

**Meeting Minutes**  
**Jefferson County Board of Zoning Appeals**

- 1 Meeting Date: July 24, 2025  
2 Meeting Location: County Commission Meeting Room  
3 Located on the main level of the Jefferson County Government Complex  
4 393 N. Lawrence Street, Charles Town, WV 25414  
5 Board Members Present: Tyler Quynn, Chair; Matt McKinney, Vice Chair; Mikala Shremshock;  
6 and Keith Semler, Alternate, were in attendance in person. Elliott  
7 Kletter, Alternate was in attendance via ZOOM and did not participate  
8 in the voting.  
9 Board Members Absent: Dave Wiegand was absent with notice.  
10 Staff Members Present: Andy Beall, Zoning Administrator, Jennilee Hartman, Zoning Clerk, and  
11 Colin Uhry, Planning & Zoning Clerk

12 Mr. McKinney moved to call the meeting to order at 2:00 pm. Mr. Quynn called for a vote, which  
13 carried unanimously.

14 Mr. Quynn reviewed meeting protocol for those in attendance.

15 **Approval of Minutes: June 26, 2025**

16 Mr. Quynn allowed the members of the Board to review the minutes throughout the meeting, which  
17 would be decided after Agenda Item #1.

18 Mr. Uhry swore in members of the public who indicated they would be providing testimony.

19 **Agenda Item # 1 File #25-19-ZV**

- 20 Request: Variance from Appendix A to reduce the rear setback from 20' to 8' for a 12' x 40' deck.  
21 Project Info: Carolina Moncada, property owner  
22 152 Atkinson Street, Shenandoah Junction, WV  
23 Stonecrest Subdivision, Lot 39  
24 Parcel ID: 02003A00390000; Size: 0.16 acres; Zoning District: Residential Growth

25 Ms. Carolina Moncada was present to address the Board.

26 Mr. Beall provided an overview of the staff report to the Board.

27 Ms. Moncada explained the nature of the request to the Board.

28 Mr. Quynn opened the public comment portion of the hearing. No members of the public provided  
29 testimony. Mr. Quynn closed the public comment portion of the hearing.

30 Mr. Semler and Ms. Shremshock expressed concern on setting precedent by approving the proposed  
31 Zoning Variance, Mr. Quynn explained that approval would not lead to precedent.

32 Mr. McKinney moved to approve variance #25-19-ZV with the condition that the applicant is  
33 bound by their testimony. Mr. Quynn called for a vote, which carried unanimously.

34 **CONTINUED: Approval of Minutes: June 26, 2025**

35 Ms. Shremshock moved to approve the minutes as presented, which carried unanimously.

36 **Agenda Item # 2 File #25-2-SE**

- 37 Request: Request for a Special Exception Permit to allow an off-premises sign for Rumsey Place.  
38 The applicant is requesting the following deviations:  
39 1. A deviation from Section 10.2C to allow the proposed sign to be located within a  
40 platted right-of-way.

- 1                   2. A deviation from Section 10.4B.4 to allow the proposed sign to face a residence.
- 2                   3. A deviation from Section 10.5A.2 to reduce the distance between signage from
- 3                   300' to 125'.
- 4                   4. A deviation from Section 10.5A.4 to reduce the front setback from 25' to 17' along
- 5                   Kearneysville Pike.
- 6 Project Info: Federal Group Inc. / Attn: Tripp Lowe
- 7                   Vacant Parcel (right-of-way to 233 Lowe Drive), Shepherdstown, WV
- 8                   Parcel ID: 09000800240003; Size: 1.02 acres;
- 9                   Zoning District: Residential – Light Industrial - Commercial

10 Mr. Paul Raco, with P.J. Raco Consulting, and Mr. Tripp Lowe, the property owner, were present in  
11 person to address the Board.

12 Mr. Beall provided an overview of the staff report to the Board, noting the owner of the right-of-way  
13 is also the property owner of 233 Lowe Drive.

14 Mr. Raco provided a brief history of the subject parcel and explained the nature of the request to the  
15 Board including a summary of requested deviations.

16 Mr. McKinney questioned whether or not the sign would be lit. Mr. Raco explained the sign would  
17 be lit through solar lights.

18 Mr. Quynn opened the public comment portion of the hearing. The following member of the public  
19 provided testimony: Chris Rankin. Mr. Quynn closed the public comment portion of the hearing.

20 Mr. McKinney moved to approve special exception #25-2-SE with the condition that the applicant  
21 is bound by their testimony. Mr. Quynn called for a vote, which carried unanimously.

## 22 **Zoning Administrator Report**

23 Mr. Beall provided the Board with the following information:

- 24       1. Monthly Zoning Certificate Activity Report. The Report was included in the Agenda packet.
- 25       2. Mr. Beall provided the Board with an update regarding a possible text amendment to the
- 26       Zoning Ordinance, which was further discussed at the July 8, 2025 Planning Commission
- 27       Meeting.

28 Mr. Semler questioned how approval of 25-19-ZV would not set precedent for other property owners  
29 of the Stonecrest Subdivision. In response to Mr. Quynn's inquiry, Ms. Hartman explained that a  
30 previous text amendment was approved to allow an applicant to utilize a modified setback as opposed  
31 to processing a variance. Mr. Semler expressed interest in additions to the previous text amendment.  
32 Mr. Quynn noted the Board and Staff should wait until further variances are proposed to the Board of  
33 Zoning Appeals.

## 34 **Legal Update**

35       a. Discussion with possible deliberative session of the following pending lawsuits:

- 36           1. Jefferson County Circuit Court Case #CC-19-2022-C-141 (RE: Rippon Solar Energy
- 37           Facility / File 22-9-CUP) Rockwell v. JCBZA

38           No update was provided.

1           2. Jefferson County Circuit Court Case # CC-19-2024-C-14 (RE: Jeremy Martin, Tiffany  
2           Martin and Earthworx General Contracting Services, LLC v. Jefferson County Board of  
3           Zoning Appeals

4           No update was provided.

5       b. Discussion with possible deliberative session and signing of draft Findings/Decisions.

6           **Meeting: April 24, 2025**

7           1. Variance from Section 9.7. Property Owners: Robert & Alice Hill-Murray.  
8           File #25-13-ZV.

9           2. Variance from Appendix A. Property Owners: Russell and Krishna Carroll.  
10          File #25-14-ZV.

11          No Findings were provided to the Board.

12 Mr. McKinney moved to adjourn the meeting at 2:52 pm. Mr. Quynn called for a vote, which carried  
13 unanimously.