



Jefferson County
Board of Zoning Appeals
Thursday, May 22, 2014, 2:00 p.m.

Members
Tyler Quynn, Chair
Jeffrey Bannon, Vice Chair
Christy Huddle
Matt Knott
Ted Schiltz, 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. Approval of the minutes from the April 24, 2014 meetings.
2. Swearing in of members of the public intending to provide testimony.
3. Action on the Conditional Use Permit for Middleway Market. The applicant is proposing to lift the nonconforming status from the following existing uses by granting said uses permanent legal status: convenience store, which includes incidental propane service, ABC off-premises packaged alcohol sales, video lottery/game room area & ABC on-premise alcohol service, office/storage area, counter & deli service. The applicant is also seeking to expand and/or add the following: increase the buildable area from 4,841.75 sq. ft. to 6,000 sq. ft.; to include a residential rental unit, to expand from counter & deli service to a restaurant service with alcohol sales and delivery service; and, to permit gas pumps either on-site or in conjunction with a partnership agreement with an adjacent neighbor. Owner: Jefferson Reality, LLC. Location: 4843 Middleway Pike, Kearneysville, WV 25430. District: Middleway (07); Map 19A; Parcels: 14 & 14.16; Size: 1.70 ac; Zone: Rural; File: CP14-01.
4. Variance request by applicant, Peter Wilkins, from Section 5.4B to reduce the rear setback from 30' to 20' for a 10' x 28' deck to include a 10' x 12' covered & screened porch. Owner: Christopher Wilkins. Location: Colonial Hills Subdivision, Phase I, Lot D16, 167 Starkeys Landing, Shepherdstown, WV. District: Shepherdstown (09); Map 8D; Parcel: 16; Size: .22 ac; Zone: Residential Growth; File: ZV14-03.
5. Variance request by owner, Gary Rodis, from Section 5.4B to reduce the rear setback from 20' to 12' to install an irregularly shaped pool. Location: Eastland Subdivision, Section III-B, Lot 85, 875 Eastland Dr., Charles Town, WV. District: Charles Town (02); Map 16; Parcel: 108; Size: 1.273 ac; Zone: Residential Growth; File: ZV14-04.
6. A request by applicant, ABS Enterprises, to change a nonconforming use per Section 4.3C to allow for the addition of a 5,000 sq. ft. fresh bakery to zoning certificate application #ZC14-13; and, to include heavy equipment and leasing, auto repair and recycling as approved uses to zoning certificate application #ZC14-15. Owner: OBF Properties LLC. Location: 1059 Box Factory Rd., Summit Point, WV. District: Middleway (07); Map 27; Parcel: 11; Size: 7.2 ac; Zone: Rural; File: ZV14-05.
7. Discussion on the proposed amendments to the Board of Zoning Appeals Rules of Procedure, Effective July 21, 2011, (Draft 2).
8. Director's Report.
9. Legal Update.
10. Signing of written decisions from prior Board of Zoning Appeals meetings.

- a) Action on the Conditional Use Permit (CUP) for Sustainable Solutions, LLC. The applicant is proposing to use the existing expired nonconforming use of commercial buildings for the operation of a business that helps private landowners, state & federal agencies and non-profits manage their land for ecological, economic and social returns. The business would include a 12' x 12' company office within Building A (as shown on Figure 1. Site Map). The remaining portion of Building A and Buildings B and C would be used as shop space for storage, maintenance and repair of company equipment and vehicles. Two alternate sign locations were proposed a) on the existing canopy; or, b) on Building A. Additional landscaping in the form of native trees, shrubs and flowers were also proposed. Property owner: Steve Wandless. Purchaser/Developer: James Remuzzi. Location: 4419 Kearneysville Pk., Shepherdstown, WV. District: Shepherdstown (09); Map 8; Parcel: 9.3; Zone: Residential Growth; Size: 1.79 ac; File: CP13-01. Meeting Date: 3/27/14