



Jefferson County, West Virginia
Department of Engineering, Planning and Zoning
Office of Planning and Zoning
116 E. Washington Street, 2nd Floor
Charles Town, West Virginia 25414

File #: 25-2-2
Fees Paid: \$ 1650

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Zoning Map Amendment (Rezoning)

A Zoning Map Amendment shall process in accordance with Article 12 of the Zoning Ordinance.*

A complete petition, and related fees, shall be submitted to the Office of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. A copy of the application shall be submitted to the County Commission Office for inclusion on the County Commission Agenda at least one week prior to the County Commission meeting date.

Property Owner Information

Owner Name: Hoxton Center LLC
Business Name: _____
Mailing Address: P.O. Box E, Shepherdstown, WV 25443
Phone Number: 304/283-0017 Email: rob.hoxton@hoxtonpm.com

Applicant Contact Information

Applicant Name: Rob and Clay Hoxton Same as owner: ☐
Business Name: Hoxton Center LLC
Mailing Address: P.O. Box E, Shepherdstown, WV 25443
Phone Number: 304/283-0017 Email: rob.hoxton@hoxtonpm.com

Consultant Information

Consultant Name: Paul J Raco
Business Name: P.J. Raco Consulting, LLC
Mailing Address: P.O. Box 548, Charles Town, WV 25414
Phone Number: 304/676-8256 Email: pjraco.consulting@gmail.com

Physical Property Details

Physical Address: 8516, 8524, 8530 Shepherdstown Pike, Shepherdstown, WV 25443 Vacant Lot: ☐
Parcel ID: (Tax District / Map No. / Parcel No.) 09 8B0130 Shepherdstown District, Map 8B, Parcel 130
Parcel Size: 1.07+- Acres Deed Book: 1102 Page No: 543

Current Zoning District (please check one)

- | | |
|---|---|
| <input type="checkbox"/> Residential Growth (RG) | <input type="checkbox"/> General Commercial (GC) |
| <input type="checkbox"/> Industrial Commercial (I-C) | <input type="checkbox"/> Highway Commercial (HC) |
| <input checked="" type="checkbox"/> Rural (R)* | <input type="checkbox"/> Light Industrial (LI) |
| <input type="checkbox"/> Residential-Light Industrial-Commercial (R-LI-C) | <input type="checkbox"/> Major Industrial (MI) |
| <input type="checkbox"/> Village (V) | <input type="checkbox"/> Planned Neighborhood Development (PND) |
| <input type="checkbox"/> Neighborhood Commercial (NC) | <input type="checkbox"/> Office/Commercial Mixed-Use (OC) |

Proposed Zoning District: General Commercial

*Pursuant to Article 12, a Zoning Map Amendment is a procedure to amend the official Zoning Map of the County by changing the zoning designation of a property. In order for a proposed amendment to be approved, the County Commission, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan, or if it is inconsistent, must make findings in accordance with the requirements of 8A-7-8 et seq of the WV State Code.

Substantiation for the Request

For a Zoning Map Amendment (rezoning) request, the "burden of proof" is on the applicant to show why the proposed zoning is more appropriate than the existing zoning. Accordingly, please explain how the following factors support your proposal.

Describe your proposed use/project and describe why this Zoning Map Amendment is necessary for the proposed use (and/or project) described.

The property has been used commercially since the mid-20th century around late 1940s through present day. The property is shown as Commercial or Office on the Future Land Use Guide in the Envision Jefferson 2045 Comprehensive Plan. See Attached.

Describe how this Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan.

See Attached

Discuss any change(s) of transportation characteristics (i.e. type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original Ordinance was adopted.

See Attached

A plat or sketch shall include the entire original parcel as it appeared on the date the Zoning Ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines, as shown on the appropriate U.S.G.S. Topographic Quadrangle Map or other data source approved by the Department, should be superimposed on the sketch plan. The source of all contour lines shall be noted on the plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes, and quarries shall be delineated.

The information given is correct to the best of my knowledge. Property Owner Signature Required.

	05-28-2016		5/28/2025
Property Owner Signature	Date	Property Owner Signature	Date

REQUEST FOR MAP AMENDMENT/REZONING
Hoxton Center LLC
District 9, Map 8B, Parcel 130
May 27, 2025

Property Owner and Applicant:

Hoxton Center LLC
P.O. Box E
Shepherdstown, WV 25443

Request:

Amend the Zoning Map for the approximate 1.07 Acre Parcel based on its Consistency with the Envision Jefferson 2045 Comprehensive Plan, the Future Land Use Guide, and the long time previous and existing Commercial and Office Use of the property. Currently, the property is Zoned Rural, and this Map Amendment is for the General Commercial District

Section of Ordinance:

Article 12 of the Jefferson County Zoning and Development Review Ordinance, as amended.

A Map Amendment is defined as: "An amendment to the Zoning Map which is adopted by reference in the Zoning Ordinance that consists of a change that only applies to a specific property, changing from one existing zoning designation to another existing zoning designation. A map amendment does not permit changes, conditions or alterations to uses permitted within an existing zoning designation as all zoning designations must be uniformly applied to all property which are subject to said designation."

Substantiation for the Request:

1. The request is consistent and compatible with the 2025 Jefferson County Comprehensive Plan (Envision Jefferson 2045), as well as the previous 2015 Comprehensive Plan. These Plans were adopted by the County Commission after multiple meetings and hearings and specifically identify this property on the Future Land Use Guide as Commercial and Office property. The Comprehensive Plan's applicable recommendations are explained in this narrative.
2. The subject property is within the County Commission approved Shepherdstown Urban Growth Boundary named the Shepherdstown Growth Management Boundary.

3. Existing Shepherdstown Public Water and Sewer services are currently available in this neighborhood to this parcel.
4. Since the Zoning Ordinance was adopted in 1988, there have been several significant changes in the neighborhood. In this specific neighborhood Morgan Academy rehabilitated the property across the street and opened a Pre-School and K – 8 Private School. Also, the relocation of the Shepherdstown Public School buildings is currently under construction on Route 230 approximately 2 miles south of this location. Additionally, the Covenant Baptist Church constructed and all-encompassing facility approximately one mile south of the Hoxton Center. There has also been residential subdivision constructed around Shepherdstown including a Cluster Development known as Shepherdstown Village.

In the expanded neighborhood, the Clarion along with a Federal Training Facility and Conference Center including a fitness center and restaurants/lounges and Government Offices was constructed, This facility has now transitioned into apartments with a restaurant, sports training facility and Government Offices. Other changes in the neighborhood include the development of the Maddex Commercial Area (Food Lion, etc.); the enhancement to the entrance to the western campus of Shepherd University; the rezoning of the Lowe property located on the Route 45 end of the connector road; the Rezoning of the Rankin Property on Route 480 and the Connector Road; Rezoning of the Sheetz Property on Route 45; and the construction of the Sheetz Store, the WVU Medical Office Building, and the ROCS Store on Route 45. These and other changes are described in this narrative.

5. Since the Zoning Ordinance was adopted in 1988, there has also been some change in Transportation Characteristics in the area. The most notable change was the construction of the Connector Road which functions as a western bypass around Shepherdstown. Another major change in transportation characteristics was the construction of the four lane Route 9 at the end of the Bypass to Martinsburg. This opened up that route for traffic to utilize the Route 9 and Route 480 corridor between Shepherdstown and Charles Town. There have also been road improvements to Route 45 including the West Campus Entrance to the Shepherd University Campus.
6. The current Zoning Classification, Rural, does not fit with the long existing use of the property which was commercial, including restaurant, retail, and office space. Also, the Zoning Ordinance calls for the General Commercial District to be utilized for this property since it is shown as Office or Commercial on the Future Land Use Guide.

Tax Parcel Information:

Shepherdstown Tax District, Map 8B, Parcel 130

Deed Book Reference:

Deed Book 1102 at Page 543

Sketch Plat:

Attached.

Tract Size:

Approximately 1.07 Acres.

Ordinance Required Discussion on:

The compatibility of the proposed change with the Jefferson County Comprehensive Plan; and,
The change of transportation characteristics and neighborhood from when the original zoning ordinance was adopted in 1988.

A. Comprehensive Plan Compatibility

Among the many recommendations in the 2025, Envision Jefferson 2045 Jefferson County Comprehensive Plan, the following sections address items pertinent to this map amendment. In the opening narrative on **Page 10**, the Future Land Use Guide is established as the primary tool for Map Amendments/Rezoning:

Future Land Use Guide

As part of the Envision Jefferson 2035 Comprehensive Plan, a Future Land Use Guide was adopted for the first time in Jefferson County. The Future Land Use Guide was made to assist in guiding the Planning Commission and County Commission in making decisions on changes to the Zoning Map.

One of the primary justifications for a Map Amendment is the classification of the property on the Future Land Use Guide included with the Comprehensive Plan. This Land Use Guide is explained very clearly on **Page 11** of the Plan where it describes the purpose of the Future Land Use Guide:

The Future Land Use Guide expresses the desired arrangement of future land use patterns.

The Future Land Use Guide in the current Comprehensive Plan identifies the Hoxton parcel as Office or Commercial. It is one of only five small areas in the metropolitan Shepherdstown area that is shown as Office or Commercial. Of these five areas, there are only approximately three parcels that are vacant within these areas. While most governmental jurisdictions seek the development of new office and commercial projects, there is a limited amount of area shown for future development of office or commercial. The subject Hoxton Parcel is one of these areas and is already developed as a commercial/office development. It in fact has been commercial, service, or office use, continually since the late 1940s.

The property is shown on the both the Existing Land Use Maps and Future Land Use Guides as Commercial or Office. It has been a Restaurant/Diner/Bar, Retail Establishment, and Office and Commercial since the structure was originally built and again renovated and rebuilt in the late 1980s. This property should already be zoned for Commercial and Office Development.

The General Commercial Zoning Classification is a newer Zoning classification that was created and adopted around the time the 2015 Envision Jefferson 2035 was being drafted. Since neither a newly adopted Comprehensive Plan nor a newly created zoning district can actually rezone parcels of land, these recommendations and standards are required to be utilized to implement the newly adopted recommendations and classifications for map amendments. The above referenced section of the Plan explains how the Future Land Use Guide is the primary tool that dictates a rezoning, but the Zoning Ordinance also dictates where the different Zoning Classifications should be located. For General Commercial, this is found on Page 83 of the Zoning Ordinance:

Section 5.12 General Commercial (GC) District

b. Location. This zoning category is intended for use on properties:

1. In the Growth Area as shown in the most recently adopted Comprehensive Plan, if the plan does not include a future land use map; or

2. In locations where the appropriate land use category is designated on the future land use map (and related text) in the most recently adopted Comprehensive Plan.

Again, as seen on the attached Future Land Use Guide, this property is one of the few properties indicated as Office or Commercial on that map.

On Pages 12 and 13, the Envision Jefferson 2045 Comprehensive Plan explains Urban Growth Boundaries as:

Urban Growth Boundary (UGB) According to §8-6-4a of the West Virginia Code, Urban Growth Boundaries (UGBs) are...“an area around and outside the corporate limits of a municipality within which there is a sufficient supply of developable land within the boundary for at least a prospective twenty-year period of municipal growth based on demographic forecasts and the time reasonably required to effectively provide municipal services to the identified area.” At present, only three of the five municipalities in Jefferson County have planning boundaries that meet the definition of §8-6-4a of the West Virginia Code. In 2009, Charles Town and Ranson had their UGBs formally approved by the County Commission. In 2014, Shepherdstown created a boundary called the Growth Management Boundary (GMB) which falls under the state definition of a UGB and was formally approved by the County Commission.

So, according to the Plan, the Shepherdstown’s Growth Management Boundary (GMB) is by definition an Urban Growth Boundary (UGB). The Plan goes on to explain that for the purposes of planning in the County, the GMB is to be treated differently than the Charles Town and Ranson UGBs from the standpoint of Urban Level Growth. However, as explained in the Plan, this area was established to provide for a prospective twenty year period of development and growth and can reasonably and effectively provide services to the area. This boundary was created in 2014, so it is in the eleventh year of that twenty year period. In this case, services are already available to the area and the parcel is already identified as suitable for Commercial or Office on the Future Land Use Guide. Furthermore, the site has been the location of commercial and/or office facilities for approximately 75 years from when it was initially constructed to when it was reconstructed/renovated to the existing facility around 1990.

Page 28 of the Comprehensive Plan encourages the use and reuse of existing commercial structures in Jefferson County:

Objective 2.1

Encourage and support the adaptive reuse of existing buildings, previously used sites, dilapidated structures, and vacant buildings within Jefferson County, paying particular attention to brownfield and greyfield sites.

- 1. Collaborate with stakeholders to recruit new and existing businesses and industries to use existing buildings and previously used parcels for new development including business parks and commercial sites.**

This is another main reason why a Map Amendment is supported by the Plan and Guide and is in fact necessary to achieve this Goal. The structure is a long established commercial/office building. However, if the use is ever abandoned or if the owners wish to sell, it is vital that the property is still not in the Rural Zoning Classification. If common sense is not enough to explain why new owners and lending institutions need the property to be zoned properly, certainly Lenders, Real Estate Agents, Appraisers, and intended purchasers understand why Commercial Zoning is a necessity. In current market conditions, proper zoning that reflects the actual use is the only way that the above referenced goal can be quickly achieved if the property goes on the market. Otherwise, it becomes another vacant commercial building.

Also, even though the Plan explains that the UGBs and the GMB are treated differently by the Plan, this property is still endorsed to be in an area for development even if not Urban Scale Development as reflected in **Objective 2.4 on page 29**:

Objective 2.4

Reevaluate the Preferred Growth Areas to reflect infrastructure expansions and land use changes.

- 1. Direct new urban level residential developments to locate in preferred areas within the municipalities, UGBs, PGAs, or Villages where water and sewer services are available.**

As already mentioned, Shepherdstown Water and Sewer are already available to this property and the property is already utilized for Commercial/Office uses. Since it also is one of the few properties in the area that is distinguished to be Commercial or Office on the Future Land Use Guide, the proposed Map Amendment is warranted.

Regarding Highway suitability, **Page 57** of the Envision Jefferson 2045 Comprehensive Plan includes the Jefferson County Highway Problems Area Map (attached). This map shows that the subject Hoxton Center Property is on a Major Collector Route with no Highway Problem Areas in the extended neighborhood. Being identified as a Major Collector Road with no nearby highway problem area is also supportive of the Commercial Rezoning. Again, combined with the area being served by Public Water and Sewer, the location of the property on a Major Collector Route is indicative of why the Plan supports the Map Amendment.

Several of the Goals and Objectives under **Goal 12 on Page 80** apply to the proposed Map Amendment. However, the entire **Goal on Page 78** speaks to the importance of businesses in Jefferson County:

Goal 12

Foster job development in Jefferson County by promoting diverse businesses; employment opportunities; local business entrepreneurship; and professional service jobs.

Objective 12.1

Collaborate with stakeholders to build and expand existing local businesses, support the start-up of new businesses, and attract new businesses to Jefferson County.

- 1. Organize and host small business development, entrepreneurship, financial assistance, and urban site selection classes in collaboration with stakeholders.**
- 5. Develop partnerships with area financial institutions, including non-profit lenders that specialize in providing business financing to new and emerging businesses that are in the Federal Opportunity Zone census tracts and other eligible businesses.**
- 6. Coordinate with local and state economic development agencies to identify potential funding sources for economic development efforts.**
- 7. Plan with stakeholders' co-work facilities or business incubators that provide space for start-up companies along with a small network of entrepreneurs to collaborate.**
- 8. Identify opportunities for public/ private partnerships investment that would result in the creation or expansion of employment opportunities and infrastructure.**

These objectives under **Goal 12** are hard to achieve on properties not zoned for commercial business development. Pure and simple, the already existing businesses in the County and the properties shown on the Future Land Use Guide for business development need to be Zoned for that type of development. Otherwise, businesses have a challenging time expanding and continuing on commercially if the properties go on the market for whatever reason. Furthermore, without the equity that is afforded to properties already zoned for commercial, there is little chance to expand the business or sell the property to continue to be utilized as a business. The rezoning of the Hoxton Property is needed to achieve these goals and objectives in the Plan.

Finally, along with the fact that the subject property is already shown on the Future Land Use Guide as Office or Commercial, **Goal 13** in its entirety supports the Map

Amendment for the Hoxton Center. This Goal and associated objectives are found on Pages 83 through 86 of the Plan:

Goal 13 Develop an environment that promotes existing and new businesses by expanding necessary infrastructure within the Preferred Growth Areas (PGA), Villages, and municipal Growth Boundaries (UGB&GMB)

Page 85:

The Jefferson County Development Authority (JCDA) works to encourage and assist the development and growth of businesses and industry in the County. Small businesses, which can range from restaurants and artisan cottage industries to small technology and service firms, are an integral part of the local economy and will need opportunities to grow stronger. Building on these assets will give the County a strong identity in its core business strengths.

The JCDA says it very succinctly in this paragraph. Small businesses need the opportunity to grow stronger. The Hoxton Center cannot grow stronger as a nonconforming use as it is now. The property needs to be rezoned in order to grow and in order to ensure that the future use continues as business property.

Furthermore, the following Objectives under the above cited Goal 13 all support the Map Amendment:

Objective 13.3

Provide incentives and opportunities for businesses to relocate or expand their operations within the County.

1. Work with the County's municipalities to create a unified economic development strategy.
2. Encourage local non-profit organizations and local and regional economic development agencies to create a regular forum where all County artisans, businesses, and members of the non-profit and arts communities can meet to network and collaborate.
3. Encourage the engagement of the public in creating a unified economic development strategy.

Objective 13.4

Work with utility providers to ensure public and private infrastructure is in place within UGBs, PGAs, and Villages to enable economic development.

2. Request state and federal agencies to consider the location of new facilities in Jefferson County within the growth areas identified in this Plan.
3. Request the deployment of infrastructure, including water and sewer, in all UGBs and the PGAs.

In this case, the subject parcel is in the defined UGB known as GMB and Public Water and Sewer is already servicing the area. And, redundantly, the property is dedicated for Commercial or Office Zoning on the Envision Jefferson 2045 Comprehensive Plan. Therefore, pursuant to the Comprehensive Plan, the rezoning of this property from Rural to General Commercial is consistent and compatible with the 2025 Jefferson County Comprehensive Plan. The Comprehensive Plan compatibility is combined with the fact that the property has been a Restaurant, Lounge, Retail Establishment, Artist (Pottery) Center, and Offices for nearly three quarters of a Century and should be zoned for commercial development.

The Consistency and Compatibility with the existing Comprehensive Plan and the Future Land Use Guide are the two most important criteria to be used for a Map Amendment. Also important is the fact that the Plan supports the growth of existing businesses and the continued use of property for business for the overall economic good of the County.

B. Shepherdstown UGB/GMB and Future Land Use Guide

The subject property is located in the center of the Shepherdstown UGB/GMB. The difference in these designations is described in the above Comprehensive Plan discussion and in the Plan itself. While not slated for Urban Level Development, it is a Boundary for Development. The property, as it existed in 1988 (Adoption of Zoning) is also shown on the Future Land Use Guide as Commercial or Office. The UGB/GMB and Future Land Use Guide are thoroughly discussed in A above.

Based on the location of this property within these areas, the property has already been determined to be a growth area. The property includes a long time successful business that has been owned by the Hoxton Family since 1990. The family just wants to have the property rezoned for the expansion of the business and for the long time assurance that lending institutions and potential investors or potential purchasers require.

C. Sewer and Water

This property is within the Shepherdstown Water and Sewer Service area and both water and sewer are available to the property. As the Comprehensive Plan points out in many sections, Growth should be directed into the areas served by central sewer

and water. Accordingly, the Plan supports this Map Amendment based on the availability of utilities in this area.

As addressed below, the Shepherdstown Wastewater Treatment Plant has recently undergone a quantity expansion and quality renovation.

D. Change of Neighborhood

It is important to point out that the Zoning Ordinance requires a discussion of the changes in an area since the original Zoning Ordinance was adopted in 1988. Some of these changes are recent and others were completed years ago.

The neighborhood has undergone significant changes since the zoning ordinance was adopted. In 1988, the Shepherdstown Wastewater Treatment Plant was nearing capacity and that is probably one of the reasons that more land was not zoned for residential or commercial uses at that time (1988). Another huge change in the neighborhood is that the Route 45 Connector Road (Potomac Farms Drive) was constructed in 2000/2001. This change will be further discussed in the Change of Transportation Characteristics part of the application. Finally, the expanded neighborhood has added a number of residential units in several subdivisions including Shepherdstown Village, Maddex, Kensington, Tollhouse Woods and Colonial Hills. Along with this residential growth, other commercial areas have also developed since 1988, leaving a deficit of available zoned commercial land in and around the growth areas of the County.

The following are changes in the neighborhood that would specifically support the requested change from Rural to the General Commercial District:

1. Availability of Public Utilities and Services:

Public Water and Sewer is available in this neighborhood. Furthermore, the recent Wastewater Treatment Plan expansion has increased its capacity to sustain additional growth in the Growth Area Boundaries. The availability of the additional capacity has been a change for this neighborhood since 1988. As stated earlier, one of the Comprehensive Plan's primary objectives is to funnel growth into areas already served by existing infrastructure such as sewer and water:

The allowance of growth in this area because of both the sewer and water and location within the aforementioned UGB/GMA and PGA is also supported by the Comprehensive Plan's Goals and Objectives cited earlier.

In this case, the construction of the water and sewer services into the neighborhood and the expansion and improvements to the Wastewater Plant already happened years ago and accordingly, there will be no unreasonable costs to the community, since Shepherdstown already serves the

neighborhood. Plus, there is no extension of the water and sewer services, so the rezoning does not open up other areas for development.

2. Growth in the Area:

Several large residential projects have been completely developed in the metropolitan Shepherdstown area that would benefit from the continued commercial use and potential expansion of use that would be permitted with this map amendment. Three of these, Colonial Hills, Tollhouse Woods, and Maddex Subdivision, are residential developments that are approved with a considerable number of residential units. Colonial Hills and Tollhouse are continuing to develop units and expect substantial growth in the next couple of years. Shepherdstown Village has also been constructed in the immediate area with possible expansion plans being discussed. As these subdivisions are built out, they will most certainly need nearby commercial services available to their residents. Due to the limited area of Shepherdstown and the traffic congestion and parking problems within the town, it is imperative that some commercial services be made available to the residents outside of town. Otherwise, the town will only be surrounded by residential development. Furthermore, these new commercial services should not have a negative impact on the businesses within the Central Business District of Shepherdstown, because of the unique collection of eclectic shops and shops that service college students that are already in town.

The primary area that is zoned for commercial uses in the Shepherdstown Growth area has mostly been developed. The original zoning map only allowed for limited areas for commercial development in the Shepherdstown Growth Area. These areas were zoned for the Mixed-Use District. Most of that commercial area was the Maddex Farm area that is now almost entirely developed for commercial uses. Therefore, it is vital to add some commercially zoned properties around Shepherdstown. Otherwise, commercial growth in the Shepherdstown Growth Area will not be able to meet the demands of the residential properties in that growth area. It will also provide for some limited commercial development in the area to serve the residential developments and existing homes in the area. Plus, it is an area allowed for Commercial or Office Zoning Map and is located between the Town of Shepherdstown and the new School Campus. Commercial services will be needed in this area as the potential for growth exists this close to town.

E. Change of Transportation Characteristics:

Please note that this property is already utilized for commercial/office use. As such, there should be little significant difference in traffic from this property if it is rezoned to General Commercial. Additionally, a small-scale commercial and existing office

center would have a more favorable outcome regarding traffic since some of the local residents could utilize the commercial services available if the property is rezoned and the use expanded. The ability to continue the use of the property for business and commercial uses with a formal commercial zoning, will ensure the long time continued use for a business on this property.

The addition of this connector road (functionally a bypass), along with the expanded entrance into the western campus of Shepherd University, has considerably changed the transportation characteristics in Shepherdstown and in the expanded neighborhoods around town. These two improvements have allowed traffic to bypass Shepherdstown to keep pass-through traffic away from the more congested areas of town. The addition of limited service and commercial areas around Shepherdstown should further reduce commercial traffic in the downtown area of Shepherdstown, without negatively affecting the unique collection of shops in town.

One of the most significant changes in Transportation Characteristics in this area, as well as other areas around Shepherdstown, was the finishing of the Four Lane Route 9 between the Bypass (around Charles Town) and Martinsburg. This changed much of the typical traffic between the two incorporated areas from primarily the use of Flowing Springs Road to utilizing the new Route 9 four lane to Kearneysville and then onto Route 480 to Shepherdstown. However, some of that traffic has returned with the development of the Preferred Growth Areas along Flowing Spring Road and will also be somehow affected by the development of the School Campus outside of town.

The Map Amendment to this property will not have an adverse effect on the existing Traffic/Transportation characteristics since the property is already utilized for Commercial/Office use. Due to the Size of the property, there is only a limited amount of expansion opportunity available to the parcel.

F. Current Permitted Uses on the Subject Property:

The current use is commercial and office. It exists as a nonconforming use because the property was not shown on the Zoning Map as Commercial when the Original Zoning Map was created in 1988. Since the County was adopting a nontraditional LESA based zoning system, existing uses were not taken into consideration when the map was being created. There were only three zones in this system since all uses were permitted by Conditional Use with the nontraditional zoning. The three zones were Industrial/Commercial, Residential Growth, and Agricultural. In Traditional Zoning Ordinances, there are many more zoning districts and existing uses on every parcel are reviewed to be added to one of these more specific zones. This did not happen in 1988 as explained. When the County transitioned into a Traditional Zoning after the adoption of the 2015 Comprehensive Plan, more zoning districts should have been created and the existing (especially commercial) uses should have been

placed in those districts. Even with the addition of four or five districts in 2014 (which added the General Commercial District), a County wide study was not conducted to consider existing commercial property into the newly created commercial zones. As such, this property remains nonconforming even though it existed as commercial since the structure was built and renovated.

As the survey, excerpts of the appraisal, and aerials reflect, the existing footprint of the building is approximately 3,480 sq. ft. with a finished basement of an additional 2,384 sq. ft. The proposal is merely to rezone the property to reflect the long time use and to be consistent with both the 2015 and 2025 Envision Jefferson Comprehensive Plans. This provides long time assurance that the property can continue as commercial, including offices. It also provides equity and assurances to Lending Institutions, Investors, potential Lessees/Purchasers, and Tenants that the property is not considered a nonconforming use and can expand as needed and permitted. As the attached Survey shows, the subject Tax Parcel 130 on Map 8B in the Shepherdstown Tax District includes five parcels of land, which all make up the approximately 1.07 acres. All 5 continuous parcels are utilized for the existing building/parking/business.

G. General Policy of the Comprehensive Plan and Zoning Ordinance Requirement:

As cited in the previous pages, there are specific sections of the Comprehensive Plan that support this map amendment. Consistency with and Compatibility to the Envision Jefferson 2045 Comprehensive Plan and Future Land Use Guide and continued economic benefit to the County are the prevailing reasons that the Commission should grant approval to a Map Amendment or Rezoning. This proposal very much meets those requirements. Beyond the specific provisions, the general policies found throughout both the current Plan and the previous Plan (2015) support this map amendment. This property has been located the primary growth area around Shepherdstown for many years and has been used commercially since prior to Comprehensive Plans in the County, let alone a Zoning Ordinance. However, in addition to the Comprehensive Plans, the Future Land Use Guides, and the longtime existing use, the request for the General Commercial District on this property is clearly spelled out in the previously quoted section of the Zoning Ordinance on Page 83:


Section 5.12 General Commercial (GC) District

B. Location. This zoning category is intended for use on properties:

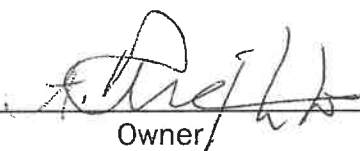
2. In locations where the appropriate land use category is designated on the future land use map (and related text) in the most recently adopted Comprehensive Plan.

H. Conclusion:

The Applicant is requesting this map amendment for Tax Parcel 130, on Map 8B, in the Shepherdstown Tax District for the benefit of economic and business development in Jefferson County. Therefore, the Applicant respectfully requests that the County Commission approve this map amendment to the Jefferson County Zoning Map. This Application cites many reasons why the map amendment to General Commercial should be approved. The request and proposed zoning are entirely consistent with the current existing uses, the Future Land Use Guide, and the Comprehensive Plan. The property is within the Shepherdstown UBG/GMA and is currently zoned for Rural but is shown as Commercial/Office on the Future Land Use Guide. Furthermore, the property has been used commercially for decades prior to zoning in Jefferson County. As such, the request is very consistent with the recommendations and policies in the Comprehensive Plan. The Applicant also believes that the 2025 Envision Jefferson 2045 Comprehensive Plan (and the previous 2015 Plan) and the general philosophy of the County Commission regarding business enhancement, business retention, and business redevelopment in Jefferson County all support the requested map amendment. The requested rezoning will change this property's zoning designation from the Rural District to the General Commercial District. Thank you for the Commission's consideration of the request.


Owner

05-28-2025
Date

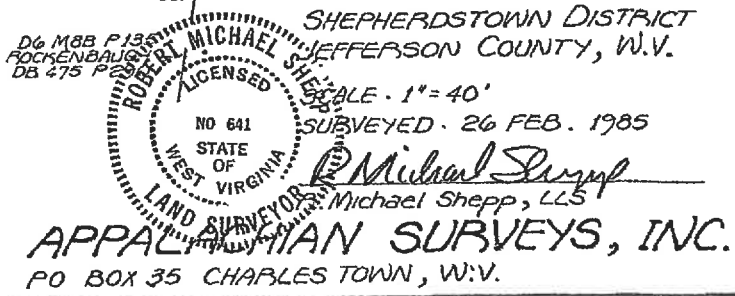

Owner

5/28/2025
Date

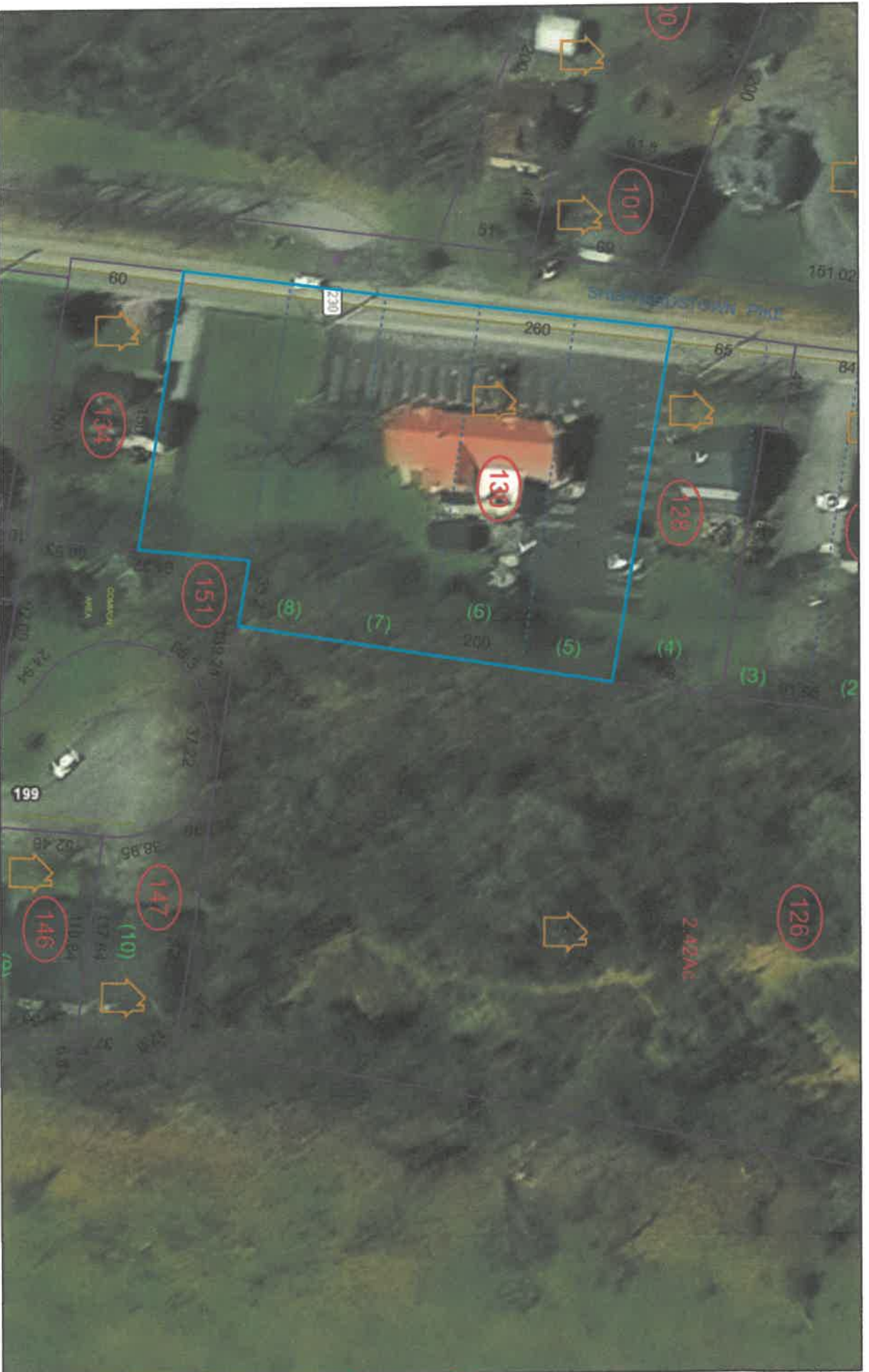
REQUEST FOR MAP AMENDMENT/REZONING
Hoxton Center LLC
District 9, Map 8B, Parcel 130
May 27, 2025

Addendum Index

Page A1:	Survey recorded in Deed Book 540 at Page 719. Deed begins at Page 717.
Page A2:	Existing Conditions Aerial over Tax Map.
Page A3:	2023 Jefferson County Zoning Map, Page 22, Envision Jefferson 2045.
Page A4:	Property on Tax Map with adjacent Zoning indicated.
Page A5:	Existing Conditions Building Pictures.
Page A6:	Existing Building Description.
Page A7:	Future Land Use Guide.
Page A8:	Enlarged Future Land Use Guide around Shepherdstown.
Page A9:	Future Land Use Guide Legend.
Page A10:	Existing Conditions Aerial from County Public Research Portal.
Page A11:	FEMA 100 Year Flood Plain from County Public Research Portal.
Page A12:	Property on Tax Map Aerial with Topography provided by GIS Department.
Page A13:	2024 Highway Problem Area Map & Road Classification, Page 57 Comp Plan.



*Exhibit Conditions Aerial over Tax MAP
Viewer Map*



April 29, 2025

PAGE 22 Envision Jefferson 2045

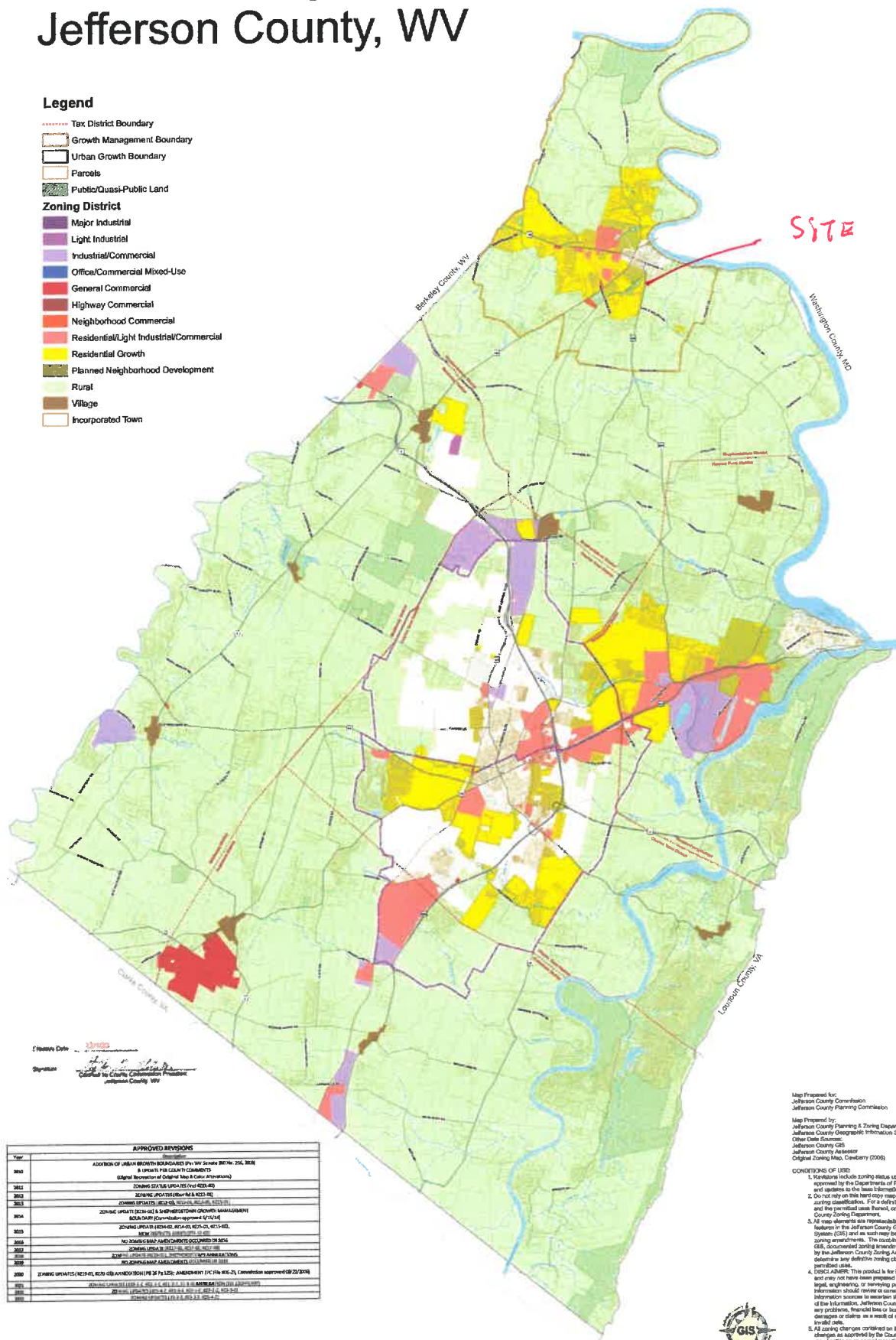


Tax District Boundary

- Growth Management Boundary
- Urban Growth Boundary
- Parcels

Zoning District

- Public/Quasi-Public Land
- Major Industrial
- Light Industrial
- Industrial/Commercial
- Office/Commercial Mixed-Use
- General Commercial
- Highway Commercial
- Neighborhood Commercial
- Residential/Light Industrial/Commercial
- Residential Growth
- Planned Neighborhood Development
- Rural
- Village
- Incorporated Town

[illegible]

Maps Prepared for:
Jefferson County Commission
Jefferson County Planning Commission

Map Prepared by:
Jefferson County Planning & Zoning Department
Jefferson County Geographic Information System
Other Data Sources:
Jefferson County GIS
Jefferson County Assessor
Original Zoning Map, Dewberry (2006)

CONDITIONS OF USE:

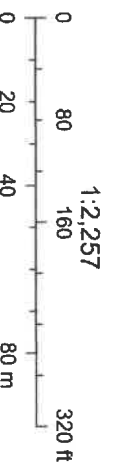
1. **Revisions include zoning history updates as follows:**
 - a. **Revisions to zoning codes:** The map is being updated to the latest information (heights, setbacks, etc.)
 - b. **Do not rely on this map for any other use:** For any other use, please refer to the official zoning ordinance and the pertinent case law, consult the Jefferson County Planning Department.
2. **All map elements are representative of geographic features in the Jefferson County Geographic Information System (GIS) and as such are not intended to constitute any zoning amendments.** The incorporation of this map, the GIS, documented aerial imagery and historical information into the Jefferson County Zoning Ordinance and Ordinance 149 are the only definitive zoning classification and jurisdictional authority.
3. **DISCLAIMER:** This product is for informational purposes only and may not have been prepared for, or be suitable for, any particular planning or engineering project. The use of this information should require review with the primary data and professional assistance to ensure that the information is appropriate for the information. Jefferson County assumes no liability for any problems, financial loss or business, consequential damages, or liability as a result of the use of this information. Infringement of any copyright or trademark is the user's sole liability.
4. **Map changes:** Any changes contained on this map are official changes as approved by the County Commission. The map itself is an annual recurring schedule and will be updated as needed in accordance with the zoning code. Any changes adopted, not recorded, but available online.



COUNTY TAX MAP AND ZONING ADJACENT
VIEWER MAP



April 29, 2025



WashCo MD, VITA, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

Existing Condition Pictures



BUILDING FRONT

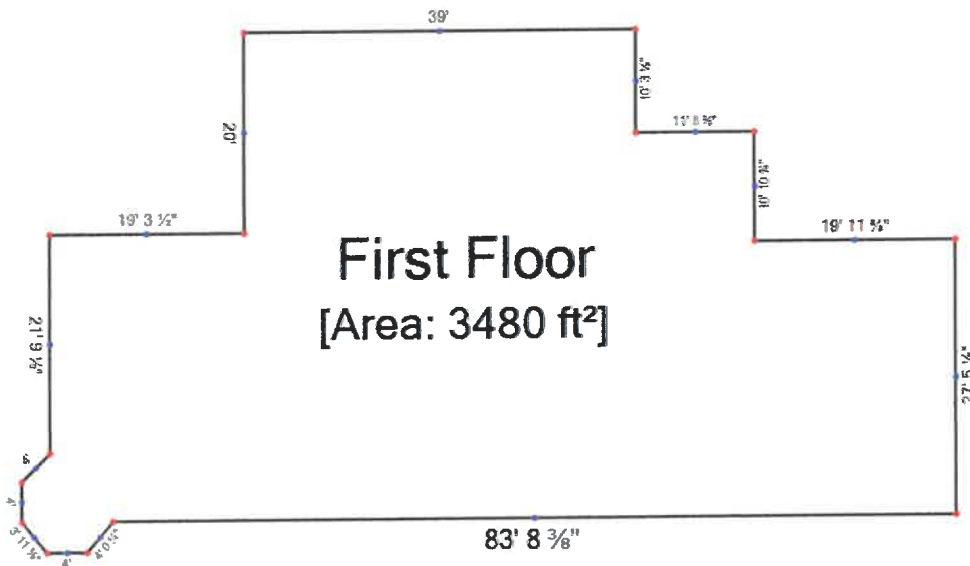


BUILDING NORTH EXTERIOR

DESCRIPTION OF THE IMPROVEMENTS

The subject property is improved with a one-story professional office building, containing approximately 3,480 SF of gross building area constructed in 1949. The building is a concrete block construction, with a sloped metal roofing system. The veneer is a combination of a James Hardie concrete and wood. Additionally, there is a full basement, with approximately 2,384 square feet of below grade area is finished office. The first floor is partially shared, however could be split between two tenants. The basement has a separate below grade direct entrance. Overall, the improvements are well-maintained and considered good condition with no deferred maintenance noted. The building in total has the capacity to be split among three tenants, each with direct entrances however are owner occupied at this time.

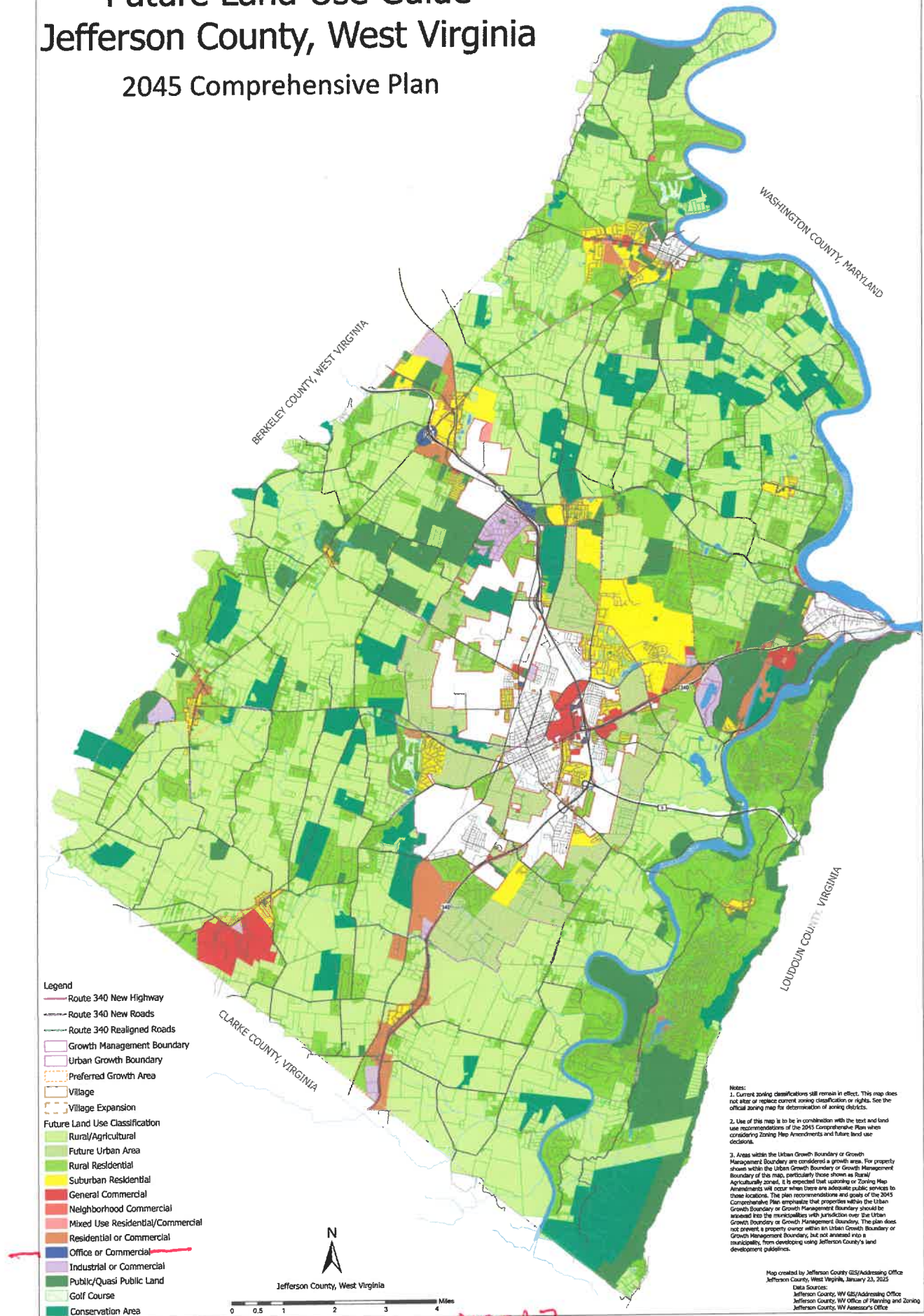
The first floor contains approximately 11 offices, a conference room, two receptions with direct entrance, kitchenette, and three half bathrooms. The finished basement contains five offices, reception, and half bathroom. The finishes are a combination of carpet and LTV flooring, drywall finished walls and ceilings, and recessed lighting throughout.

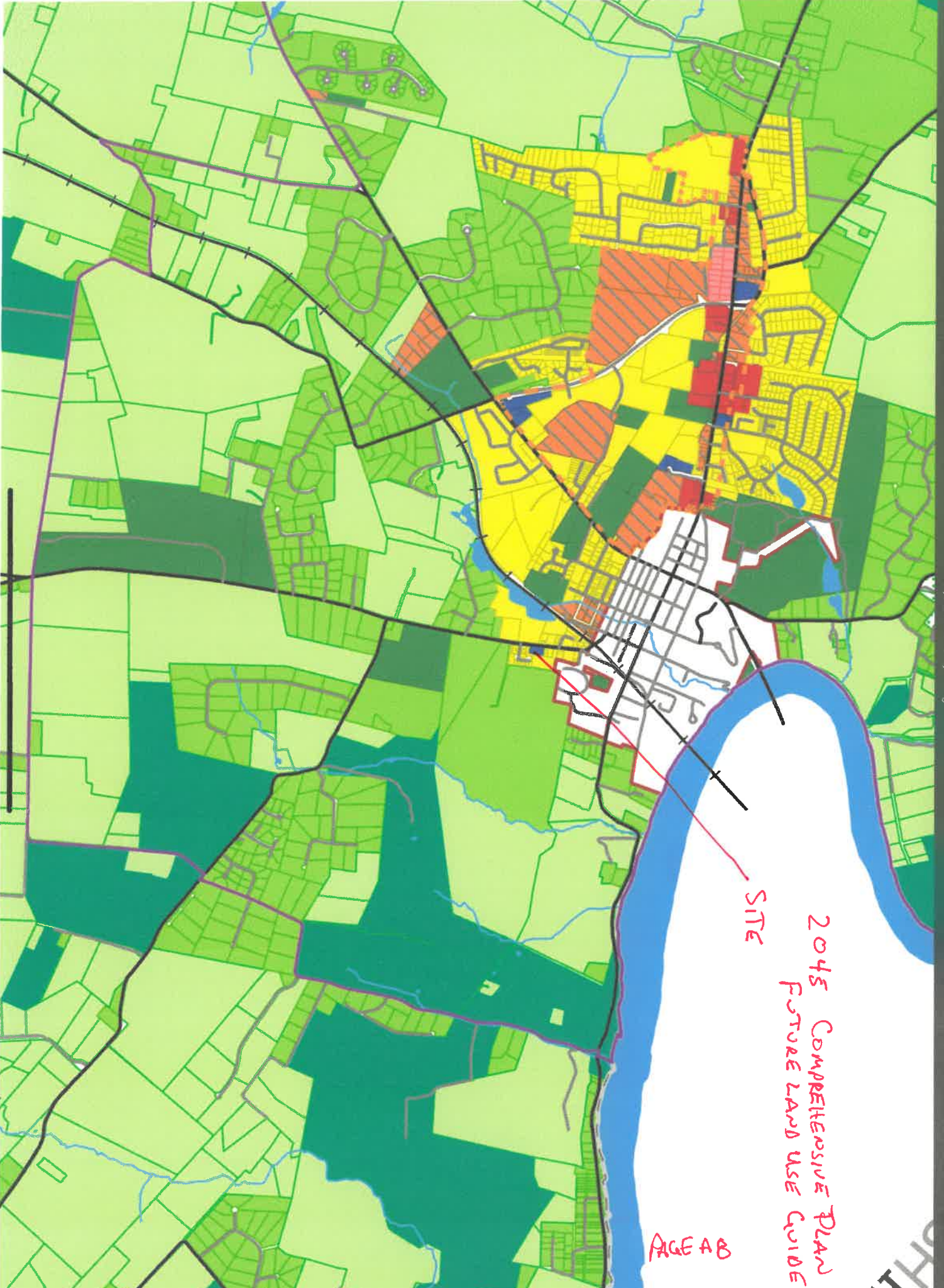


Future Land Use Guide

Jefferson County, West Virginia

2045 Comprehensive Plan





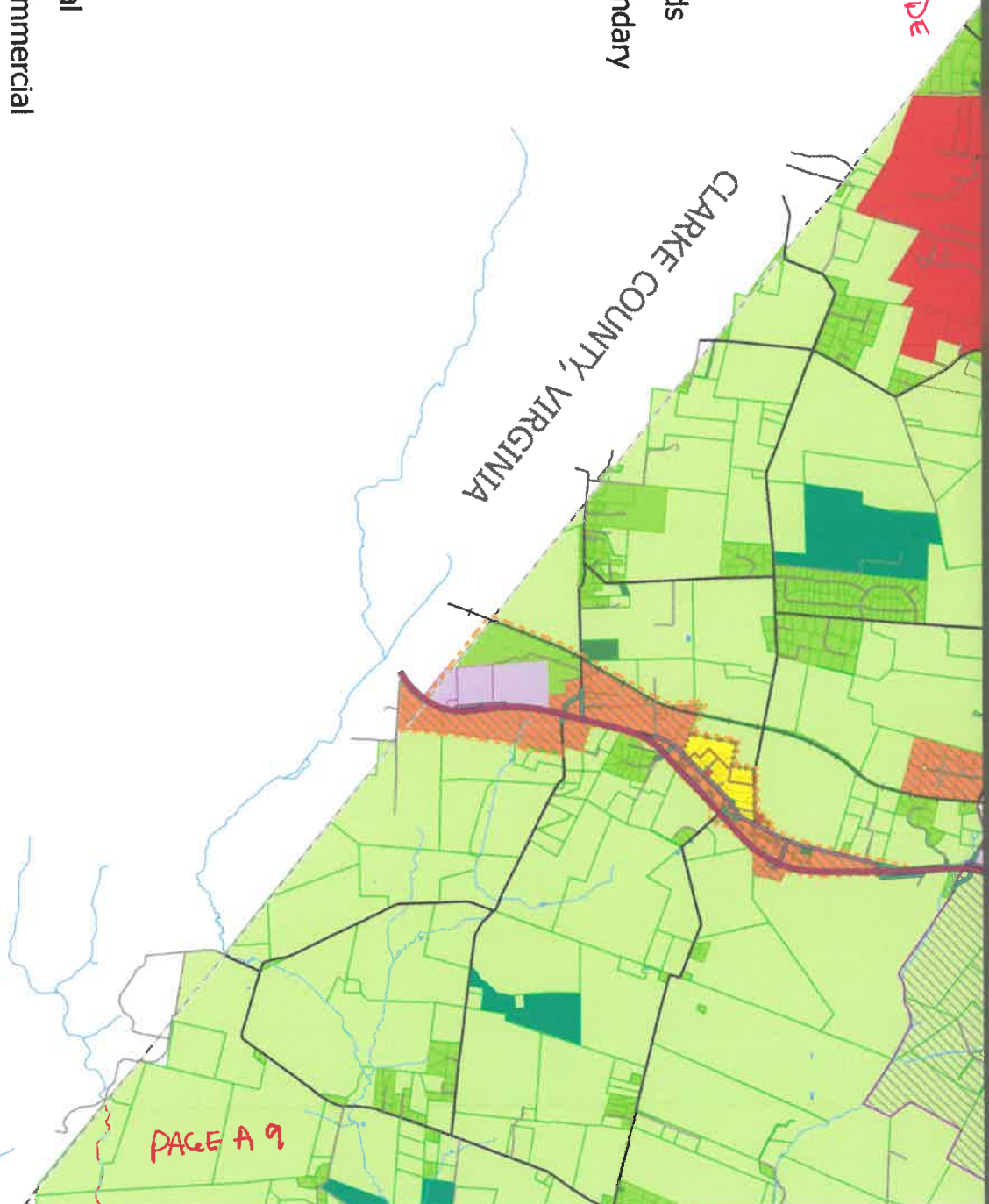
PAGE AB

2045 Comprehensive Plan Future Land Use Guide Legend

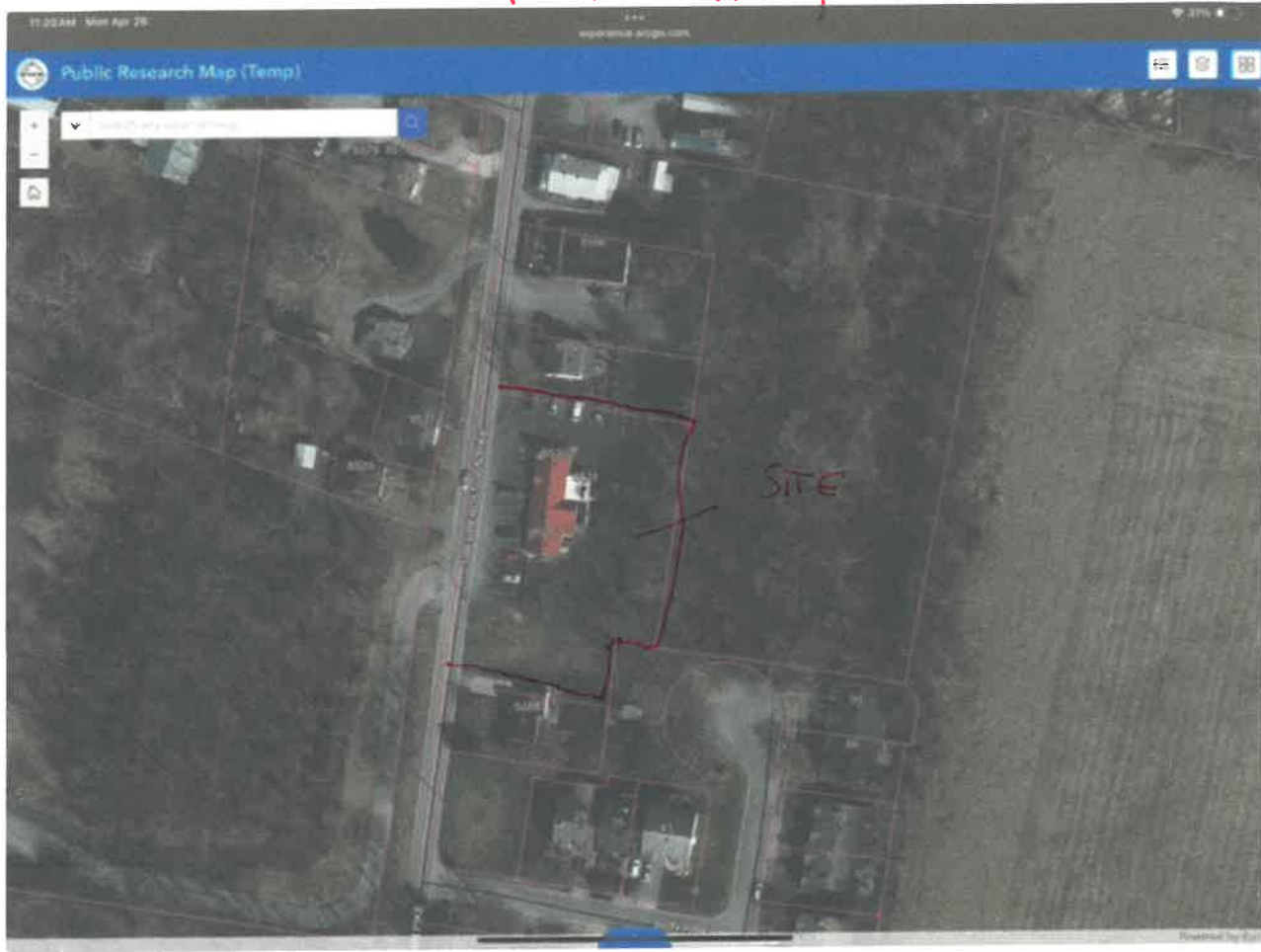
- Legend**
- Route 340 New Highway
 - Route 340 New Roads
 - Route 340 Realigned Roads
 - Growth Management Boundary
 - Urban Growth Boundary
 - Preferred Growth Area
 - Village
 - Village Expansion
 - Future Land Use Classification
 - Rural/Agricultural
 - Future Urban Area
 - Rural Residential
 - Suburban Residential
 - General Commercial
 - Neighborhood Commercial
 - Mixed Use Residential/Commercial
 - Residential or Commercial
 - Office or Commercial
 - Industrial or Commercial
 - Public/Quasi Public Land
 - Golf Course
 - Conservation Area



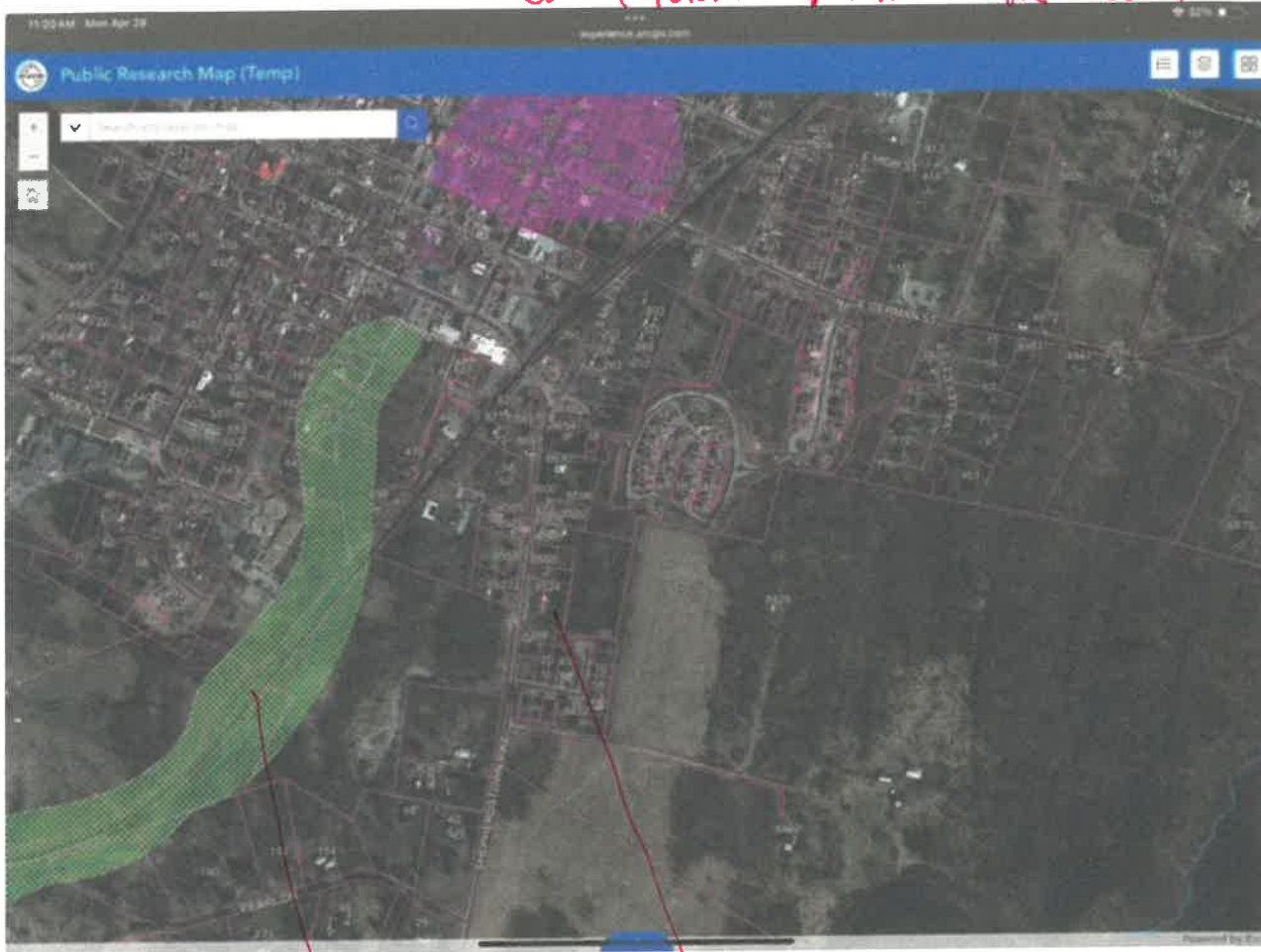
Jefferson County, West Virginia



AERIAL EXISTING CONDITIONS



COUNTY PORTAL FEMA 100 YR Floodplain



SITE

FEMA Floodplain 100 yr.



Source: County GIS Office Topography

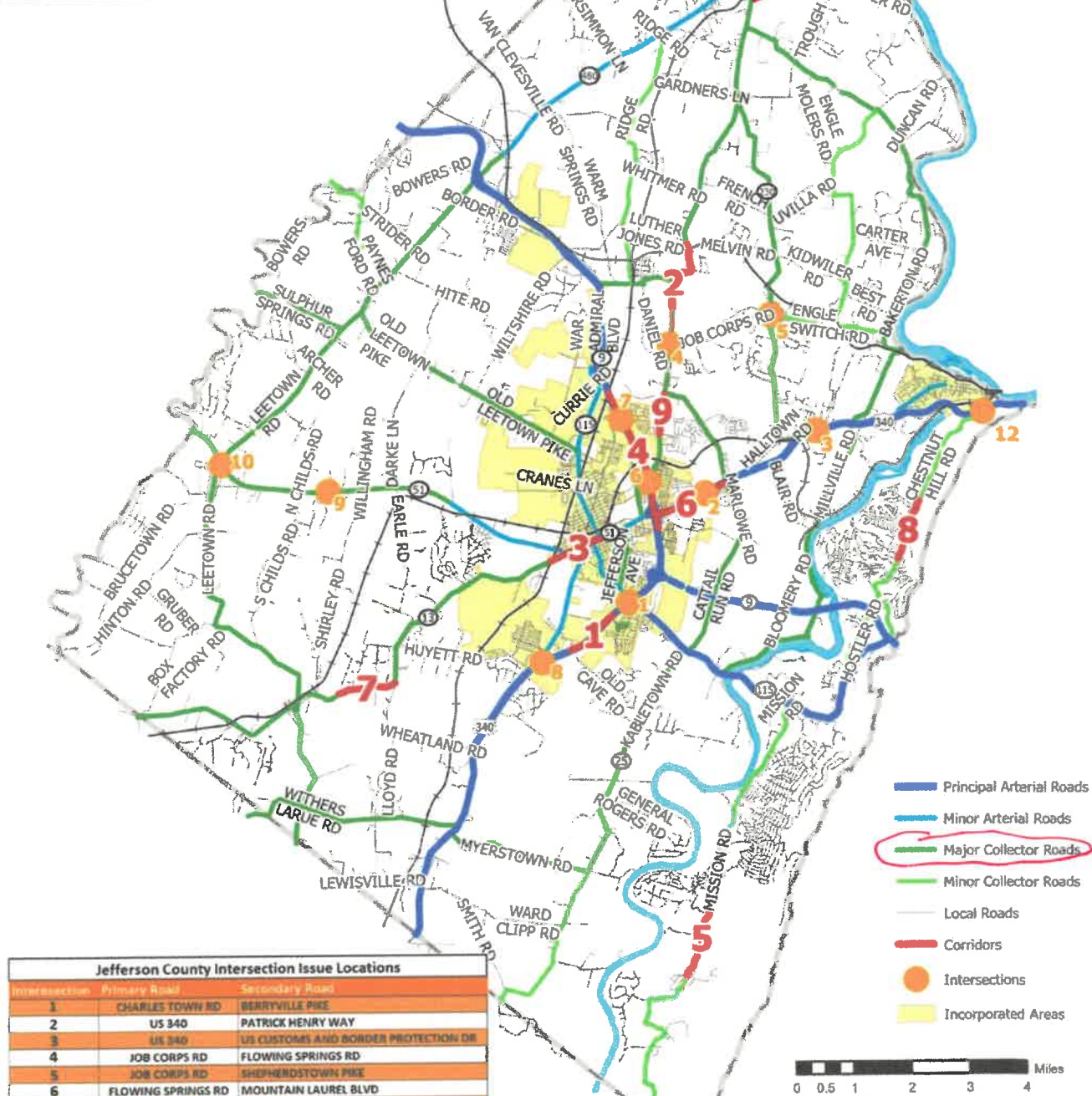
2024 Highway Problem Areas Map

Jefferson County, West Virginia



Jefferson County Priority Corridor Locations		
Corridor Priority	Start	End
1	CANDLEWOOD DR	ROUTE 9
2	JEFFERSON HIGH SCHOOL	DUFFIELDS MARC STATION
3	N SEMINARY ST	RAILROAD TRACKS
4	RAILROAD TRACKS	US 340
5	SHANNONDALE SPRINGS CHAPEL	SPEAKS LN
6	ROUTE 9	US 340 MILE 10
7	MCCORMACK LN	LLOYD RD
8	MOUNTAIN VIEW LN	GROVE SPRINGS LN
9	BRIDAR RUN ESTATES	OLD COUNTRY CLUB RD

site



Jefferson County Intersection Issue Locations		
Intersection	Primary Road	Secondary Road
1	CHARLES TOWN RD	BERRYVILLE PIKE
2	US 340	PATRICK HENRY WAY
3	US 340	US CUSTOMS AND BORDER PROTECTION DR
4	JOB CORPS RD	FLOWING SPRINGS RD
5	JOB CORPS RD	SHEPHERDSTOWN PIKE
6	FLOWING SPRINGS RD	MOUNTAIN LAUREL BLVD
7	OAK LEE DR	ROUTE 9
8	BERRYVILLE PIKE	AUGUSTINE AVE
9	MIDDLEWAY PIKE	NEW MEADOW DR
10	LEETOWN RD	MIDDLEWAY PIKE
11	WHEATLAND RD	MANTINBURG PIKE
12	US 340	CHESTNUT HILL RD



Data Sources

Jefferson County, WV GIS/Addressing Office
Jefferson County, WV Office of Planning and Zoning
WV Department of Transportation
WV Department of Highways
HEPPO Map Created: September 2024

