

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

1 Meeting Date: January 22, 2026  
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; Dave Wiegand, Member, and Keith Semler,  
6 Alternate, were present in person. Elliott Kletter, Member, was present  
7 via ZOOM. Matt McKinney, Vice Chair, joined via ZOOM at 2:22 pm.  
8 Board Members Absent: Mikala Shremshock, Member, was absent with notification.  
9 Staff Members Present: Andy Beall, Zoning Administrator; Steve Groh, Assistant Prosecuting  
10 Attorney; and, Jennilee Hartman, Zoning Clerk

11 Mr. Quynn moved to call the meeting to order at 2:03 pm. Mr. Quynn called for a vote, which  
12 carried unanimously.

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

14 **Election of Officers**

15 Mr. Quynn moved to nominate Mr. McKinney for the position of Chair and Mr. Wiegand for the  
16 position of Vice Chair. Mr. Quynn called for a vote, which carried unanimously.

17 Mr. Wiegand moved to nominate Ms. Shremshock for the position of Secretary. Mr. Quynn called  
18 for a vote, which carried unanimously.

19 Mr. Quynn chaired the meeting in Mr. McKinney's absence.

20 **Approval of Minutes: December 11, 2025**

21 Mr. Wiegand moved to approve the December 11, 2025 minutes as presented. Mr. Wiegand stated  
22 he would be abstaining as he was not present at the last meeting. Mr. Quynn called for a vote,  
23 which carried three in support and one abstention (Wiegand).

24 Mr. Quynn and Mr. Wiegand raised a concern regarding the accuracy of the October 23, 2025  
25 minutes with respect to the vote on Agenda Item #2 (File #25-30-ZV). Mr. Wiegand moved to have  
26 staff recheck the record of the October 23, 2025 meeting. Mr. Quynn called for a vote, which  
27 carried unanimously. Staff will report back to the Board at the next meeting.

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

29 The applicant for Agenda Item #1 was not present. Mr. Quynn called for Agenda Item #3 to be  
30 considered.

31 **Agenda Item #3 File #: 26-3-ZV**

32 Request: Variance from Appendix A to reduce the rear setback from 50' to 35' for a 30' x 48'  
33 accessory structure (detached garage).

34 Project Info: Lee and Dawn Mackey, Property Owner  
35 Gary Donley Revocable Trust Minor Subdivision, Lot #1  
36 3712 Engle Molers Rd, Harpers Ferry, WV  
37 Parcel ID: 09001900050000; Size: .93 acres; Zoning District: Rural

38 Mr. Lee Mackey, property owner, was present to represent the request.

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

40 Mr. Lee Mackey explained the nature of the request to the Board.

1 Mr. Quynn opened the public comment portion of the hearing. No members of the public provided  
2 testimony. Mr. Quynn closed the public comment portion of the hearing.

3 Mr. Wiegand moved to approve variance request #26-3-ZV. Mr. Quynn called for a vote, which  
4 carried unanimously.

5 Mr. Quynn confirmed that the applicant for Agenda Item #1 was present. Ms. Hartman swore in the  
6 applicant for the record.

7 **Agenda Item #1      File #: 26-1-ZV**

8 Request:            Variance from Appendix B to eliminate the front drive aisle and parking setback to  
9                            allow for the redevelopment of an existing commercial lot.

10 Project Info:    Kingdom Ventures, LLC, Property Owner  
11                            Kolan Investments, LLC / Attn: Dr. Kolawale Oshiyoye, Applicant  
12                            7595 Martinsburg Pike, Shepherdstown, WV  
13                            Parcel ID: 09007B00010000; Size: 2.69 acres;  
14                            Zoning District: Residential Growth

15 Mr. Eric Iser, representative for the applicant, was present to represent the request.

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

17 Mr. Iser explained the nature of the request to the Board.

18 Mr. Quynn opened the public comment portion of the hearing. No members of the public provided  
19 testimony. Mr. Quynn closed the public comment portion of the hearing.

20 Mr. Wiegand moved to approve variance request #26-1-ZV. Mr. Quynn called for a vote, which  
21 carried unanimously.

22 Matt McKinney, Chair, joined the meeting via ZOOM at 2:22 pm.

23 **Agenda Item #2      File #: 26-2-ZV – THIS ITEM HAS BEEN WITHDRAWN**

24 Request:            Variance from Appendix A to reduce the rear setback from 20' to 15' for a portion  
25                            of a proposed deck with stairs.

26 Project Info:    Pamela Potts, Property Owner  
27                            Beallair subdivision, Lot #272  
28                            511 Shenandoah Crossing Dr., Charles Town, WV  
29                            Parcel ID: 04010A02720000; Size: .24 acres;  
30                            Zoning District: Residential Growth

31 No action was taken on this item as it had been withdrawn.

32 **Agenda Item #4      File #: 26-4-ZV – THIS ITEM HAS BEEN WITHDRAWN**

33 Request:            Variance from Section 9.5 to allow an existing in-ground areaway to encroach 14'  
34                            into the rear setback.

35 Project Info:    Theresa Hoyt, Property Owner  
36                            Beallair subdivision, Lot #273  
37                            101 Claymont Hill St., Charles Town, WV  
38                            Parcel ID: 04010A02730000; Size: .20 acre; Zoning District: Residential Growth

39 No action was taken on this item as it had been withdrawn.

1 **Agenda Item #5**      **File #: 26-5-ZV**

2 Request:      Variance from Section 9.7 to reduce the front setbacks from 20' to 18'; and, to  
3                      reduce the side setback from 8' to 6' for a proposed dwelling unit.

4 Project Info:   Randy Rivera, Property Owner  
5                      Harpers Ferry Campsites, Lots 59, 60 & 61  
6                      Vacant parcel north of 109 Old Deer Run, Harpers Ferry, WV  
7                      Parcel ID: 04013D00040000; Size: .4 acres; Zoning District: Rural

8 The applicant for this item was not in attendance. Mr. Wiegand confirmed that the placard had been  
9 posted on the subject parcel. Mr. Wiegand moved to table the item. Mr. Quynn called for a vote,  
10 which carried unanimously. Staff noted they would follow up with the applicant.

11 **Zoning Administrator Report**

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

- 13      1. Monthly Zoning Certificate Activity Report. The Report was included in the Agenda packet.  
14      2. Mr. Beall provided an update on the draft solar text amendment.

15 **Legal Update**

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

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

19                      Mr. Groh stated he did not have an update on this item.

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

23                      Mr. Groh stated that the judge found in favor of the Board and the item has been  
24                      dismissed. A copy of the Order denying Issuance of Writ was included in the packet.

- 25              3. Jefferson County Circuit Court Case #CC-19-2025-P-174 (RE: Rippon Solar Energy  
26                      Facility / File 25-30-ZC) Aitcheson v. JCBZA

27                      Mr. Groh stated he is working to prepare a written response on this new case.

28                      Mr. Wiegand moved to go into deliberative session at 2:31 pm to discuss this item.

29                      Mr. McKinney seconded the motion, which carried unanimously.

30                      Mr. Wiegand moved to return to regular session at 2:55 pm to discuss this item.

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

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

33                      **Meeting: December 11, 2025**

- 34              1. Variance from Section 4.16 and Section 4.11. Owner: B33 Jefferson Crossing LLC.  
35                      File #25-33-ZV and 25-34-ZV.

36                      No action was taken on this item.

37 Mr. Wiegand moved to adjourn the meeting at 2:55 pm. Mr. Quynn called for a vote, which carried  
38 unanimously.