's Due Distillery (File 24-21-PCW). Property Owner: Shenandoah Valley Holdings LLC / Applicant: Devil's Due Distillery; Property Location: 315 James Burr Blvd, Kearneysville, WV 25430; Parcel ID: 02000101330000; Size: 2.83 acres; Zoning District: Industrial Commercial (File #24-21-PCW).

8. Waiver Request: Waiver from Section 10.5 of the Subdivision Regulations to allow a gravel parking lot, as opposed to asphalt/concrete, for public use for a proposed brewpub. (Project Name: BCL Properties – File #24-5-SP). Applicant: BCL Properties, LLC. Property Owners: Nicholas Wilson, Karen Dowd Wilson, Katie Main, and Ryan Main. Property Location: 640 War Admiral Boulevard, Charles Town, WV. Parcel ID: 02000100270001; Size: 4.7 acres; Zoning District: Industrial Commercial (File #24-22-PCW).

9. Reports from Legal Counsel

- a. Discuss and review Jefferson County Circuit Court Civil Action No. 2021-C-109 (RE: PC File #21-2-Z – Jefferson Orchards Rezoning).
- b. Review and discuss Jefferson County Circuit Court Civil Action No.'s 2021-C- 33 through 37 and Jefferson County Circuit Court Civil Action No.'s 2021- C-46 through 50, and WV Supreme Court No.'s 21-0727, 21-0728, and 21-0731 and Jefferson County Circuit Court Civil Action No. 2023-C-112 (RE: PC File #ZTA19-03 Solar Energy Facilities text amendment).
- c. Jefferson County Circuit Court Case #CC-19-2022-C-81 (RE: PC File #ZTA22-01 Solar Energy Facilities text amendment).
- d. Discuss and review for possible action Jefferson County Circuit Court Civil Action No. 2023-C-48 (RE: PC File #21-8-SP Berryville Pike Telecommunications Tower).
- e. Update from Legal Counsel regarding County Commission actions on December 21, 2023 including obtaining ethics opinion regarding committee.

10. Planner's Memo

11. Discussion and Approval: Planning and Zoning 4th Quarterly Report for FY 2023-2024 for the County Commission

12. President's Report

13. Comprehensive Plan Actionable Correspondence

- a. Ruth Pritchard 6.26.24
- b. Christie & Joe Martin 6.19.24
- c. Richard Zigler 6.23.24
- d. Adam Roob 7.2.24
- e. Susie Wimer 7.2.24
- f. Lynn Delles 7.2.24
- g. Lisa Payne 7.3.24

14. Actionable Correspondence

15. Non-Actionable Correspondence

- a. Debra Boyd 7.1.24
-