



Jefferson County
Board of Zoning Appeals
Thursday, June 26, 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 May 22, 2014 meetings.
2. Swearing in of members of the public intending to provide testimony.
3. Variance request by Woody Beddow, Deacon, on behalf of the Owner, from Section 4.10A to waive the requirement of a site plan for a 336 square foot addition to include new restrooms plus an ADA compliant access ramp. The proposed addition is 86 square feet larger than what is allowed to be built without a site plan. Owner: Allen Sullivan, Trustee, Bakerton Church of God/Bakerton Bible Church. Location: 662 Carter Ave., Harpers Ferry, WV. District: Harpers Ferry (04); Map 3; Parcel: 57; Size: 1.69 ac; Zone: Village; File: ZV14-06.
4. Variance request by owner, Fellowship Bible Church, from Section 4.10A to waive the requirement of a site plan for four (4) 20' x 60' modular classrooms (5,760 sq. ft.) for children's ministries and request an extension of time for the previous variance request (ZV12-13) for the existing modular classrooms until the site plan for Phase II is completed. Location: 160 Daniel Road, Charles Town, WV. District: Charles Town (02); Map 3; Parcel: 4.5; Size: 50 ac; Zone: Rural; File: ZV14-07.
5. Variance request by owner, Jose Manzo, from Section 8.2 to reduce the front and side setback from 75' to 5' for an existing 16' x 16' shed to be utilized as a small barn; and, from Section 9.6C to permit the existing shed/small barn to be located within the required front yard. Location: 83 Hyde Park Ln., Charles Town, WV. District: Kabletown (06); Map 9; Parcel: 21.2; Size: 1.28 ac; Zone: Rural; File: ZV14-08.
6. Variance request by owner, Jose Manzo, from Section 5.7B.1 to reduce the front (40'), side (15') and rear (5') setback requirements for an existing 7' tall fence erected around the perimeter of the property; and, from Section 9.6C to permit the existing 7' tall fence to be located within the required front yard. Location: 83 Hyde Park Ln., Charles Town, WV. District: Kabletown (06); Map 9; Parcel: 21.2; Size: 1.28 ac; Zone: Rural; File: ZV14-09.
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

- b) 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. Meeting date 05/22/14