



Jefferson County
Board of Zoning Appeals
Thursday, January 23, 2014, 2:00 p.m.

Members
Christy Huddle, Vice Chair
Jeffrey Bannon
Tyler Quynn
Edwin Kelly
Matt Knott
Ted Shiltz, Alternate

The Jefferson County Board of Zoning Appeals will meet in the Charles Town Library Conference Room located at 200 East Washington Street, at the side entrance on Samuel Street, in the City of Charles Town, WV. Unless otherwise noted, all requests are pursuant to the Zoning & Land Development Ordinance.

1. Election of Officers
2. Approval of the minutes from the November 14, 2013 and December 18, 2013 meeting.
3. Swearing in of members of the public intending to provide testimony.
4. Deferred from the October 10, 2013 and November 14, 2013 meeting. Variance request by property owner, Susan Powell, from Section 9.7 for a reduction of the rear setback distance from 12' to 6' to allow for the construction of an 8' x 12' deck to be used for wheelchair access. Location: Shannondale, Section 5F, Lot 40, 480 Rolling Ln., Harpers Ferry, WV. District: Kabletown (06); Map: 6B; Parcel: 67; Zone: Rural; Size 0.25 acres; File: #ZV13-30.
5. Variance request by applicant/owner, Vince Petti, Burr Park, LLC, from the following sections:
 - a) Section 5.6D.5: a reduction of the required parking and access drive setbacks from 10' to 0';
 - b) Section 4.11A: a reduction of the required landscape buffer between two commercial uses from 10' to 0' for two newly created parcels; and,
 - c) Section 5.6D.2: a reduction of the required setback distance between existing buildings from 25' to 4.25' on one lot and 25' to 5.25' on the other lot, for the purpose of subdividing Parcel 86 (referred to as Lot 34) to create two individual commercial lots (Lots 34A and 34B).Location: Burr Industrial Park, Phase I: Lot 34, 71 and 73 Edmond Rd., Kearneysville, WV.
District: Charles Town (02); Map: 1; Parcel: 86; Size: 1.53 ac; Zone: Industrial-Commercial; File: #ZV13-38.
6. Variance request by applicants, Susan and Woody Sechrist, from Section 4.3H to re-establish a non-conforming single family dwelling in the Industrial-Commercial zoning district, which is intended to be demolished. The applicants are proposing to demolish an existing 1,392 sq. ft. single family dwelling and replace it with a 1,950 sq. ft. single family dwelling to be situated on the same footprint as the previous residence; however, the additional square footage shall not exceed the required setbacks for that zone. Property owner: Mary K. Carper. Location: 9107 Charles Town Rd., Charles Town, WV.
District: Charles Town (02); Map: 1; Parcel: 19.2; Size .25 ac; Zone: Industrial-Commercial; File: #ZV14-01.
7. Action on proposed amendments to the Board of Zoning Appeals Rules of Procedure, Effective July 21, 2011.
8. Approval of the 2014 Meeting Schedule of the Board of Zoning Appeals
9. Director's Report.
10. Legal Update.

11. Signing of written decisions from prior Board of Zoning Appeals meetings.

- a. Continued from the 07/18/13 & 08/15/13 meetings. The variance request by applicant, John Fridley, was from Section 9.6(C) & 9.7 for a reduction of the front setback distance from 20' to 5' to construct a 20' x 22' detached garage. At the 08/15/13 meeting, the applicant indicated that the required setback from the DOH ROW was actually 12"; therefore, the applicant was advised to amend their application or reapply for a new variance. The applicant has not resubmitted and Board action is required on this outstanding request. Owner: William C. Palmer, Sr. File: ZV13-19. Meeting Date: 09/19/13
- b. Appeal of an Administrative Decision made by Jennifer Brockman, Acting Zoning Administrator, of the interpretation of Section 5.7D(3) regarding *Maximum Number of Lots Allowed* in the Rural zoning district. Appellants: Katherine B. Dunn & Sara V. Lowery, c/o Stanley Dunn. Appellant's Rep: J. Michael Cassell, Esq., Cassell & Prinz, PLLC. File: AP13-01. Meeting Date: 09/19/13
- c. Appeal of the Administrative Decision to issue Zoning Certificate #ZC13-23 for a Home Occupation Level 2 that allows a home-based asphalt repair business. The business includes a 16' trailer with seal coating & lawn equipment, to be enclosed in an outbuilding/garage, pending Building Permit approval. Appellants: R.K. & Marianne Hedrick; Wayne & Gloria Chastain; Scott & Alice Dillow; Mike & Pam Hinkle; and Chris & Christy Swisher. Owners: Robert & Donna Edwards. File: AP13-02. Meeting Date: 09/19/13
- d. Appeal of an Administrative Decision made by Jennifer Brockman, Acting Zoning Administrator, to deny the use of the St. John's Episcopal Church's facility as an overnight cold-weather shelter in the Rural Zoning District. Appellants: The Rev. Georgia DuBose; The Episcopal Diocese of WV / The Rt. Rev. W. Michie Klusmeyer & William F. Berry, VP of the JC Homeless Coalition. File: AP13-03. Meeting Date: 10/10/13
- e. Variance request by Kristen Stolipher, Consultant, on behalf of, Junipa Contento, Developer, from Section 2.2 to extend the time permitted for a Seasonal Use, which limits an event to not more than 3 consecutive days. The applicant is requesting to hold a 5-day music festival and camp out during the July/August 2014 summer season. Owner: Stiles Partnership 3 and 4. File: ZV13-33. Meeting Date: 11/14/13
- f. Request by Kristen Stolipher, Consultant, on behalf of, Junipa Contento, Developer to conduct a Seasonal Use event per Section 9.8 by hosting a 5-day musical festival and camp out, provided the previous variance request (ZV13-22) is approved, during the 2014 summer season. Owner: Stiles Partnership 3 and 4. File: ZV13-34. Meeting Date: 11/14/13