

Meeting Minutes
Jefferson County Board of Zoning Appeals

1 Meeting Date: October 23, 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; Dave Wiegand,
6 Member; Keith Semler, Alternate; and, Elliott Kletter; Alternate were
7 in attendance in person.
8 Board Members Absent: Mikala Shremshock was absent with notice.
9 Staff Members Present: Andy Beall, Zoning Administrator; Steven Groh, Assistant Prosecuting
10 Attorney; Jennilee Hartman, Zoning Clerk; and Patti Richardson,
11 Planning Clerk

12 Mr. McKinney moved to call the meeting to order at 2:03 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: September 25, 2025**

16 Mr. McKinney moved to go into deliberative session at 2:06 pm to discuss the minutes. Mr. Wiegand
17 seconded the motion, which carried unanimously.

18 Mr. McKinney moved to come out of deliberative session at 2:19 pm. Mr. Wiegand seconded the
19 motion, which carried unanimously.

20 Mr. McKinney moved to approve the minutes with the following edits:

- 21 • Page 2, Line 18: beginning with the sentence, “Mr. Wiegand questioned...”; strike all
22 sentences from Lines 18 through 25.
- 23 • Page 2, strike Lines 32 through 36; including the sentence that begins with “Mr. McKinney
24 stated his objection to doing so.”
- 25 • Page 2, Line 39: change *Quynn* to *Semler*.
- 26 • Page 2, strike Lines 40 through 42.
- 27 • Page 3, strike Lines 1 through 7.

28 Mr. Quynn called for a vote, which carried unanimously.

29 Ms. Hartman swore in members of the public who indicated they would be providing testimony.

30 **Agenda Item # 1 File #25-29-ZV**

31 Request: Variance from Section 8.15.A(a) to increase the maximum size of an Accessory
32 Dwelling Unit from 1,700 sf to 1,984 sf.

33 Project Info: Matt and Laura Knott, Owner
34 2374 Bakerton Rd., Harpers Ferry, WV
35 Parcel ID: 04000300330001; Size: 12.65 acres; Zoning District: Rural

36 Mr. Matt Knott, owner, and Mr. Paul Raco with P.J. Raco Consulting, LLC were present to
37 represent the request.

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

39 Mr. Raco and Mr. Knott explained the nature of the request to the Board.

40 Mr. Quynn opened the public comment portion of the hearing. No members of the public provided
41 testimony. Mr. Quynn closed the public comment portion of the hearing.

1 Mr. McKinney moved to approve variance request #25-29-ZV with the condition that the applicants
2 are bound by their testimony. Mr. Kletter seconded the motion. Mr. Quynn called for a vote, which
3 carried four in support and one in opposition (Semler).

4 **Agenda Item # 2 File #25-30-ZV**

5 Request: Variance from Section 3.2G to allow the applicant to request an additional extension for
6 an approved Conditional Use Permit to operate a Solar Energy Facility. The current
7 Conditional Use Permit is set to expire on December 7, 2025. The applicant is
8 requesting an additional nine (9) month extension from this expiration date. The
9 Conditional Use Permit was issued for approximately 737-acres of the 878-acre Rippon
10 Energy Facility. The proposal consisted of a 99MW solar electric generating facility,
11 which would have consisted of solar modules, a new substation to connect the solar
12 facility with the electric grid, and underground utilities. The project site has existing
13 high voltage power lines running through the property. (File 22-9-CUP).

14 Applicant: Rippon Energy Facility, LLC

15 Parcel Info: Bullskin LLC, Property Owner – This property has been removed from the project.
16 673 Old Shennandale Rd, Charles Town WV; Parcel ID: 06001100090000; Lot Size:
17 133.75 / Project Size: 106.52 ac; Zoning District: Rural

18 Parcel Info: Clarence E Hough Et Al, Property Owner
19 Vacant parcel located west of the property addressed as 957 Myerstown Rd,
20 Charles Town, WV; Parcel ID: 06001000030001; Lot Size: 108.66 ac / Project Size:
21 99.84 ac; Zoning District: Rural

22 Parcel Info: View Mountain Farm LLC, Property Owner
23 28 Dutch Hill Rd, Charles Town, WV; Parcel ID: 06002100060000; Lot Size: 101.6 ac /
24 Project Size: 97.01 ac; Zoning District: Rural

25 Parcel Info: TCE Rippon Land Company LLC, Property Owner
26 2646 Kabletown Rd, Charles Town, WV; Parcel ID: 06002100050000; Lot Size: 174.6 ac /
27 Project Size: 165.52 ac; Zoning District: Rural

28 Parcel Info: TCE Rippon Land Company LLC, Property Owner
29 Vacant parcel located east of the property addressed as 28 Dutch Hill Rd, Charles Town,
30 WV; Parcel ID: 06002100070000; Lot Size: 89.39 ac / Project Size: 86.07 ac; Zoning
31 District: Rural

32 Parcel Info: TCE Rippon Land Company LLC, Property Owner
33 Vacant parcel located east of the property addressed as 2646 Kabletown Rd, Charles
34 Town, WV; Parcel ID: 06002200050001; Lot Size: 232 ac / Project Size: 169.15 ac;
35 Zoning District: Rural

36 Parcel Info: Stanley W Jr & Katherine B Dunn, Property Owner - This property has been removed from
37 the project. 1371 Myerstown Rd, Charles Town, WV; Parcel ID: 06001000050000; Lot
38 Size: 366 ac / Project Size: 12.27 ac; Zoning District: Rural

39 Mr. Sam Gulland and Mr. Brian Kusiak with Rippon Energy Facility, LLC were present on behalf
40 of the property owners to represent the request.

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

42 Mr. Gulland and Mr. Kusiak explained the nature of the request to the Board.

43 Mr. Quynn opened the public comment portion of the hearing.

- 1 Mr. Christopher Stiles spoke in support of the request.
- 2 Mr. Bob Aitcheson, Ms. Krista Edwards, Mr. Robert Waltz, Mr. William Baty, and Ms. Tina Held
- 3 spoke in opposition to the request.
- 4 Mr. Quynn closed the public comment portion of the hearing.
- 5 Mr. Gulland provided rebuttal to the opposing arguments.
- 6 Mr. McKinney moved to approve variance request #25-30-ZV with the condition that the applicants
- 7 are bound by their testimony. Mr. Wiegand seconded the motion. Mr. Quynn called for a vote, which
- 8 carried four in support and one in opposition (Kletter).

9 **Legal Update**

- 10 a. Discussion with possible deliberative session of the following pending lawsuits:
- 11 1. Jefferson County Circuit Court Case #CC-19-2022-C-141 (RE: Rippon Solar Energy
- 12 Facility / File 22-9-CUP) Rockwell v. JCBZA
- 13 2. Jefferson County Circuit Court Case # CC-19-2024-C-14 (RE: Jeremy Martin, Tiffany
- 14 Martin and Earthworx General Contracting Services, LLC v. Jefferson County Board of
- 15 Zoning Appeals

16 Mr. Groh stated there has been no action on the items noted above.

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

18 **Meeting: September 25, 2025**

- 19 1. Variance from Section 3.2G to extend Wild Hill Solar Project CUP #22-5-CUP.
- 20 Applicant: Elawan Energy. Owners: Clarence & Donna Hough, T. Todd & Susan
- 21 Hough, and Charles & Marie Hough (Life). File #25-27-ZV.
- 22 2. Variance from Section 9.7. Owners: Clarence & Donna Hough, T. Todd & Susan
- 23 Hough, and Charles & Marie Hough (Life). File #25-27-ZV.

24 A copy of the Findings will be provided to the Chair.

25 **Zoning Administrator Report**

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

- 27 1. Monthly Zoning Certificate Activity Report. The Report was included in the Agenda packet.
- 28 2. Mr. Beall provided an update regarding the pending Solar Energy Facility text amendment to
- 29 the Zoning Ordinance, which was presented at the September 23rd Planning Commission
- 30 Meeting.

31 Mr. Wiegand moved to adjourn the meeting at 3:43 pm. Mr. Quynn called for a vote, which carried

32 unanimously.