



**Jefferson County**  
**Board of Zoning Appeals Agenda**  
**Thursday, July 25, 2024 at 2:00 p.m.**

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

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**Meeting Location:** County Commission Meeting Room  
Located in the lower level of the Charles Town Library (entrance on Samuel Street)  
200 East Washington Street, Charles Town, WV 25414

**Broadcast Information:** ZOOM Meeting Link: <https://us02web.zoom.us/j/86834930839>  
Phone Option (Dial by Location): 301-715-8592 / Meeting ID: 868 3493 0839

**Note:** *The County does not transcribe meeting proceedings. Any party desiring a meeting transcript is responsible for providing a stenographer at their own expense.*

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

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**Approval of Minutes: June 27, 2024**

**Public Hearing – Administer Oath**

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**Item #1      File #: 24-23-ZV**  
Request: Variance request from Section 9.7 to reduce the side setback along the northern property line from 12' to 4' for an 8' x 16' deck.  
Parcel Info: Nicholas Lowe, Property Owner  
272 No Name Lane, Kearneysville, WV  
Parcel ID: 07001900180003; Size: .46 acres; Zoning District: Rural

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**Item #2      File #: 24-5-CUP and 24-24-ZV**  
Request #1: Request for a Conditional Use Permit to establish a construction company (proposed land use designation as listed in Appendix C of the Zoning Ordinance: Contractor with Outdoor Storage). The proposal consists of construction a 100' x 100' building, employee parking, and outdoor equipment storage area. The business may employ up to five (5) employees. On-site customer visits will be minimal. A freestanding business sign in accordance with Article 10 is proposed. (File #24-5-CUP)  
Request #2: Variance request from Appendix B and Section 4.11E to utilize existing vegetation in lieu of a planted buffer along all property lines. (File #24-24-ZV)  
Parcel Info: Global Environmental & Remediation LLC / Contact: Raymond Johnson, Property Owner  
Parcel located north of the Middleway Pike and Shirley Road intersection  
formerly addressed as 7367 Middleway Pike, Charles Town, WV  
Parcel ID: 07002000090001; Size: ~6 acres; Zoning District: Rural

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**Item #3      File #: 24-6-CUP and 24-25-ZV**  
Request #1: Request for a Conditional Use Permit to establish a Special Event Facility in conjunction with the existing Bakerton Market. The proposal consists of hosting a variety of community events such as flea markets, car shows, movie nights, etc. on a weekly, quarterly, and annual basis. The proposal also includes a picnic area and the addition of alcohol sales for on-premises consumption. (File #24-6-CUP)  
Request #2: Variance request from Section 8.14B to reduce the minimum lot size requirement for a Special Event Facility from 5 acres to .65 acre; and to eliminate the buffer screen requirement to accommodate the proposed parking area. (File #24-25-ZV)  
Parcel Info: Carter & Maple Properties, LLC, Property Owner  
Bakerton Central, LLC / Contact: Kevin Cuellar, Applicant  
Vacant parcel located south of 834 Carter Ave, Harpers Ferry, WV  
Parcel ID: 04003A00230000; Size: .65 acre; Zoning District: Village

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## **Zoning Administrator Report**

- a. Monthly Zoning Certificate Activity Report

## **Legal Update**

- a. Discussion with possible deliberative session 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 c JCBZA and Timothy Williamson
  3. Jefferson County Circuit Court Case # CC-19-2024-C-14 (RE: Jeremy Martin, Tiffany Martin and Earthworx General Contracting Services, LLC v. Jefferson County Board of Zoning Appeals
- b. Discussion with possible deliberative session and signing of draft Findings/Decisions.

### **Meeting: June 27, 2024**

1. Variance request from Section 5.4B. Owners: Frank and Elizabeth Casaleno. File: 24-16-ZV.
2. Variance request from Appendix A. Owners: Thomas and Ann Morgan. File: 24-17-ZV.
3. Variance request from Section 9.7. Owners: Jeffrey & Alita Kite. File: 24-18-ZV.
4. Variance request from Section 4.11 and Appendix B. Applicant: Devil's Due Distillery. Owner: Shenandoah Valley Holdings LLC e. File: 24-19-ZV.
5. Variance request from Appendix A. Owners: Frank and Diane Hardy. File: 24-20-ZV.
6. Variance request from Appendix A & Section 9.6C. Owners: Westley Jenkins & Rebekah Walsh-Jenkins. File: 24-21-ZV.
7. Variance request from Appendix A. Applicant: Lane Donley. Owner: Samuel J Donley Jr. File: 24-22-ZV.