



Agenda

Jefferson County Planning Commission

Tuesday, March 10, 2026 at 7:00 PM

**By order of the President of the Jefferson County Planning Commission,
Public Participation is available in-person only.
The meeting will be broadcast live via ZOOM for viewing purposes only.**

In-Person Meeting Location: County Commission Meeting Room located in the main level of the Jefferson County Government Complex (entrance on East side of the building) 393 North Lawrence Street, Charles Town, WV 25414

ZOOM Broadcast Information*: Meeting ID: 825 1024 9346
Meeting Link: <https://us02web.zoom.us/j/82510249346>

**If watching live broadcast, please ensure your microphone is muted and be mindful that your video is streaming to others.*

1. **Approval of Meeting Minutes:** January 13, 2026 meeting.
2. **Request for postponement**

The following items are open for public comment

3. **Public Hearing:** Waiver request from Section 21.102C of the Subdivision Regulations to allow more than 30 lots to have a single access point. The applicant is proposing to subdivide 32 lots from the 9 subject properties with a single access point. Property Owner: Sunnyside Investment LLC. Property Location: Vacant Lot on the corner of Wheatland Road and Kanawha Lane, Charles Town, WV Parcel IDs: 06001200120000; 12.2, 12.3, 12.4, 12.5, 12.8, 12.9, 12.10, and 12.11. Size: 53 acres; Zoning District: Residential-Light Industrial-Commercial (File #26-2-PCW)
4. **Public Hearing:** Waiver request from Section 20.201A and 20.201C of the Subdivision Regulations to allow for a 30' access easement to the property. Waiver request to also allow more than 5 lots to use an existing access easement to include the future subdivision of 1 lot. Property Owner: BDH Holding (Attn: Lawrence & Alana Flynn). Property Location: 4893 Charles Town Road, Kearneysville, WV. Parcel ID: 07000200090000; Size: 3.102 acres; Zoning District: Rural (File #26-3-PCW)
5. **Public Hearing:** Variance from Section 8.1b and Section 8.1c of the 1979 Subdivision Ordinance to allow for the elimination of a required culvert to process without a Redline Revision or Final Plat Amendment. Property Owner: Leslie and George Crabill, III. Property Location: 50 Mole Court, Shepherdstown, WV. Parcel ID: 09008C02570000. Size: 0.203 acres; Zoning: Residential-Light Industrial-Commercial (File #26-1-PCV).
6. **Public Hearing:** Waiver from Section 20.203.B.1 of the Subdivision Regulations to allow a proposed 2,400 sf carport/pavilion structure to utilize the No Site Plan or Stormwater Management Plan process as opposed to the Limited Site Plan process. Property Owner: River and Trail Outfitters, Inc. (Attn: John Gonano). Property Location: 90 Millville Road, Harpers Ferry, WV. Parcel ID: 04001100390000. Size: 2.41 acres; Zoning: Rural (File #26-4-PCW).
7. **Public Hearing:** Waiver from Section 8.1B of the Subdivision Regulations to waive the requirement of a site plan for a four-unit campground. Property Owners: Pamela Wagoner and Shannon Lepsic. Applicant: River and Trail Outfitters, Inc. (Attn: John Gonano). Property Location: 199 Bloomery Road, Charles Town, WV. Parcel ID: 02001900190000. Size: 1.92 acres; Zoning: Rural (File #26-5-PCW).

There is no public comment for the following items.

8. Discussion and Possible Action: Discussion and Possible Action Regarding Zoning Determination Notice

9. Reports from Legal Counsel

10. Planner's Memo

- a. Update on Historic Resources, Rural Residential, Residential Commercial, and Office Commercial Text Amendments

11. President's Report

- a. Report from Commissioner Howell on Jefferson County Development Authority February Meeting

12. Actionable Correspondence

13. Nonactionable Correspondence

Draft Meeting Minutes
Jefferson County Planning Commission
January 13, 2026

The Jefferson County Planning Commission met on January 13, 2026, at 7:00 pm with the following Planning Commission members present: Mike Shepp, President; Aaron Howell, Vice President; Wade Louthan, Secretary; Cara Keys, County Commission Liaison; Tim Smith; Bruce Chrisman; and Daniel Hayes were present in person. Absentees - Donnie Fisher and J Ware.

Staff members present included Luke Seigfried, Chief County Planner; Andy Beall, Zoning Administrator; Jonathan Saunders, County Engineer; Nathan Cochran, County Attorney; and Patti Richardson, Planning Clerk.

Mr. Shepp called the meeting to order at 7:01 pm and confirmed a quorum was present.

1. Election of Officers

Mr. Shepp moved to nominate Mr. Smith as President, Mr. Chrisman as Vice President, and Mr. Louthan as Secretary. Mr. Shepp opened the floor to other nominations. Hearing none, Mr. Shepp moved the nominees be approved as listed, which carried unanimously.

Mr. Shepp turned the floor over to Mr. Smith as the incoming President. Mr. Smith requested that Mr. Shepp continue to preside over this meeting. Mr. Shepp agreed.

2. Approval of Meeting Minutes: December 9, 2025 meeting

Mr. Shepp moved the minutes be approved, which carried unanimously.

3. Request for postponement

None.

4. Public Hearing: Waiver from Section 20.201A to reduce the required access easement width from 50' to 30' for a proposed minor subdivision; and, to allow more than five (5) lots to utilize said access easement. Property Owners: Cavalier Investments, LLC / Attn: Trish Sanderson. Property Location: Vacant lot at the end of Morning Star Drive, Harpers Ferry WV. Parcel ID: 04001500150000; Size: 16.48 acres; Zoning District: Rural (File # 26-1-PCW).

Mr. Shepp introduced Agenda Item #4

Mr. Seigfried provided an overview of the staff report for File #26-1-PCW.

Ms. Sanderson, from Cavalier Investments was present in person. Ms. Sanderson explained the history of the request.

Planning Commission inquired of staff if a deed was required for an easement plat to be processed. Mr. Seigfried responded that the applicant had followed all processing requirements.

Mr. Chrisman inquired if the property owner signed, giving his permission to use his property for this access. Ms. Sanderson stated that the owner had signed giving his permission.

Mr. Shepp opened the floor for public comment. The following members were signed up to provide public comment: Vicki Drumheller, Keith Davis, Kara Dale, and Jonathan Markowitz

Mr. Shepp closed the floor for public comment.

Ms. Sanderson responded to all the public comments provided for the proposed waiver. Ms. Sanderson addressed the concern of a residents well, being located close to the road. Ms. Sanderson reiterated that any owners of the proposed new lots would have an ongoing commitment to help pay for road upkeep.

Mr. Shepp asked staff to explain the notice situation mentioned in the public comments. Mr. Seigfried stated that to his knowledge all the notice requirements have been met.

Planning Commission requested clarification on the number of houses that would be included on the parcel. Ms. Sanderson clarified that she is requesting four lots over the next five years.

Mr. Louthan inquired how many driveways are currently coming off this road. Mr. Seigfried responded that there is access for 15 lots currently on to Morning Star Drive. Mr. Seigfried noted that if the waiver is granted that will make 19 lots accessing Morning Star Drive.

Mr. Smith inquired if there are any pull offs on Morning Star Drive. Mr. Seigfried responded it is outside of the scope of this waiver request to require an applicant to put pull offs on someone else's property.

Mr. Hayes and Mr. Seigfried discussed that Morning Star Drive is an access easement and not a right-of-way on the plat.

Mr. Smith inquired if staff is satisfied with the owner having signed the survey. Mr. Seigfried stated the applicant and property owner followed all requirements to readjust the entrance easement.

Ms. Keys noted that the current deed does not reflect the easement change. Mr. Cochran stated that he has not examined this issue and is therefore unable to consider an opinion at this moment and therefore this may need to be postponed.

Mr. Smith made a motion to deny both requests. Mr. Louthan seconded the motion, which carried unanimously.

5. Item Postponed from December 9, 2025: Discussion and Possible Action Regarding Zoning Determination Notice

Mr. Shepp introduced Agenda Item #5

Mr. Seigfried provided an overview of the proposed Zoning Determination Notice. Staff has listed seven different options.

Mr. Cochran requested Agenda Item #5 be discussed in Executive Session. Mr. Shepp motioned to bring the meeting into Executive Session at 7:40 pm. Mr. Smith seconded the motion, which carried unanimously.

Mr. Shepp motioned to bring the meeting out of executive session at 8:09 pm. Mr. Louthan seconded the motion, which carried unanimously.

Planning Commission and Staff discussed the seven options listed. Mr. Chrisman proposed combining options #6 & #7. Mr. Cochran agreed that rewriting the Zoning Determination Notice proposal by combining options #6 & 7 and noting the 30 start, could be done by staff and would be brought back to Planning Commission at the next meeting.

Mr. Chrisman moved to postpone Agenda Item #5 to the next meeting with direction of Staff. Ms. Keys seconded the motion, which carried unanimously.

6. Discussion and Approval: Planning & Zoning 2nd Quarterly Report for FY 2025-2026 for the County Commission. *(To be distributed at the meeting)*

Mr. Shepp introduced Agenda Item #6.

Mr. Seigfried provided an overview of the Planning & Zoning 2nd Quarterly Report for FY 2025-2026.

Mr. Hayes moved approve Agenda Item #6. Mr. Louthan seconded the motion, which carried unanimously.

7. Reports from Legal Counsel:

None

8. Planner's Memo

Mr. Seigfried gave an overview of the status of ongoing text amendments.

Mr. Seigfried noted that there was an additional change needed for the 2026 Calendar. Mr. Louthan moved to approve the updated calendar as submitted. Mr. Hayes seconded the motion, which carried unanimously.

Mr. Seigfried gave an overview of the status of staff's work on the Commercial Development Processing review project.

9. President's Report

Mr. Shepp thanked everyone for their support over the last six years.

10. Actionable Correspondence

None

11. Non-Actionable Correspondence

None.

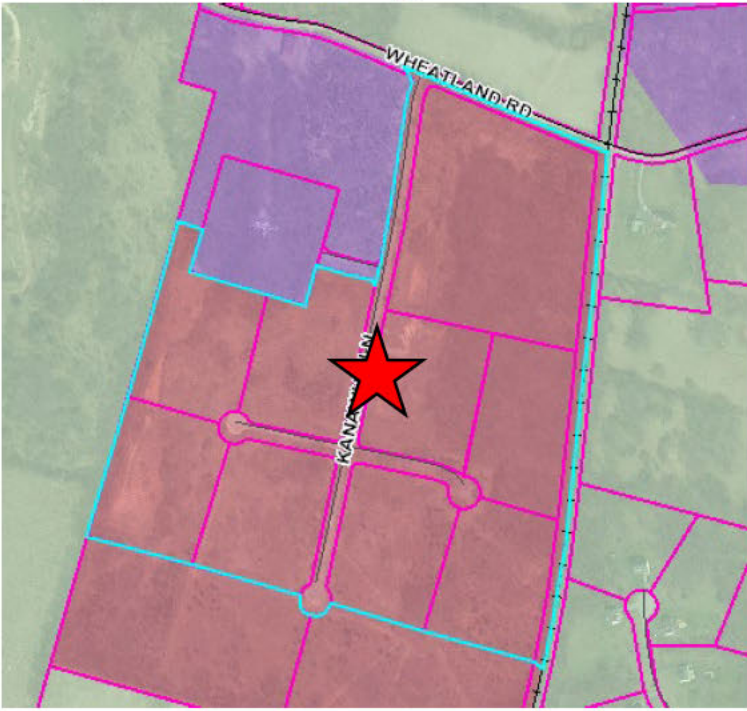
Mr. Smith motioned to adjourn the meeting at 8:27 pm. Mr. Howell seconded the motion, which carried unanimously.

These minutes were prepared by Patti Richardson, Planning Clerk.

Staff Report
 Jefferson County Planning Commission Meeting
 March 10, 2026

Sunnyside Residential Lot Access Waiver (File: 26-2-PCW)

Item #3: Waiver request from Section 21.102C of the Subdivision Regulations to allow more than 30 lots to have a single access point. The applicant is proposing to subdivide 32 lots from the 9 subject properties with a single access point.

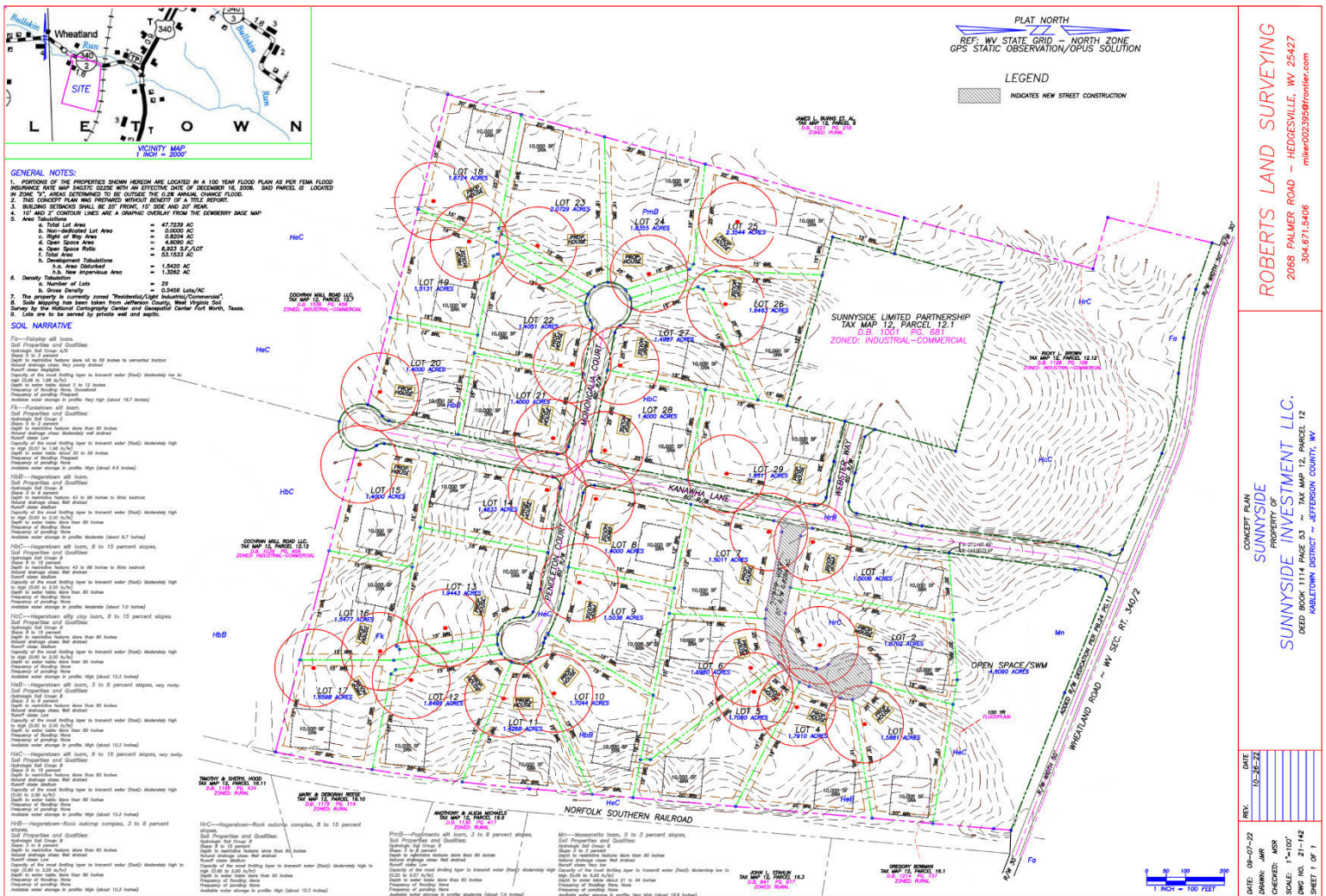
Owner:	John J. Thomas Jr.
Applicant:	Sunnyside Investment LLC
Property Location & Information:	<p style="text-align: center;">Sunnyside Industrial Park Lots 1-5 & 8-11 (existing), Kanawha Lane; Kabletown District (06); Map: 12; Parcels: 12, 12.2, 12.3, 12.4, 12.5, 12.8, 12.9, 12.10, 12.11; Lot size: ~53 acres (combined acreage) Zoning District: Residential/Light Industrial/ Commercial</p> 
Surrounding Zoning:	<i>North, East, and West: Rural, South: Residential/Light Industrial/Commercial</i>
Proposed Activity:	Establish a residential subdivision in the former Sunnyside Industrial Park
History:	<p>2007/04/23: Sunnyside Industrial Park, Recorded in PB24/PG11 (File #04-39) 2021/12/02: Property Rezoned from Industrial Commercial to Residential-Light Industrial-Commercial (File #21-3-Z) 2022/11/15: Planning Commission approval of the Sunnyside Residential Concept Plan (File #22-27-SD) 2024/11/12: Planning Commission approval of the waiver request to extend the vesting period for the approved Major Subdivision Concept Plan, extending to November 15, 2026 for the Sunnyside Major Subdivision (File #24-27-PCW) 2025/11/17: Cochran Mill Minor Subdivision located on Parcel 12.6 is approved, five additional lots accessing Kanawha Lane, recorded in PB27/PG548 (File #25-24-SD)</p>

Staff Report
 Jefferson County Planning Commission Meeting
 March 10, 2026

Sunnyside Residential Lot Access Waiver (File: 26-2-PCW)

Summary of the Request:

The applicant is requesting a waiver to allow for more than 30 lots in a major subdivision to access off of a single entrance on to Wheatland Road in the Kabletown District of Jefferson County. Section 21.102C of the Subdivision and Land Development Regulations states “All subdivision plats that contain more than 30 lots shall have a *minimum of two access points* from existing roads”. It further states that where possible, all subdivisions shall connect so that developments are not cul-de-sacs with only one access to an existing road. As there are no other approved subdivisions in the area to connect to, the Planning Commission approved the Subdivision Concept Plan in November of 2022.



ROBERTS LAND SURVEYING
 2088 PALMER ROAD - HEDGESVILLE, WV 25427
 304.671.5406
 mlr02395@frontier.com

CONCEPT PLAN
SUNNYSIDE
 SUNNYSIDE INVESTMENT LLC.
 12.1 PARCEL 12
 KABLETOWN DISTRICT - JEFFERSON COUNTY, WV

REV.	DATE
10-26-22	
09-07-22	

DRAWN: AMR
 CHECKED: JBY
 SCALE: 1"=100'
 DATE: 09-07-22
 SHEET 1 OF 1

Note: As of November 17, 2025, the Cochran Mill minor subdivision has been approved and recorded, allowing for five lots to access via Kanawha Lane.

Staff Report
Jefferson County Planning Commission Meeting
March 10, 2026

Sunnyside Residential Lot Access Waiver (File: 26-2-PCW)

On April 23rd, 2007, the Planning Commission approved the Final Plat for the Sunnyside Industrial Park, allowing for all Stormwater Management systems to be placed at this phase of the project. As the Industrial Park has not developed since then, the applicant has proposed a subdivision take the place of the industrial park, utilizing the preexisting Stormwater Management systems in place.

The major subdivision will be required to follow all guidelines stipulated in Section 24.110 – Section 24.118 and will be required to meet all plat standards for Division 1.0 of the Subdivision and Land Development Standards. This entails the major subdivision returning before the Planning Commission at the Preliminary Plat stage as this waiver only pertains to the amount of lots accessing off of a single entrance. The Preliminary Plat for this project is actively processing through the Planning & Zoning Office.

The intent of the second entrance is for emergency access vehicles to be able to enter the subdivision in case the first entrance were to be blocked.

Waiver Requirements:

Waivers from the minimum standards in these Regulations may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- 1) that the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature;
- 2) that the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- 3) that the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and
- 4) That the waiver if granted will result in a project of better quality and/or character. Process and procedural waivers shall be reviewed and found consistent with the above criteria prior to approval.

In the waiver application, the applicant referenced the existing Concept Plan to address the criteria.

Staff Recommendation:

The Planning & Zoning Staff recommends granting the requested waiver to allow for more than 30 lots in a major subdivision to access off of a single entrance on to Wheatland Road in the Sunnyside Residential Major Subdivision.

Engineering Staff recommends that a second access still be required. However, the access may not be possible due to existing SWM along the road frontage and the WVDOH prefers only one entrance entering their system.



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: 26-2-PCW
 Mtg Date: 3-10-26
 Date Rec'd: 2-6-26
 Fees Paid: \$150.00
 Staff Int: PR
 List of Adjoiners:

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Planning Commission Waiver Request

Waivers must comply with Division 24.300 of the 2008 Subdivision Regulations, as amended.

Property Owner Information

Owner Name: John Thomas
 Business Name: Sunnyside Investments, LLC
 Mailing Address: 170 John J Thomas Way, Charles Town 25414
 Phone Number: (304) 286-2601 Email: Email on file

Applicant Contact Information

Applicant Name: _____ Same as owner:
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Consultant Information

Name: Dirk Stansbury
 Business Name: DA Stansbury Engineering (DASE)
 Mailing Address: PO Box 1103 Shepherdstown, WV 25443
 Phone Number: 304-671-4766 Email: Email on file

Physical Property Details

Physical Address: Kanawha Lane Vacant Lot:
 Tax District: Kabletown Map No: 12 Parcel No: 12
 Parcel Size: 53 Deed Book: 1114 Page No: 53
 Zoning District: Residential/ light industrial commercial R-LI-C

On a separate sheet of paper sketch the shape and location of the lot. Show the location of the intended construction or land use and indicate building setbacks, size, and height. Identify existing easements, roads, buildings, structures, or land uses on the property. Sign and date the sketch.

Included Not applicable (include a vicinity map if a sketch is not applicable)

What Section of the Subdivision Regulations and year of the Regulations are you requesting to Waive?

Sub Regulation sec 21.102.C
More than 30 lots on single entrance

Briefly Describe the Nature of Your Waiver Request:

We request that the limit of 30 lots be increased to 32. The request is to maintain the existing street structure, as all but one cul-du-sac street is built and finished. There were 13 lots approved for commercial & industrial use, nine of the original lots are part of this re-zoned residential development. The nine will be dissolved by this new plan. In place 29 residential lots will be occupying the same area as the nine. The remaining 4 lots are owned by others and are not part of this subdivision. Lots 12 and 13 are occupied in a commercial use; lot 12 is a cell tower. Number 13 does not use the existing streets but has its own access to the State roadway.

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

I emphasized the commercial/industrial entrance above in that if the site had been developed as originally a commercial or industrial work shift change would eclipse the trips generated by the new use configuration. Further, consider the truck traffic generated by the former use now removed. Secondly, nearly all of the major construction is completed and to add a second access would add unnecessary land disturbance and erosion potential.

Explain how the waiver, if granted, will not adversely affect the public health, safety, or welfare or the rights of adjacent property owners or residents.

As stated in the public benefit section the new use is less detrimental to the community and will add to the local community. The roadway access is in place and approved by the WV DOH, designed for truck traffic, now eliminated. Note, intersection with 340, below this development, has been greatly improved from the former angled approach problem. Now there is improved safety for all residents of Wheatland Road

Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

If approved and at buildout there would be around likely less than a 10% increase in traffic per day over the current limit of 30 lots (cell towers do not drive). The trips are on an entrance designed for heavier traffic use.

Explain how the waiver, if granted, will result in a project of better quality and/or character.

Once we point out the existing streets were to be used for commercial/industrial purposes. We believe that to be a better character development

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.

 2/4/26
Property Owner Signature Date

Property Owner Signature Date

Notification Requirements

The subject parcel shall be posted with a minimum of one 28" x 22" placard at least 14 days prior to the public hearing. The placard(s) will be prepared by the Staff and posted by the applicant. Adjacent property owner name and address information shall be provided by the applicant so that notification letters can be mailed by Staff least 14 days prior to the public hearing.

03/10/2026
Public Hearing Date

02/24/2026
Date Placard Posted

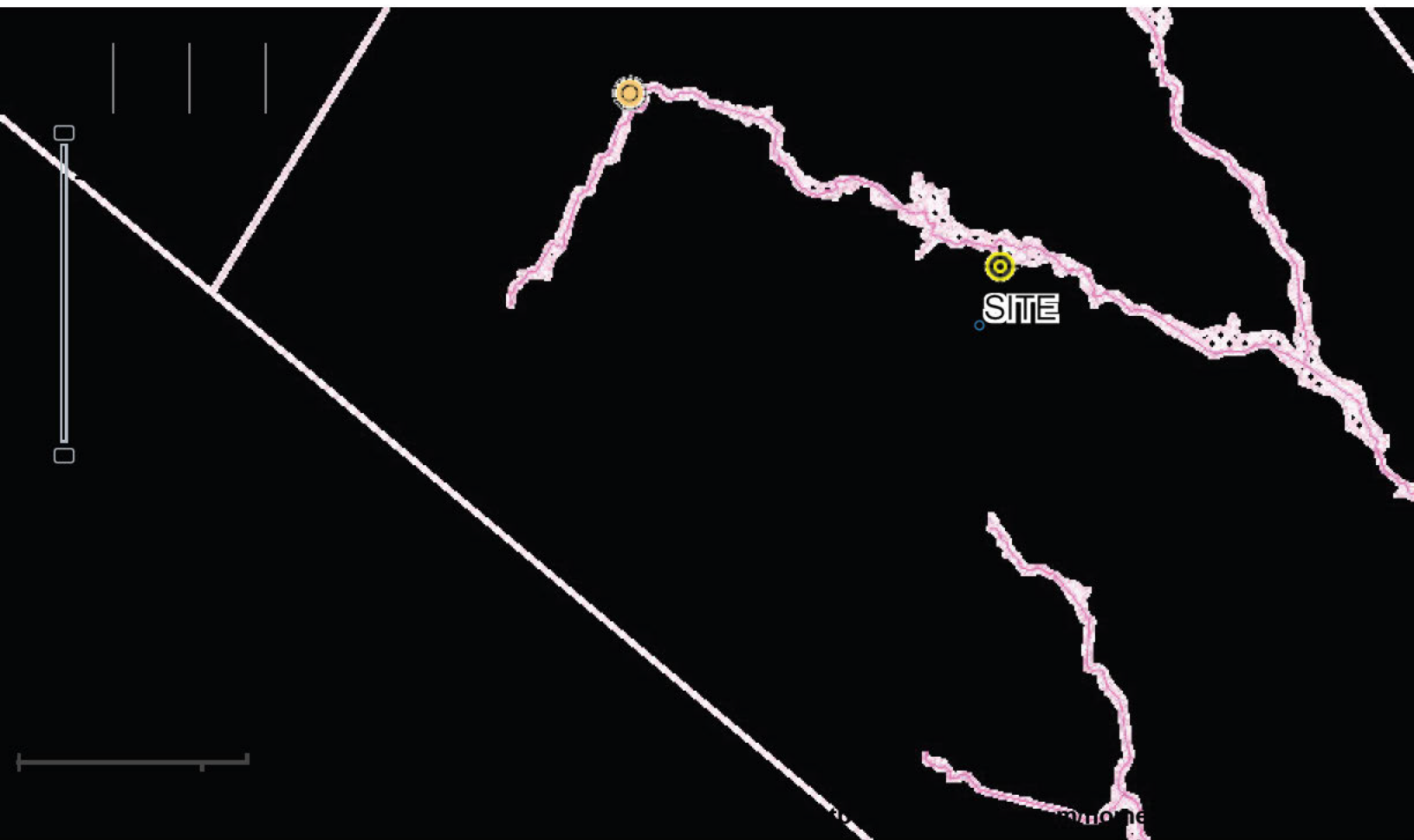
02/20/2026
Date Adjoiners Mailed

Planning Commission Determination

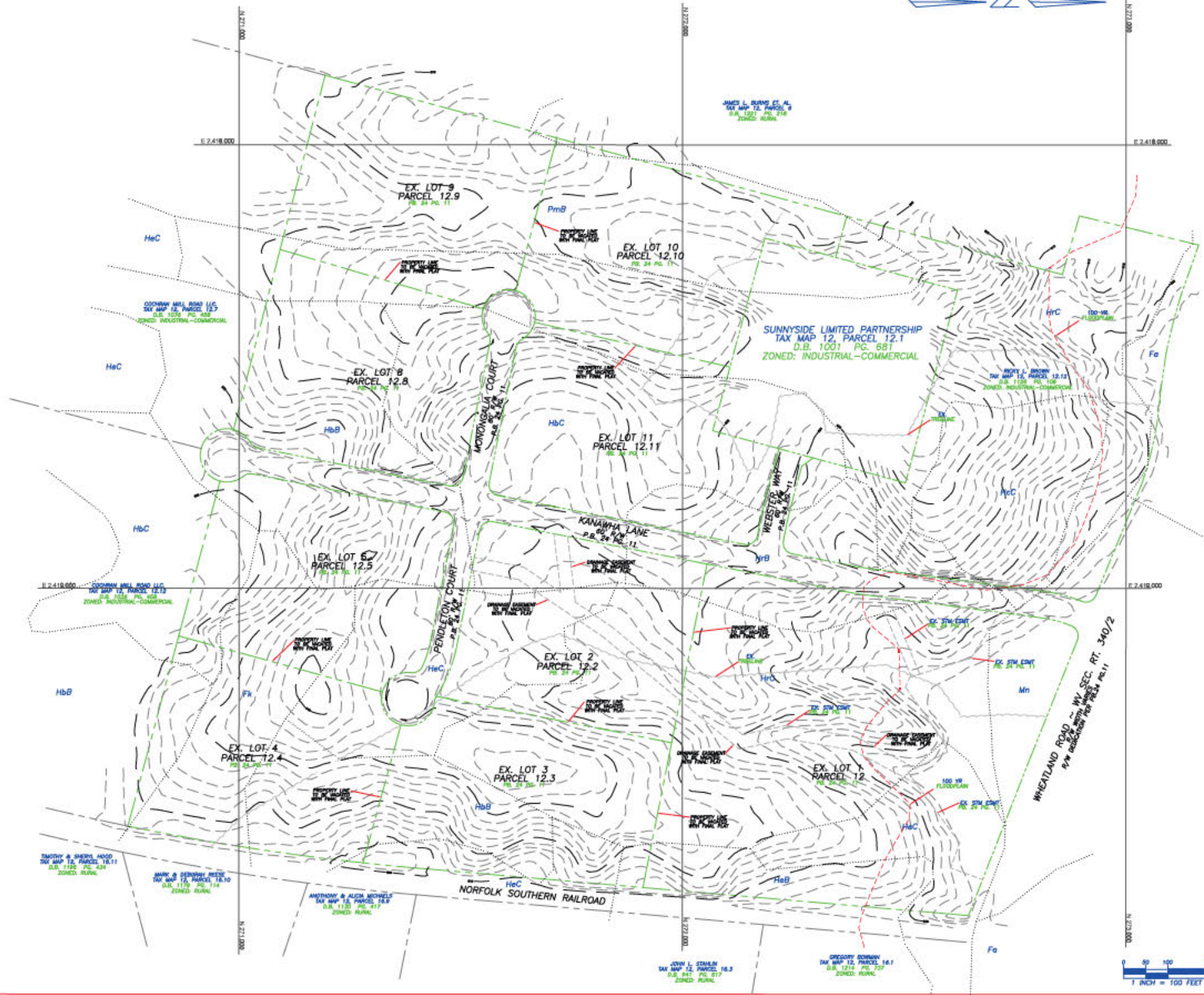
Approved

Denied

Date: ___ / ___ / ___



SOIL NARRATIVE



ROBERTS LAND SURVEYING
 2068 PALMER ROAD - HEDGESVILLE, WV 25427
 304.671-5406
 miker002395@frontier.com

EXISTING CONDITIONS & SITE RESOURCE MAP
 SUNNYSIDE
 PROPERTY OF
SUNNYSIDE INVESTMENT LLC.
 DEED BOOK 1114 PAGE 53
 TAX MAP 12, PARCELS 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.9, 12.10 & 12.11
 PARSETOWN DISTRICT - WETTERBURN COUNTY, WV

DATE:	09/13/24
CHECKED:	MSP
MAP:	

SHEET
SP-10
 DWG NO. 21-142

CURVE CHART

CHUNK	CHUNK#	CHUNK LENGTH	CHUNK#	CHUNK LENGTH	CHUNK#	CHUNK LENGTH	CHUNK#	CHUNK LENGTH
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93	17088.77	17088.77	94	17088.77	95	17088.77	96	17088.77
97	17088.77	17088.77	98	17088.77	99	17088.77	100	17088.77

LINE CHART

LINE	LINE#	LINE LENGTH	LINE#	LINE LENGTH	LINE#	LINE LENGTH	LINE#	LINE LENGTH
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05	17088.77	17088.77	06	17088.77	07	17088.77	08	17088.77
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85	17088.77	17088.77	86	17088.77	87	17088.77	88	17088.77
89	17088.77	17088.77	90	17088.77	91	17088.77	92	17088.77
93	17088.77	17088.77	94	17088.77	95	17088.77	96	17088.77
97	17088.77	17088.77	98	17088.77	99	17088.77	100	17088.77

- GENERAL NOTES:**
1. THE PROPERTIES SHOWN HEREON ARE NOT LOCATED IN A 100 YEAR FLOOD PLAIN AS PER FEMA FLOOD INSURANCE RATE MAP 34037C 0120E WITH AN EFFECTIVE DATE OF DECEMBER 16, 2009. SAID PARCEL IS LOCATED IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD.
 2. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT.
 3. BUILDING SETBACKS SHALL BE 40' FRONT, 15' SIDE AND 50' REAR OR AS SHOWN, ALL SHALL BE DESIGNATED AS DRAINAGE AND UTILITY EASEMENTS. NOTE, BMP AND SMM EASEMENTS HAVE SPECIAL REQUIREMENTS, SEE SMM NOTES.
 4. BOUNDARY HAS ERROR OF CLOSURE OF 1/7500 OR BETTER.
 5. WELL VERIFICATION:
 - Verification from a well driller that a pressure grouted well is drilled and is producing water of a quantity approved by the Jefferson County Health Department and/or the West Virginia Bureau of Health shall be submitted to the Planning Commission prior to the issuance of an Improvement Location Permit. Certification that the water is potable must be submitted to the Planning Commission Office within 6 months of the issuance of an Improvement Location Permit.



**Jefferson County
SITE WORK
MILESTONE INSPECTIONS**

The developer shall request County Engineer Inspections minimum of 48 hours in advance (Call 304-726-3220). Inspections shall be requested according to the Table of Milestones shown below:

1.	Installation of Sediment & Erosion Control Devices prior to beginning site grading.
2.	Roadway and/or parking lot subgrade proof roll prior to placing stone base.
3.	Roadway and/or parking lot stone base depth check prior to placing asphalt or concrete pavement.
4.	Water system and Sanitary sewer system inspection and approval by the public service district/utility prior to backfilling of trenches.
5.	Final inspection including but not limited to seeding & mulching, roadway & parking lot paving, sidewalks, storm drainage and stormwater management systems, traffic control signs & pavement markings, landscaping, etc.

Note: The County Engineer may accept "third-party" inspection and certification reports in place of inspections performed by the Office of Engineering, upon prior approval. Third-party inspection reports shall be submitted in the format specified by the County Engineer.

JAMES BURNS
TAX MAP 12 PARCEL 6
D.B. 1221 PG. 218

AREA TABULATION:

ORIGINAL PARCEL	
PARCELS 12, 12.2, 12.3, 12.4, 12.5, 12.8, 12.9, 12.10 & 12.11	2,316,672 SQ.FT. - 53.1835 AC.
TOTAL	2,316,672 SQ.FT. - 53.1835 AC.
SUBDIVISION PARCELS	
SUBDIVISION LOTS	2,078,529 SQ.FT. - 47.7165 AC.
RIGHT OF WAY (CABELL COURT)	36,097 SQ.FT. - 0.8267 AC.
RESIDUE (GREEN SPACE PARCEL)	202,046 SQ.FT. - 4.6383 AC.
TOTAL	2,316,672 SQ.FT. - 53.1835 AC.

PLAT NORTH
REF: WV STATE GRID - NORTH ZONE
GPS STATIC OBSERVATION/OPUS SOLUTION
GENERAL NOTES:



LEGEND

- INDICATES 5/8" CAPPED REBAR (SET or TIS) UNLESS LABELED OTHERWISE
- INDICATES CONCRETE MONUMENT (SET or TIS)



ROBERTS LAND SURVEYING
 2068 PALMER ROAD - HEDGESVILLE, WV 25427
 304.671.5406
 miker02395@frontier.com

Jefferson Asphalt Products Company
 c/o John Thomas
 170 John J. Thomas Way
 Charles Town, WV 25414
 304-383-5601

SUNNYSIDE INVESTMENT, LLC
 PRELIMINARY PLAT
 PROPERTY OF
 SUNNYSIDE INVESTMENT, LLC
 DEED BOOK 1114, PAGE 53 - TAX MAP 12, PARCEL 12
 HABLETOWN DISTRICT - JEFFERSON COUNTY, WV

DATE	REVISION

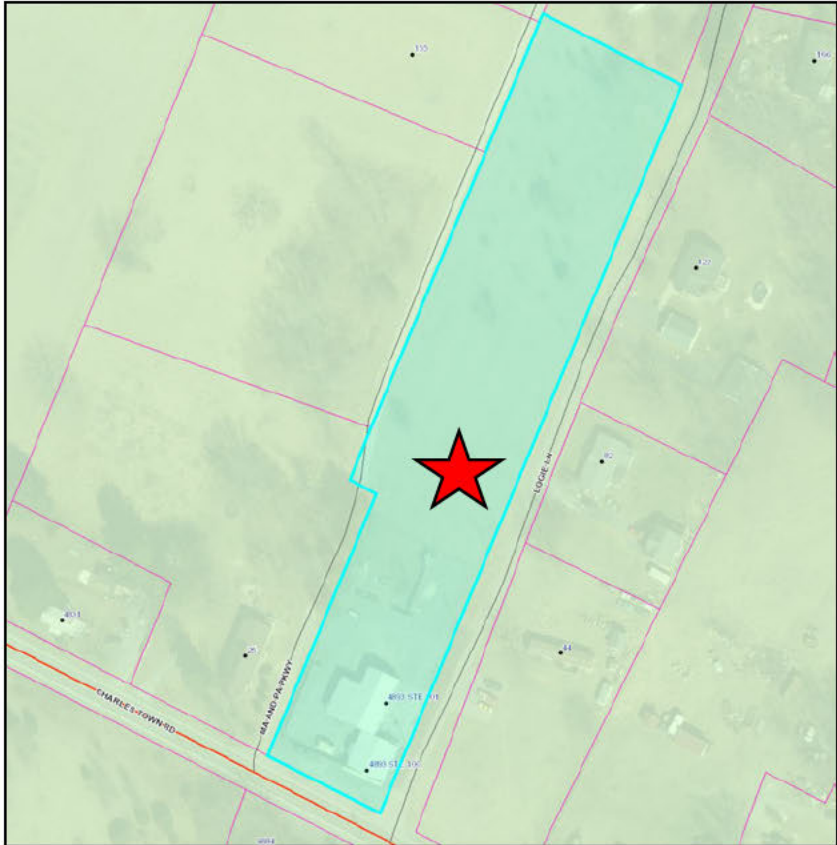
DRAWN: RLW CHECKED: MSF 06-13-25 DWG. NO. 21-142
SHEET SP-11

Preliminary Plat November.dwg Layout 11/1/2025 14:12:43

Staff Report
 Jefferson County Planning Commission Meeting
 March 10, 2026

Flynn (Access) Waiver (File #26-3-PCW)

Item #4: Waiver request from Section 20.201A and 20.201C of the Subdivision Regulations to allow for a 30' access easement to the property. Waiver request to also allow more than 5 lots to use an existing access easement to include the future subdivision of 1 lot.

Applicant/Owner:	BDH Holding (Attn: Lawrence & Alana Flynn)
Property Location & Information:	<p style="text-align: center;">4893 Charles Town Road, Kearneysville, WV Parcel ID: 07000200090000; Size: 3.102 acres; Zoning District: Rural</p> 
Surrounding Zoning:	<i>North, South, East, and West: Rural</i>
Proposed Activity:	Subdivide one lot off an existing lot with a non-conforming use for a residential structure
History:	<p>03/04/74: Establishment of commercial business</p> <p>03/16/79: Subdivision of Lot A, B and C processed, Lot A access delineated as rights to utilize Logie Lane and West Virginia State Route 9 (now State route 115) at DB453/PG99</p> <p>02/20/20: Zoning Certificate Approval for change in nonconforming use, tombstone engraving business established in location (File #20-5-ZC)</p> <p>09/02/25: Zoning Certificate Approval for change in nonconforming use, Power House Motor Sports business established in location (File #25-34-ZC)</p>

Staff Report
Jefferson County Planning Commission Meeting
March 10, 2026

Flynn (Access) Waiver (File #26-3-PCW)

Summary of the Request:

The applicant is requesting a waiver from Sec. 20.201A and 20.201C of the Subdivision Regulations to process a Minor Subdivision for two lots on 3.1 acres. Ma and Pa Lane is located to the north and west of the property and Logie Lane is located to the south and east. The existing structures on the property are for a non-residential use. The additional lot proposed would be for residential purposes and be situated on the northern part of the subject parcel. The new lot would utilize the existing Logie Lane 30' access easement instead of the required 50' access easement.

Sec. 20.201 Minor Subdivisions

A. Residential⁸

2. All lots, regardless of the zoning district, shall have motor vehicle access via a 50' access easement, provided that the access easement serves no more than 5 lots to either:

C. Non-Residential

2. Access. All lots shall front on an existing internal subdivision road built to county grade road standards and having a minimum right-of-way width of 50 feet. Lots having direct access to a state road are not permitted to process as a minor, except for those proposals utilizing the non-residential permitted uses in the Rural District.

The property is zoned Rural and has the right to perform a single Non-Residential Subdivision through the Minor Subdivision process, provided it meets all Subdivision Regulation requirements or receives the requested waivers.

Staff Discussion and Recommendation:

Thirteen lots currently access off Logie Lane. If the waiver is, approved one additional lot will access off Logie Lane for a total of fourteen lots.

If the Planning Commission is inclined to grant the waiver, staff recommends approval of the waiver request with the condition that the newly created residential lot is to access through Logie Lane.

Waiver Requirements:

The applicant provided a response to the requirements found in "Division 24.300 Waivers" of the Subdivision Regulations in the waiver application. Waivers from the minimum standards in these Regulations may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- 1) that the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature;
- 2) that the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- 3) that the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and
- 4) That the waiver if granted will result in a project of better quality and/or character. Process and procedural waivers shall be reviewed and found consistent with the above criteria prior to approval.



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: 26-3-PCW
 Mtg Date: 3-10-2026
 Date Rec'd: 2-12-2026
 Fees Paid: \$150.00
 Staff Int: CAU
 List of Adjoiners:

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Planning Commission Waiver Request

Waivers must comply with Division 24.300 of the 2008 Subdivision Regulations, as amended.

Property Owner Information

Owner Name: Lawrence & Alana Flynn
 Business Name: BDH Holding
 Mailing Address: P.O. Box 214, Kearneysville WV 25430
 Phone Number: 304-707-1588 Email: [REDACTED]

Applicant Contact Information

Applicant Name: _____ Same as owner:
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Consultant Information

Name: N/A
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Physical Property Details

Physical Address: 4893 Charles Town Road Vacant Lot:
 Tax District: 07 (Middleway) Map No: 2 Parcel No: 9
 Parcel Size: 3.102 Deed Book: 1324 Page No: 234
 Zoning District: Rural

On a separate sheet of paper sketch the shape and location of the lot. Show the location of the intended construction or land use and indicate building setbacks, size, and height. Identify existing easements, roads, buildings, structures, or land uses on the property. Sign and date the sketch.

Included Not applicable (include a vicinity map if a sketch is not applicable)

What Section of the Subdivision Regulations and year of the Regulations are you requesting to Waive?

20.201A & 20.201C

Briefly Describe the Nature of Your Waiver Request:

Process a minor subdivision that accesses off of a 30' access (Logie Lane) instead of a required 50' access, Logie Lane currently has more than five lots accessing.

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

Not applicable

Explain how the waiver, if granted, will not adversely affect the public health, safety, or welfare or the rights of adjacent property owners or residents.

This waiver will not be blocking off Logie Lane and all property owners will still have access to the road.

Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

In my opinion this is the best use of the land. I am all for a large house site, equivalent to all homes on Logie Lane and meet the character of all surrounding homes

Explain how the waiver, if granted, will result in a project of better quality and/or character.

This waiver will allow for the construction of an additional home on Logie Lane

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.

 2-12-2026
Property Owner Signature Date

Property Owner Signature Date

Notification Requirements

The subject parcel shall be posted with a minimum of one 28" x 22" placard at least 14 days prior to the public hearing. The placard(s) will be prepared by the Staff and posted by the applicant. Adjacent property owner name and address information shall be provided by the applicant so that notification letters can be mailed by Staff least 14 days prior to the public hearing.

3-10-2026
Public Hearing Date

2-24-2026
Date Placard Posted

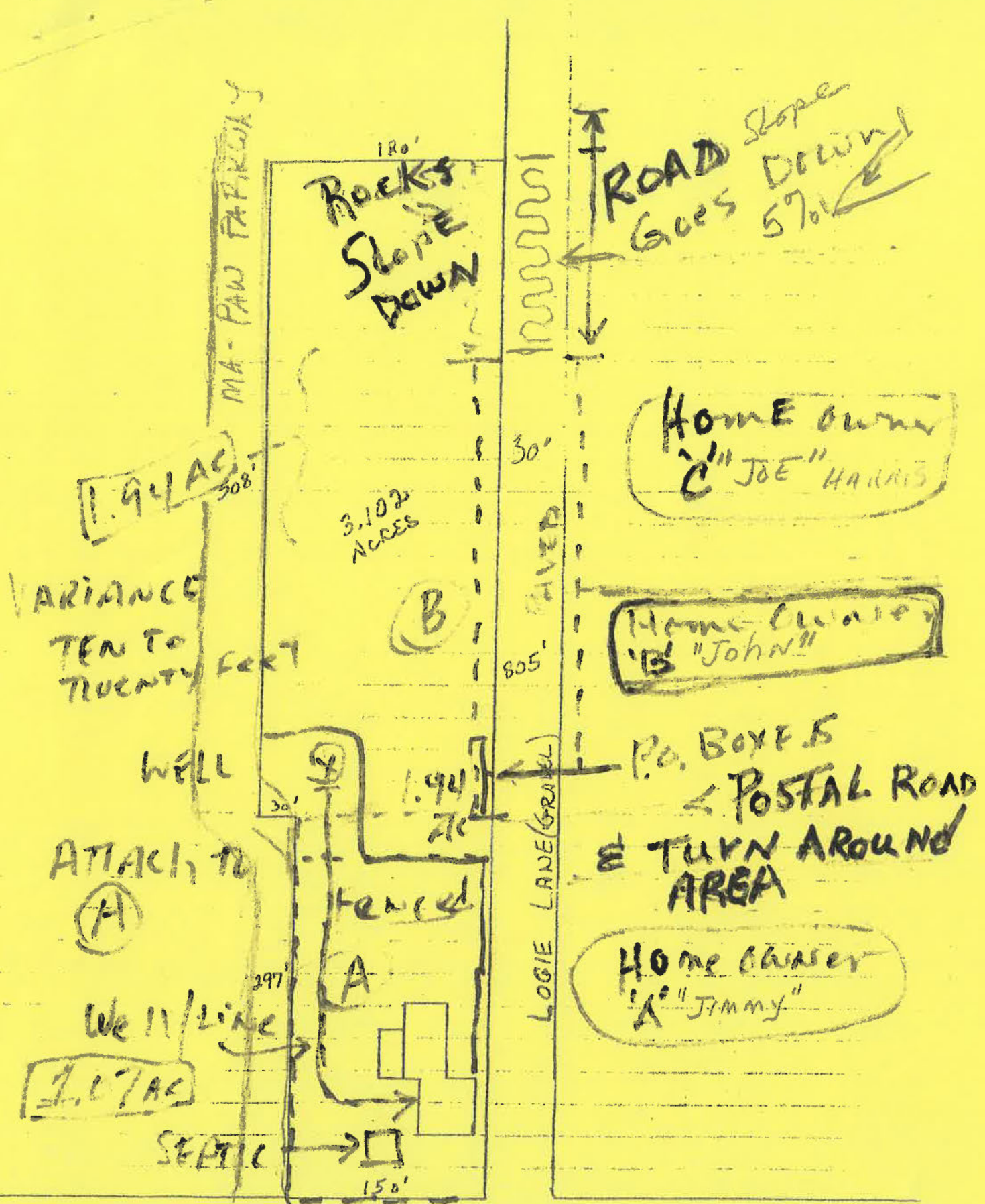
2-20-2026
Date Adjoiners Mailed

Planning Commission Determination

Approved

Denied

Date: ____ / ____ / ____

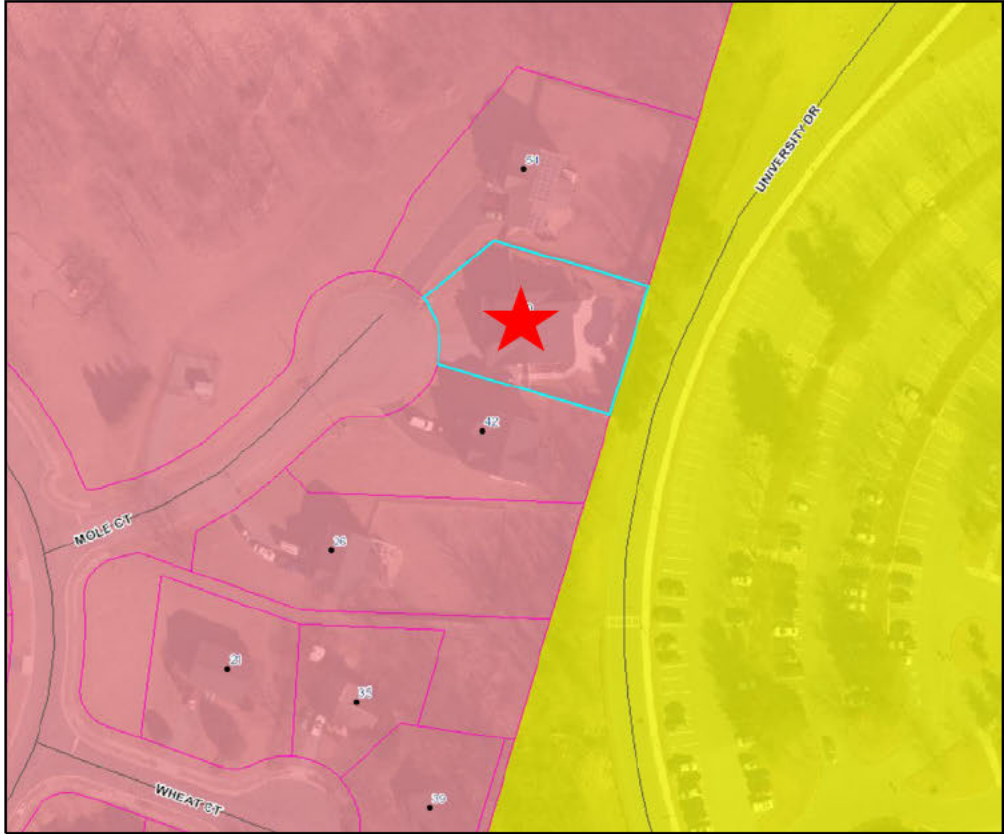


← To MISSISSAUGA RT #9 RT #115
 @ KEARNEYVILLE TO CHARLESTOWN →

Staff Report
 Jefferson County Planning Commission Meeting
 March 10, 2026

Crabill (Culvert) Variance (File: 26-1-PCV)

Item #5: Variance from Section 8.1b and Section 8.1c of the 1979 Subdivision Ordinance to allow for the elimination of a required culvert to process without a Redline Revision or Final Plat Amendment.

Applicant/Owner:	George and Leslie Crabill
Property Location & Information:	<p style="text-align: center;">50 Mole Court, Shepherdstown, WV 25443 Parcel ID: 09008C02570000; Size: 0.20 acres; Zoning District: Residential-Light Industrial-Commercial</p> 
Surrounding Zoning:	<p style="text-align: center;"><i>North, South, and West:</i> Residential-Light Industrial-Commercial; <i>East:</i> Residential Growth</p>
Proposed Activity:	<p>Allow for Lot #3 from Phase III of the Maddex Farm Subdivision to remove the requirement of a 15" culvert without processing a redline revision to the approved Preliminary Plat and a final plat amendment to the approved Final Plat</p>
History:	<p>02/25/94: Creation of Subdivision Boundaries, Recorded in PB12/Pg5 (File #92-33) 08/27/02: Planning Commission approval of the variance from Section 8.2.a.5 of the Subdivision Ordinance allowing for 264 linear feet of roadway where the centerline of the right-of-way is not congruous with the centerline of the roadway 11/08/02: Approval of the Maddex Farm Preliminary Plat (File #02-04) 06/06/05: Approval of the Maddex Farm Phase III Final Plat, Recorded in PB22/Pg7 (File #05-05)</p>

Staff Report
Jefferson County Planning Commission Meeting
March 10, 2026

Crabill (Culvert) Variance (File: 26-1-PCV)

Summary of the Request:

The applicant is requesting to remove the 15” driveway culvert requirement due to the driveway being at the high point of the roadway’s vertical curve. The applicant has provided an engineered study stating that a culvert is not needed. The approved preliminary plat has this lot’s grading/drainage away from the applicant’s driveway.

The purpose of the variance is to remove a required culvert from the existing plat that would require all lots to establish a 15” culvert at the base of their driveway. All processing through the Planning & Zoning Department was approved and the establishment of the culvert was overlooked but approved during the construction phase of the Maddex Farm Subdivision. The purpose of the variance is to ensure that the applicant does not have to unnecessarily remove their driveway, install a 15” culvert, and then have to repave the driveway while obtaining all necessary permits. Approval of the variance would allow for the applicant to bring their property into compliance and remove the requirement of the 15” culvert.

The applicant has also provided the Planning & Zoning office with an engineering study from Fox & Associates, Inc. stating that due to the elevation of the driveway connection to the main road (Mole Court), a driveway is not required at this location due to the driveway connecting at the highpoint of the cul-de-sac. Attached to the application is the engineering study which includes images from the road of the driveway.

Waiver Requirements:

The applicant provided a response to the requirements found in “Division 24.300 Waivers” of the Subdivision Regulations in the waiver application. Waivers from the minimum standards in these Regulations may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- 1) that the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature;
- 2) that the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- 3) that the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and
- 4) That the waiver if granted will result in a project of better quality and/or character. Process and procedural waivers shall be reviewed and found consistent with the above criteria prior to approval.

Staff Discussion and Recommendation:

Staff recommends approval of the variance request as the all drainage on this property naturally flows to the road due to the elevation of the driveway, as indicated in the engineering study the applicant provided. Approval will allow for the applicant to not be required to process a Redline Revision or Final Plat Amendment for the Maddex Farm Subdivision and the applicant will not be required to install a culvert on their property.



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: 26-1-PCV
 Mtg Date: 03-10-26
 Date Rec'd: 02-12-26
 Fees Paid: —
 Staff Int: gnt
 List of Adjoiners:

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Subdivision Ordinance Variance Request

Variations must comply with Article 17 of the 1979 Subdivision Ordinance, as amended.

Property Owner Information

Owner Name: Leslie D. and George F. Crabill, III
 Business Name: _____
 Mailing Address: 50 Mole Court, Shepherdstown, WV 25443
 Phone Number: 304-671-7343 Email: [REDACTED]

Applicant Contact Information

Applicant Name: Leslie D. and George F. Crabill, III Same as owner:
 Business Name: _____
 Mailing Address: 50 Mole Court, Shepherdstown, WV 25443
 Phone Number: 304-671-7343 Email: [REDACTED]

Consultant Information

Name: _____
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Physical Property Details

Physical Address: Lot 3 Maddex Farm, 50 Mole Court, Shepherdstown, WV 25443 Vacant Lot:
 Tax District: 09 Map No: 8C Parcel No: 025700000000
 Parcel Size: 12,113 sq ft Deed Book: 1176 Page No: 87
 Zoning District: RLIC

On a separate sheet of paper sketch the shape and location of the lot. Show the location of the intended construction or land use and indicate building setbacks, size, and height. Identify existing easements, roads, buildings, structures, or land uses on the property. Sign and date the sketch.

Included Not applicable (include a vicinity map if a sketch is not applicable)

Which Section of the Subdivision Ordinance are you requesting to vary?

Section 8.1B of the 1979 Subdivision Ordinance

Briefly Describe the Nature of Your Variance Request:

We were recently informed that a culvert is required beneath our driveway. When we built our home in 2020, no such requirement was noted on our building permit. While we certainly want to remain compliant, we also want to avoid unnecessary expense of digging up a paved driveway. We commissioned a survey from Fox and Associates to determine whether a culvert is needed. Their findings (included) indicate that a culvert would serve no purpose, as our driveway sits at the high point of our cul-de-sac. We are requesting a variance for the culvert requirement.

Explain why this request is NOT contrary to the public interest:

Our driveway is the high point of our cul-de-sac. Neighbors on each side have culverts under their driveways to control drainage.

Explain how enforcement of this Ordinance will result in an unnecessary hardship:

It is wasteful and costly to dig up the driveway and install a culvert that is not needed.

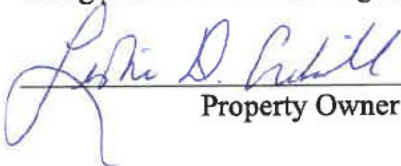
Explain how this request is NOT the result of a self-imposed hardship:

Since the driveway is the high point of the cul-de-sac and neither the building permit nor the occupancy permit listed it as a requirement, we had no idea it was required.

Explain how the spirit of this Ordinance will be observed and substantial justice will be done:

The lack of a culvert will not negatively impact any property as indicated by the attached survey. It would simply be a cost with no benefit.

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.


Property Owner

2/12/2026
Date


Property Owner

2/12/26
Date

Notification Requirements

The subject parcel shall be posted with a minimum of one 28" x 22" placard at least 14 days prior to the public hearing. The placard(s) will be prepared and posted by the Staff. Adjacent property owner name and address information shall be provided by the applicant so that notification letters can be mailed by Staff least 14 days prior to the public hearing.

03.10.26
Public Hearing Date

02.24.26
Date Placard Posted

02.18.26
Date Adjoiners Mailed

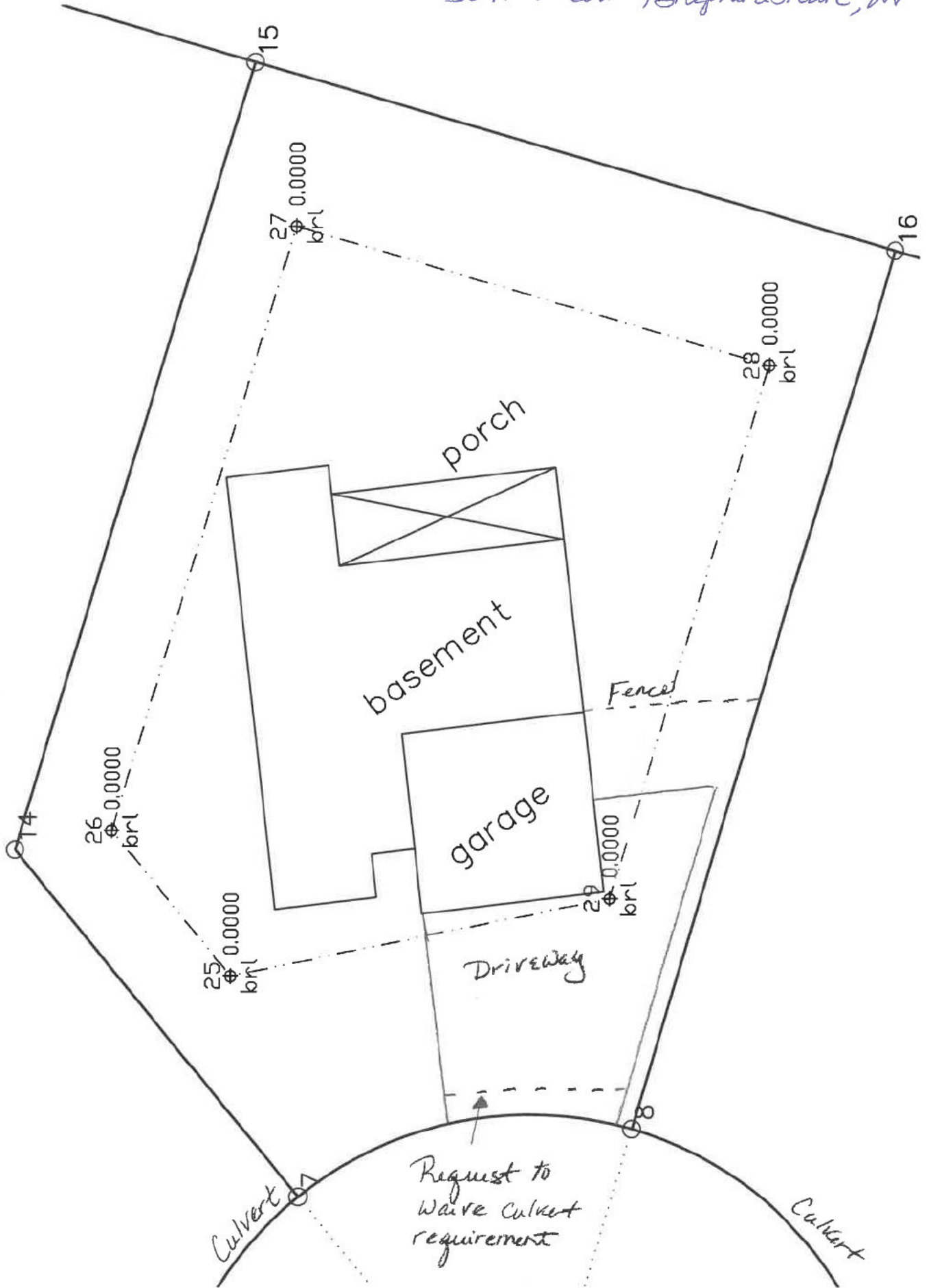
Planning Commission Determination

Approved

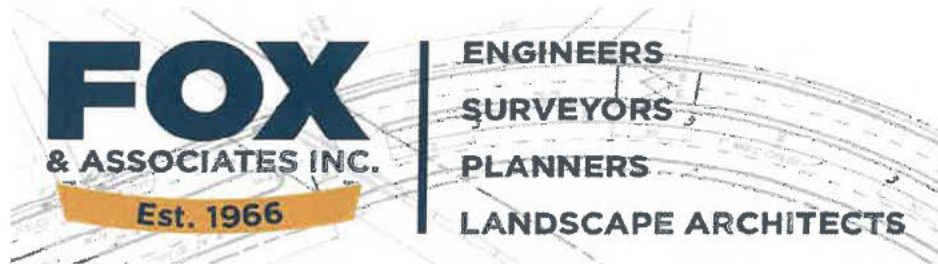
Denied

Date: ___ / ___ / ___

Lot 3
50 Mole Court, Shepherdstown, WV



Lobie Rehill 2/12/2026



981 Mt Aetna Rd
Hagerstown, MD 21740
Phone: 301-733-8503
Fax: 301-733-1853

January 12, 2026

Leslie Crabill
50 Mole Court
Shepherdstown, WV 25443

Dear Mrs. Crabill,

A recent field visit was made to 50 Mole Court in Shepherdstown, West Virginia. The purpose of the field visit was to review the driveway connection to Mole Court, more specifically the lack of a driveway culvert under the driveway serving 50 Mole Court. The location of the driveway serving the residence on 50 Mole Court is at the high point of the Mole Court cul-de-sac which results in storm drainage flowing to the north and south from the driveway. The elevation of the driveway connection to Mole Court is such that a driveway culvert is not required at this location due to the driveway connecting to Mole Court at the highpoint of the cul-de-sac. See site photographs below collected on January 11, 2026.



Driveway into 50 Mole Court (Lot 3)



Photo taken from driveway serving Lot 3 looking south to Lot 2. A driveway culvert is present under the driveway serving Lot 2.



Photo taken from driveway serving Lot 3 looking north to Lot 4.

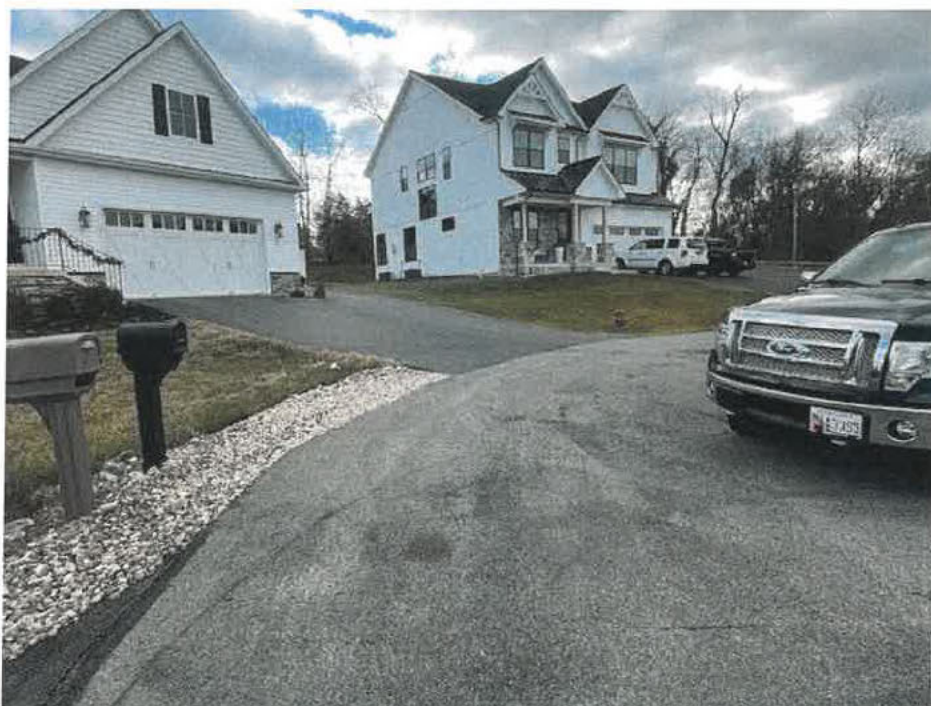


Photo taken from driveway serving Lot 4 looking south to driveway serving Lot 3.



Photo taken from north side of driveway serving Lot 3 looking south to driveway serving Lot 2.

Permit #:

20-117

BUILDING PERMIT

JOB WEATHER CARD

Owner: George & Leslie Crabill
 Property Address: Pending Assignment, Mole Ct
 Subdivision: Maddex Farm
 Legal Description: PHASE III LT #3 MADDEX FARM
 Parcel Number: 09008C02570000

Jefferson County
 Dept. of Engineering, Planning & Zoning
 Office of Permits & Inspections
 116 E Washington St., PO Box 716
 Charles Town, WV 25414
 permits@jeffersoncountywv.org
 (304) 725-2998

Type of Improvement: Residential - New Single Family

CONDITIONS OF APPROVAL:

All future Renovations/Improvements/Additions/Change of Use must process the necessary approvals/permits prior to the Renovation/Improvement/Addition/Change of Use taking place

A stabilized construction entrance must be installed per article 4, section 4.1 of the Jefferson County Improvement Location Permit Ordinance and Standard Detail SC-20 (Attached).

All graded areas must have a silt fence installed on the downhill side of all disturbed areas, per the Jefferson County Stormwater Ordinance. Silt fence must be maintained until grass growth is established on the entire site.

All portions of the structure must be a minimum of 10' from the well; the septic and septic reserve area.

All unfinished areas of basement to remain unfinished unless the required permits are issued.

No bedroom can be located in the basement without further processing through the Permit Office.

No kitchen can be located in the basement.

There can be no more than 3 bedrooms.

ANY POSSIBLE OMISSIONS OR DELETIONS FROM ANY PART OF THE MANDATED CODE NOT SHOWN ON PLANS MUST BE CORRECTED WHEN DETECTED AND WHEN BUILDING IS INSPECTED

USE AND/OR OCCUPANCY PRIOR TO APPROVED FINAL INSPECTION & ISSUANCE OF USE & OCCUPANCY PERMIT IS UNLAWFUL

BUILDING DEPT



Permit Created: 3/19/2020

Permit Expires: 09/15/2020

BY _____

THIS PERMIT CONVEYS NO RIGHT TO OCCUPY ANY STREET, ALLEY OR SIDEWALK OR ANY PART THEREOF, EITHER TEMPORARILY OR PERMANENTLY. ENCROACHMENTS ON PUBLIC PROPERTY NOT SPECIFICALLY PERMITTED UNDER THE BUILDING CODE, MUST BE APPROVED BY THE JURISDICTION. STREET OR ALLEY GRADES AS WELL AS DEPTH AND LOCATION OF PUBLIC SEWERS MAY BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS. THE ISSUANCE OF THIS PERMIT DOES NOT RELEASE THE APPLICANT FROM THE CONDITIONS OF ANY APPLICABLE SUBDIVISION RESTRICTIONS.

THE PERMIT HOLDER SHALL CONTACT THE JEFFERSON COUNTY OFFICE OF PERMITS & INSPECTIONS AND SCHEDULE THE REQUIRED INSPECTIONS	APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE. WHERE A CERTIFICATE OF OCCUPANCY IS REQUIRED SUCH BUILDING SHALL NOT BE USED AND /OR OCCUPIED UNTIL FINAL INSPECTION HAS BEEN APPROVED	ELECTRICAL INSPECTIONS SHALL BE PERFORMED BY AN ELECTRICAL INSPECTOR APPROVED BY THE STATE FIRE MARSHAL'S OFFICE
--	---	--

POST THIS CARD VISIBLE FROM THE STREET

BUILDING INSPECTION APPROVALS	PLUMBING INSPECTION APPROVALS	ELECTRICAL INSPECTION APPROVALS

WORK SHALL NOT PROCEED UNTIL THE INSPECTOR HAS APPROVED THE VARIOUS STAGES OF CONSTRUCTION.	PERMIT WILL BECOME NULL AND VOID IF CONSTRUCTION WORK IS NOT STARTED WITHIN SIX MONTHS OF DATE THE PERMIT IS ISSUED AS NOTED ABOVE.	INSPECTIONS CAN BE ARRANGED FOR YOUR MGO ACCOUNT, BY TELEPHONE, OR WRITTEN NOTIFICATION

JEFFERSON COUNTY, WEST VIRGINIA

Dept. of Engineering, Planning & Zoning
Office of Permits & Inspections
116 East Washington Street, Suite 100
PO Box 716
Charles Town, WV 25414
Phone: (304) 725-2998 - Fax: (304) 728-3953
E-mail: engineering@jeffersoncountywv.org

CERTIFICATE OF USE & OCCUPANCY

2015 One & Two Family Residential Dwelling

Date Issued: Friday, August 7, 2020

Permit No.: 20-117

Owner of Property: George & Leslie Crabill

Mailing Address: 86 Wakeman D, Martinsburg WV 25403

Property Address: 50 MOLE CT, SHEPHERDSTOWN WV 25443

Subdivision: Maddex Farm
Legal Description: PHASE III LT #3 MADDEX FARM
Parcel ID: 09008C02570000
Deed Book: 1176
Page: 87

Type of Improvement : Residential - New Single Family

Periodic Inspections were conducted on the above described improvement for compliance with the requirements of the International Residential code for One and Two Family Dwellings, 2015 edition.

Total Square Feet: (finished) (unfinished)

Estimated Cost : \$350000.00

Fee Paid : \$7503.60

Special Conditions of Approval:

-All future Renovations/Improvements/Additions/Change of Use must process the necessary approvals/permits prior to the Renovation/Improvement/Addition/Change of Use taking place

-No kitchen can be located in the basement.

-A stabilized construction entrance must be installed per article 4, section 4.1 of the Jefferson County Improvement Location Permit Ordinance and Standard Detail SC-20 (Attached).

-All graded areas must have a silt fence installed on the downhill side of all disturbed areas, per the Jefferson County Stormwater Ordinance. Silt fence must be maintained until grass growth is established on the entire site.

-There can be no more than 3 bedrooms.

-All portions of the structure must be a minimum of 10' from the well; the septic and septic reserve area.

-No bedroom can be located in the basement without further processing through the Permit Office.

-All unfinished areas of basement to remain unfinished unless the required permits are issued.

Office of Permits & Inspections:



Roger L Goodwin, P.E.
Chief Building Official

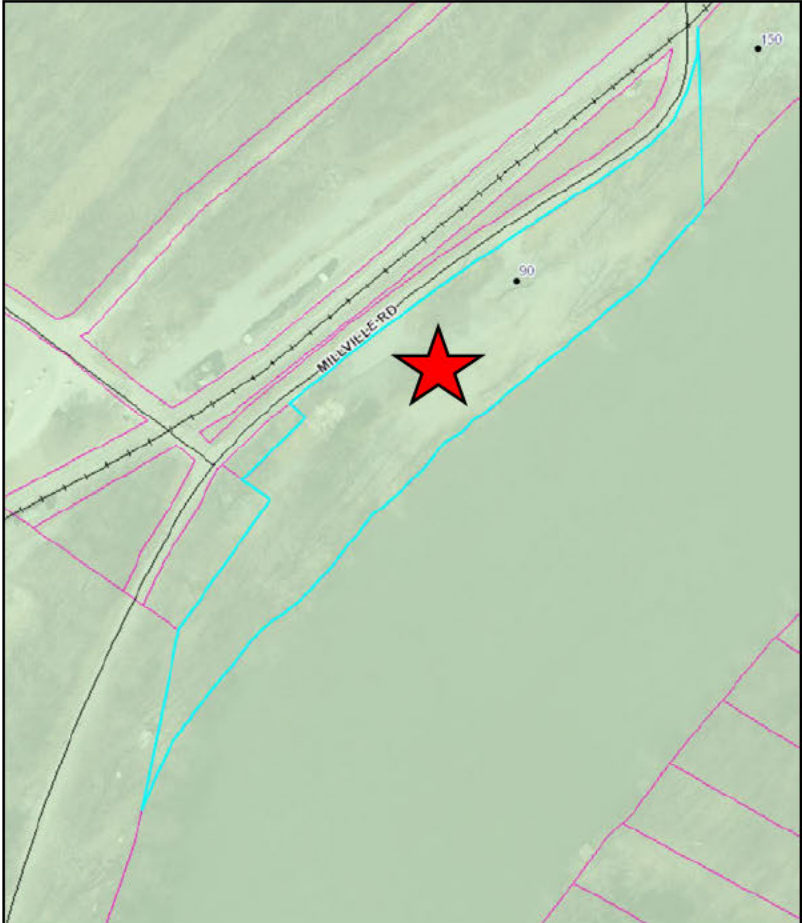


Gerald A. Garza
Building Inspector

Staff Report
 Jefferson County Planning Commission Meeting
 March 10, 2026

Gonano (Carport & Pavilion Site Plan Waiver) File #26-4-PCW

Item # 6: Public Hearing: Waiver from Section 20.203.B.1 of the Subdivision Regulations to allow a proposed 2,400 sf carport/pavilion structure to utilize the No Site Plan or Stormwater Management Plan process as opposed to the Limited Site Plan process.

Owner	River and Trail Outfitters, Inc.
Consultant	P.J. Raco Consulting, LLC. / Attn: Paul Raco
Parcel Information and Zoning District:	<p style="text-align: center;">90 Millville Road, Harpers Ferry WV; Parcel ID: 04001100390000 Size: ~2.41 acres; Zoning District: Rural</p> 
Surrounding Zoning:	North, South, East, and West: Rural
History:	<p>06/24/93: Resurvey of plat recorded at PB11/PG42. 06/27/97: Purchase of lot from Mercer by property owner, establishment of nonconforming use located at DB868/PG5. 08/23/12: Zoning Certificate Approval for food service accessory use to established nonconforming use (ZC12-13).</p>
Waivers/Variances:	None
Approved Activity:	River Outfitters and Guided Tours drop-off parking

Gonano (Carport & Pavilion Site Plan Waiver) File #26-4-PCW

Summary of the Request

The applicant is requesting to install a steel carport style pavilion over an existing gravel picnic area through the No Site Plan process instead of the Limited Site Plan process. The proposed 30' x 80' structure is twice the size of the 1,200 sq ft allowed under the No Site Plan criteria. The applicant is proposing to locate the 2,400 sq ft structure on gravel, which is considered existing impervious area. This project would process as a Limited Site Plan if the requested waiver is not approved.

Subdivision Requirements

Section 20.203 Minor Site Development

Minor Site Developments are those proposals that do not require the development of new off-tract infrastructure or the extension of existing off-tract infrastructure.

B. Site Plan Classifications

All Minor Site Developments shall be processed utilizing one of the following Site Plan Classifications. Unless explicitly stated within this Section, all requirements of these Regulations apply to each of the classifications below, including the requirements of Appendix A and Appendix B. Minor Site Development may require Stormwater Management Plans and stormwater management activities per the Jefferson County Stormwater Management Ordinance.

1. **No Site Plan or Stormwater Management Plan.** No site plan is required for additions to existing structures or structures ancillary to existing uses on a property, when:
 - a. The footprint of the addition or the new structure is less than 1,200 square feet; and
 - b. No additional parking is required per Zoning Ordinance standards; and
 - c. The disturbed area is no more than 5,000 square feet.

Note: Once the total of any additions or new structures processed under this provision since October 5, 1988 exceeds 1,200 square feet, it shall process as a Limited Site Plan or a Full Site Plan, as appropriate.

2. **Limited Site Plan**

A site plan limited to basic information needed to address (a) erosion and sediment control, (b) parking requirements for the expanded use, (c) stormwater management (quantity and quality) for the additional impervious area only, (d) handicapped access to the existing and proposed structures and (e) compliance with the Zoning Ordinance, may be used on sites where the structure is:

- a. An addition to an existing structure, or, ancillary to an existing use; and
- b. The footprint does not exceed 3,000 square feet or 35% of the existing structure, whichever is smaller.
- c. For a home occupation or cottage industry, the limited site plan standards are applicable if a site plan is required pursuant to the Zoning Ordinance.

Staff Discussion and Recommendation

The applicant is request to submit a No Site Plan submission in lieu of a Limited Site Plan submission for the 30' by 80' structure (2400 square feet). The reasoning is the structure will be placed mainly on gravel which is considered an impervious surface for SWM calculation. Therefore, the applicate will place the majority of the structure on the gravel and any expansion exceeding the gravel area will not

Staff Report
Jefferson County Planning Commission Meeting
March 10, 2026

Gonano (Carport & Pavilion Site Plan Waiver) File #26-4-PCW

exceed the No Site Plan criteria for disturbance. A roof and a gravel parking area are both considered impervious surfaces. As such, SWM calculation would not show any increase in runoff.

Engineering would recommend approval of this waiver as presented.

Waiver Requirements

The applicant has provided a response to the requirements found in “Division 24.300 Waivers” of the Subdivision Regulations, which is attached to the application. Waivers from the minimum standards in these Regulations may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- (1) that the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature;
- (2) that the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- (3) that the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and
- (4) that the waiver if granted will result in a project of better quality and/or character.

Process and procedural waivers shall be reviewed and found consistent with the above criteria prior to approval.



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: 26-4-PCW
 Mtg Date: 3-10-26
 Date Rec'd: 2-17-26
 Fees Paid: \$150
 Staff Int: JRA
 List of Adjoiners:

Email: planningdepartment@jeffersoncountyvva.org
zoning@jeffersoncountyvva.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Planning Commission Waiver Request

Waivers must comply with Division 24.300 of the 2008 Subdivision Regulations, as amended.

Property Owner Information

Owner Name: River and Trail Outfitters, Inc
 Business Name: _____
 Mailing Address: 604 Valley Road, Knoxville, MD 21758
 Phone Number: c/o Paul Phone Number on Record Email: c/o Paul Email on Record

Applicant Contact Information

Applicant Name: John Gonano, River and Trail Outfitters, Inc....Same as Owner Same as owner:
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Consultant Information

Name: Paul J Raco
 Business Name: PJ. Raco Consulting, LLC
 Mailing Address: P.O. Box 548, Charles Town, WV 25414
 Phone Number: On Record in Office Email: On Record in Office

Physical Property Details

Physical Address: 90 Millville Road, Harpers Ferry Vacant Lot:
 Tax District: Harpers Ferry Map No: 11 Parcel No: 39
 Parcel Size: 2.41 +- A ctes Deed Book: 868 Page No: 5
 Zoning District: Rural

On a separate sheet of paper sketch the shape and location of the lot. Show the location of the intended construction or land use and indicate building setbacks, size, and height. Identify existing easements, roads, buildings, structures, or land uses on the property. Sign and date the sketch.

Included Not applicable (include a vicinity map if a sketch is not applicable)

What Section of the Subdivision Regulations and year of the Regulations are you requesting to Waive?

Section 20.203.B.1. Site Plan Waiver

Briefly Describe the Nature of Your Waiver Request:

See Attached

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

See Attached

Explain how the waiver, if granted, will not adversely affect the public health, safety, or welfare or the rights of adjacent property owners or residents.

See Attached

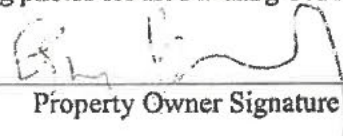
Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

See Attached

Explain how the waiver, if granted, will result in a project of better quality and/or character.

See Attached

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.

	2/12/26	_____	_____
Property Owner Signature	Date	Property Owner Signature	Date

Notification Requirements

The subject parcel shall be posted with a minimum of one 28" x 22" placard at least 14 days prior to the public hearing. The placard(s) will be prepared by the Staff and posted by the applicant. Adjacent property owner name and address information shall be provided by the applicant so that notification letters can be mailed by Staff least 14 days prior to the public hearing.

2-17-26 3-10-26	2-24-26	2-18-26
Public Hearing Date	Date Placard Posted	Date Adjoiners Mailed

Planning Commission Determination

Approved

Denied

Date: ___/___/___

River and Trail Outfitters, Inc
90 Millville Road
Request for Waiver
Jefferson County Subdivision Ordinance
Section 20.203B Site Plan Waiver
February 16, 2026

Brief Description:

River & Trail Outfitters has owned this nearly 2.5 acre parcel of land along the Shenandoah River in Millville for approximately 30 years. It is a mostly compacted gravel property that is used as a part of the company's river outfitting business in Jefferson County. The company would like to add a 30' x 80' carport/pavilion type structure on the site to provide for an area to keep equipment and people dry. A limited site plan is needed when the structure exceeds 1200 sq. ft., as long as there is not more than 3000 sq. ft. of new disturbance. The purpose of a limited site plan is to make sure that the NEW impervious area will not require additional parking or Stormwater. In this case, the new structure is being placed on top of existing compacted gravel in an area already used for the existing business as shown on the attached sketches. As such, there is no new parking needed, and there will not be any new impervious area. Based on these circumstances, the County Engineer supports a waiver from the limited site plan based on the existing conditions.

The Property is (and has been) used for the same outdoor recreational use for many years, so the structure itself will not be expanding the use that is permitted by the Zoning Ordinance. The existing tourism based use is a use that is strongly supported in the 2045 Comprehensive Plan and this improvement will enhance the property that has been paying commercial taxes for quite some time. Furthermore, the structure will be a minimal impact structure since it is basically a roof and post frame with no sides. As such, there is no need for even a limited site plan since the structure being erected on existing compacted gravel base, with no additional impact on the use or parking. The intent of the limited site plan is being upheld based on the type and manner of construction.

Accordingly, the Applicant respectfully asks the Planning Commission to grant the Waiver to allow the pavilion/carport type structures without a site plan since it will be located on top of what the County considers as impervious. Thank you.

River and Trail Outfitters, Inc
90 Millville Road
Request for Waiver
Jefferson County Subdivision Ordinance
Section 20.203B Site Plan Waiver
February 16, 2026

Four Criteria:

1. *Explain how the design of the Project will provide public benefit in the form in the reduction of Public maintenance costs, greater open space, parkland consistent with the County Park Plans or benefits of a similar nature;*

This is a privately maintained property, and the site pays commercial taxes to the State and County. The Parcel has been owned by River and Trail Outfitters since the Mid-1990s and has contributed to the commercial tax base since then. It is also a major contributor to the Tourism of Jefferson County in support of the Jefferson County Comprehensive Plan. The area will not be impacted by the Carport type structure as it will be open on all four sides with a roof. Furthermore, there will be no newly developed impervious surface added. All improvements will be on areas that the county considers impervious as shown on the attached sketches and renderings. Finally, there will not be additional impact in terms of traffic or people since the use already exists and the new structure is to just provide shelter from the elements and provide a drying area for the existing operation and the same people that already visit the site.

The improvements will be consistent with the area that is already being expanded by the County Park's and Recreation for river activities. All of these activities by both the County and the property owners along the rivers enhance the tourism opportunities in Jefferson County as strongly supported by the 2045 Comprehensive Plan.

As found in the attached Pre-Proposal Conference Memo, the County Staff supports the proposal and waiver of the site plan since it does not increase the impervious footprint on the property. This 30' x 80' open sided structure will be located on very compacted gravel that is already being used by the owner and tourist for the same purposes.

2. *Explain how the waiver, if granted, will not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents;*

If the waiver is granted, it will have no adverse effect on public health, safety or welfare since the project will still need to comply with any applicable requirements of the State and County including the Building Code provisions. Regarding neighboring properties, this site has been owned and utilized by River and Trail Outfitters since the mid-1990s in a similar fashion, so there will be no change of use on the property. Much of the

surrounding property is owned by the Quarry. The intent is to only add a carport type structure with a roof and no walls in order to provide a drying area for the equipment and people that are already utilizing the site. The property is nearly entirely covered with compacted gravel, and this open sided structure will be placed on that area in compliance with both State and Local Building Codes.

The waiver will not adversely affect the neighbors since the use is a permitted long term use on this property. The Site Plan is not a prohibitive step, and the purpose of an Ordinance is still being fulfilled with the processing of necessary State permits, along with the use being conformant with The Comprehensive Plan.

3. *Explain how the waiver, if granted, will be keeping with the intent and purpose of this ordinance;*

The purpose of the Site Plan is to ensure potential compliance with any other regulations. The Ordinances and Comprehensive Plan allow the use, and the proposed structure will not affect the impervious nature. The intent of a limited site plan is to show that the new impervious area proposed is being managed. In this case, there is no new impervious area being proposed and the County Engineer agrees that the intent and purpose of the ordinance are being upheld without the need for a limited site plan. Accordingly, the intent of the Ordinances is being met with regard to a site plan waiver. Furthermore, the structure will meet all of the other standards of the regulations.

This is the logical place for this facility with limited impact since the use is the same that already exists on the site. It has minimal impact while serving the purpose of the people that are already visiting the site.

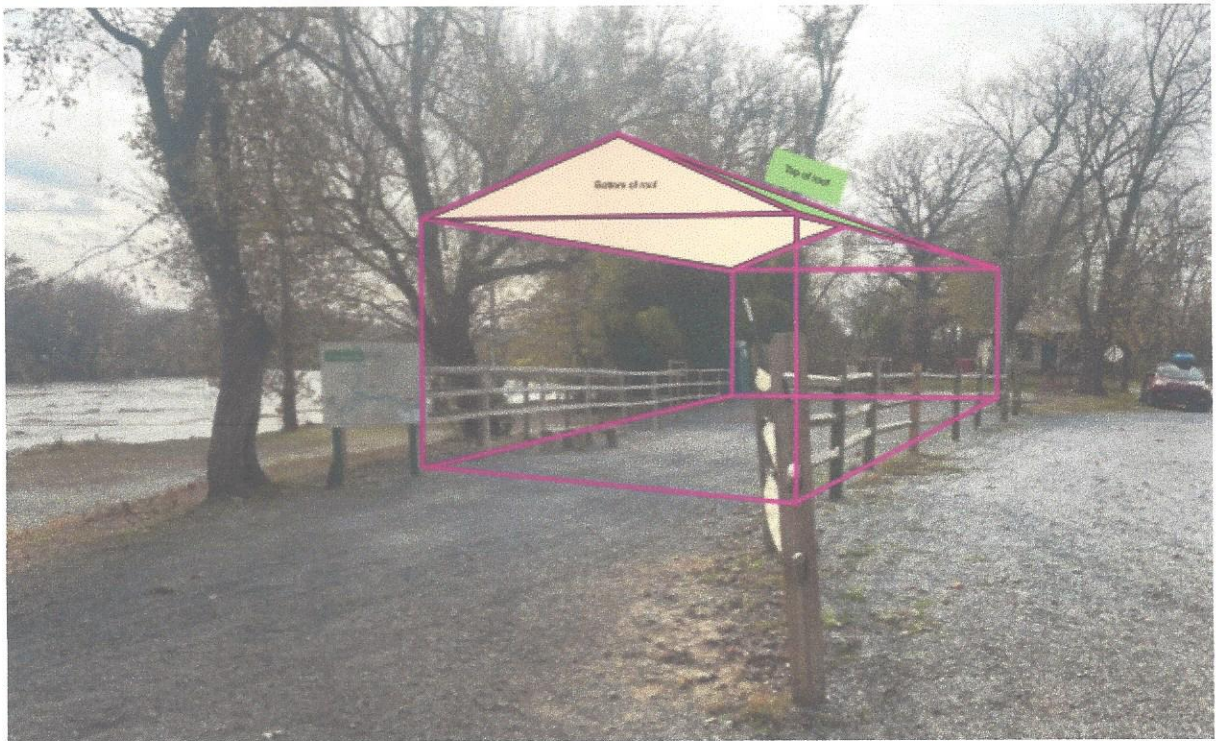
As such, the Applicant believes that the Intent and Purpose of the Ordinance support the waiver since the Ordinances already allow this facility to locate on the site without an additional graded or impervious area. That is why the County Engineer is recommending approval of the waiver. Additionally, the Comprehensive Plan endorses existing (and new) River opportunities for the continued success and growth of river tourism in Jefferson County.

4. *Explain how the waiver, if granted, will result in a project of better quality and/or character;*

The improvement of this parcel is a logical location since the same use is already located on the property. Additionally, no newly developed impervious surface will be added, nor will there be grading on the site. The location of this structure will improve the

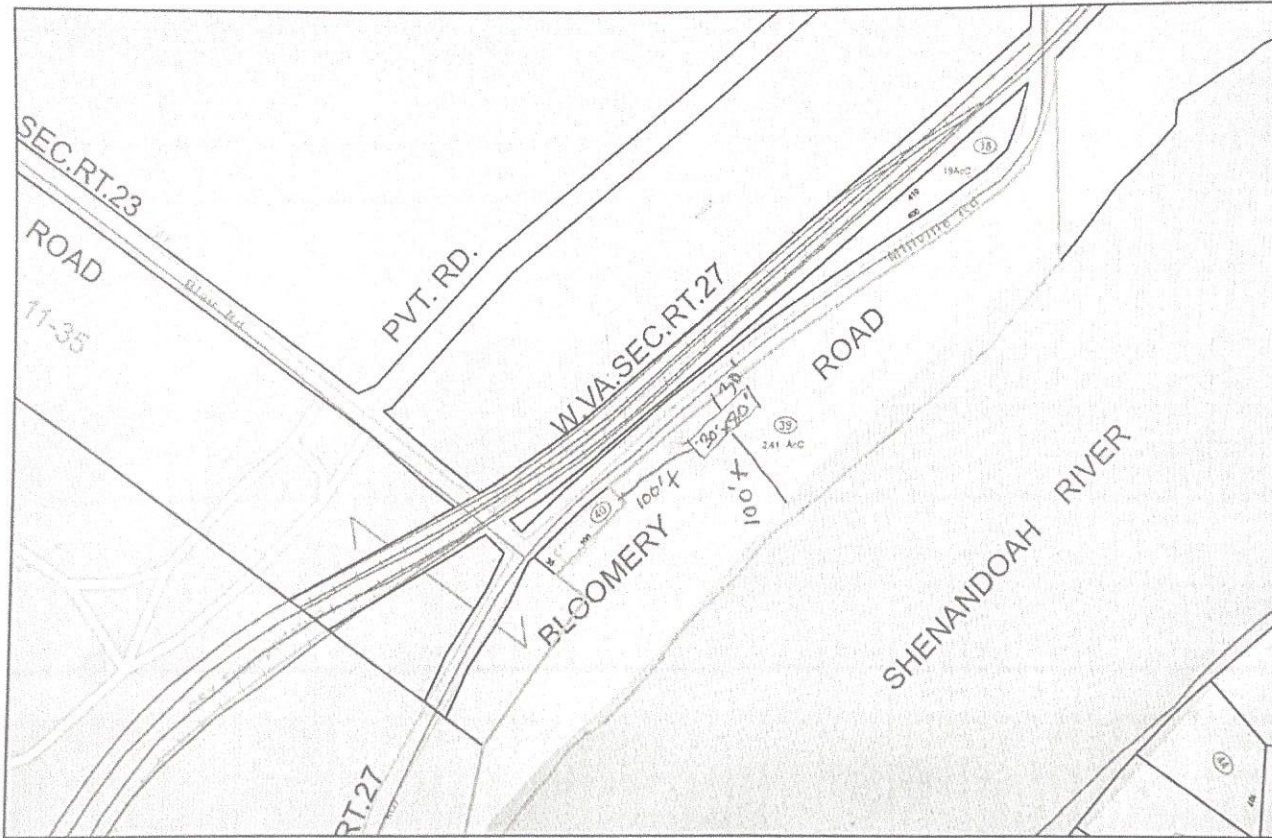
operation and the comfort of the individuals that are already utilizing the site. This will allow the property to be enhanced and will provide an improvement to the overall quality of the experience. There will be minimal impact on the site, and a waiver is justified based on the lack of newly developed area on the site. The waiver will allow a long time tourism based business the opportunity to enhance their property. Again, this property has been a part of the River and Trail Outfitters' operation for nearly 30 years.

Based on the above, the Applicant respectfully requests that the Planning Commission grant the waiver as requested. Thank you.



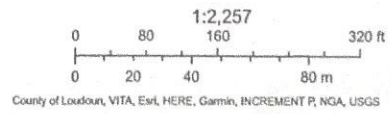


Viewer Map



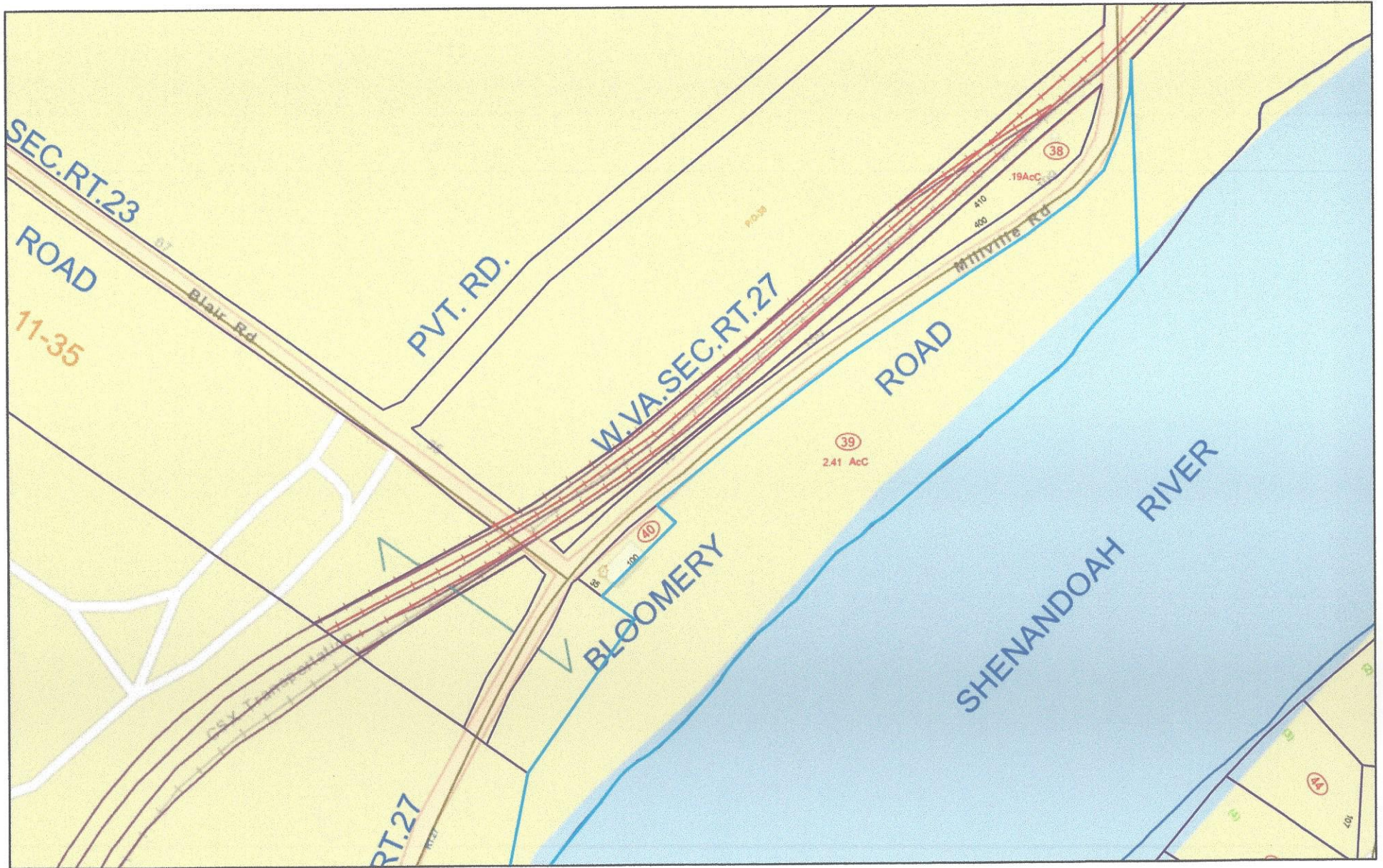
JH 2/16/26

February 17, 2026

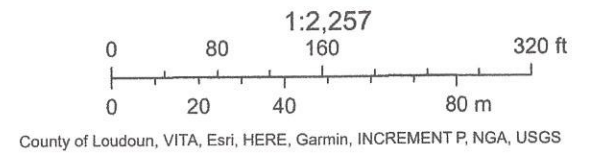


Ms
Copyright 2014

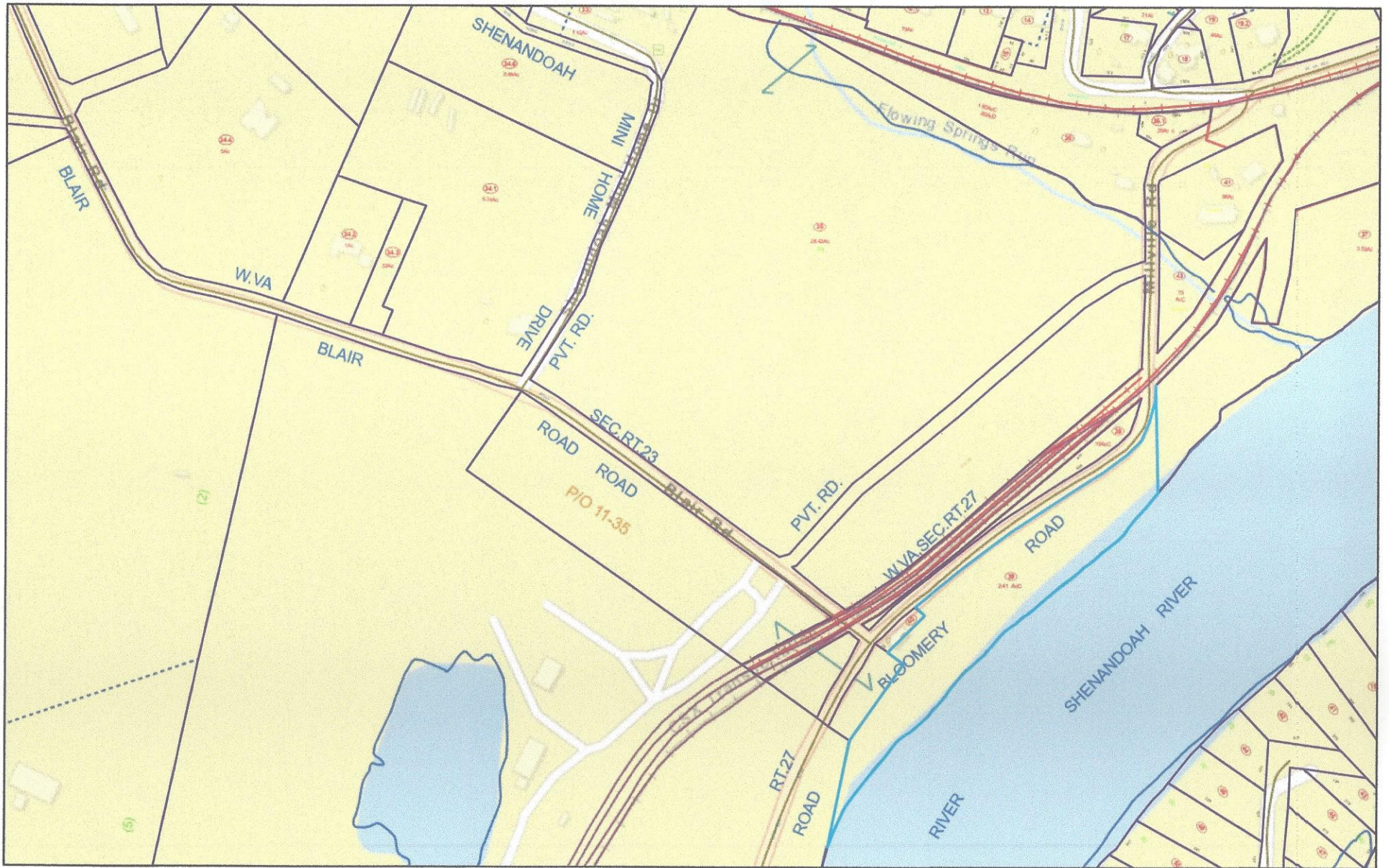
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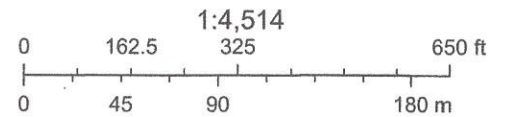
February 17, 2026



Viewer Map



February 17, 2026



County of Loudoun, VITA, Esri, HERE, Garmin, INCREMENT P, Intermap, NGA, USGS

Me
Copyright 2014



JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning, and Zoning
Office of Planning & Zoning
116 East Washington Street, 2nd Floor
Charles Town, West Virginia 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

PRE-PROPOSAL CONFERENCE MEMORANDUM

Date: January 16, 2026

To: John Gonano

Subject: Minor Site Development

PPC Meeting Date: Wednesday, January 7, 2026 @ 10:00 a.m.

Meeting Attendees: Andy Beall, Zoning Administrator; Luke Seigfried, Chief County Planner; Jonathan Saunders, County Engineer; Colin Uhry, County Planner, Mike Monaghan, Building Inspector; John Gonano and Corey Thompson, Applicants; and Paul Raco, Consultant

Proposed Use: Addition of carport over existing nonconforming commercial picnic area.

Parcel Information: 90 Millville Road, Harpers Ferry, WV
Parcel ID: 04001100390000; Size: 2.41 acres;
Zoning District: Rural; Deed Book: 868; Page: 5

Meeting Summary:

The applicant wishes to erect an 80' x 30' steel carport-style structure over an existing commercial gravel picnic area.

Floodplain Ordinance:

- The Jefferson County Floodplain Ordinance requires a flood study be conducted by a West Virginia licensed engineer due to the location of the site being situated within a FEMA designated floodway. This entails the owner needing to engage a qualified West Virginia licensed engineer to complete the necessary flood study to show that there will be a "No Rise" to the base flood elevation.
- If the applicant requires any additional clarification, please reach out to the Jefferson County Floodplain Manager, Mason Carter, at mcarter@jeffersoncountywv.org for additional information.

Zoning - Land Use:

- Article 2 of the Zoning Ordinance defines **Nonconforming Use** as:
"A land use that lawfully existed at the time this Ordinance became effective and which does not conform with the use regulations of the district in which it is located".
- Pursuant to Section 4.3 of the Zoning Ordinance:
Any building, structure or premises lawfully existing at the time of the adoption of this Ordinance, or lawfully existing at the time that this ordinance is subsequently amended, may continue to be used even though such building, structure, or premises does not conform to use, setbacks or dimensional regulations of the zoning district in which it is located; subject, however, to the following provisions:^{7, 32}
 - A. Nonconforming structures may be upgraded or repaired, or alterations made to the facilities.^{7, 23, 32}*
 - B. Repair includes the following: replacement of same size (+/-35%) porches, awnings, decks roofs, overhangs, patios, or any other similar construction as approved by the Zoning Administrator. However, expansion of any nonconforming structure or use shall be limited to*

the lot that existed at the time of adoption of this Ordinance. Additional acreage shall not be added to enlarge any nonconforming use unless a variance is approved by the Board of Zoning Appeals after review and a public hearing in accordance with Section 6.1C.^{7, 23, 32}

- B. *Whenever a nonconforming use has been abandoned for a period of twelve (12) months, such use shall not be reestablished and any future use shall be in conformance with the provisions of this Ordinance.^{5, 17, 21}*
- C. *A nonconforming use may not be substituted for any other nonconforming use without the Board of Zoning Appeals review and public hearing, provided, however, to the following: upon notice to the Zoning Administrator with an application for and approval of a Zoning Certificate a nonconforming retail, service, or wholesale operation may be substituted with another retail, service or wholesale operation without such public hearing; provided again, however, the intended use does not include an adult use.^{7, 17, 21}*
- D. *Effective October 14, 1999, whenever a nonconforming structure or use expands over 35% of **the existing square footage of its operation** said use shall meet all the applicable requirements of this Ordinance unless otherwise allowed by the Board of Zoning Appeals. Any nonconforming structure or use that expanded between October 5, 1988 and October 14, 1999 may expand under this provision as if they have never utilized this provision in the past.^{7, 8, 12, 17, 21, 23, 32}*

Per Section (D) above, the proposal does not expand the existing square footage of the non-conforming use and simply places a roof over what already exists.

Site Development Standards:

- Building setbacks are 25' Front, Side, and Rear
- Distance from a residential district or any lot with a residence, school, church, or institution of human care is 75' Front, Side, and Rear

If any of the standards as required in the Zoning Ordinance cannot be met, a variance request may be submitted for consideration before the Board of Zoning Appeals, subject to a Public Hearing. The fee for a Variance request is \$150.

Subdivision Regulations – Process:

- The proposed building/structure does not meet the No Site Plan criteria because the building is larger than 1,200 square feet. The applicant would need to seek a waiver to increase the 1,200 square feet to the desired square footage. If the structure is placed on impervious surface, engineering would recommend approval of the waiver. The Waiver request will be considered by the Planning Commission and subject to a Public Hearing. The fee for a Waiver request is \$150.
- If a waiver is not seek or not approved by the Planning Commission, the applicant will need to process a limited site plan if under 3,000 square feet and a full site plan for larger buildings.
- A Limited Site Plan shall be submitted in accordance with Section 24.105 and shall be on 24" x 36" sheets in accordance with Appendix A, Section 1.3.
 - Site Plan review typically necessitates a minimum of three (3) reviews back and forth between staff and the developer.
 - A Minor Site Plan is reviewed and approved administratively.
 - The fee for processing a Minor Site Plan is \$500.00
- A Full Site Plan shall be submitted in accordance with Section 24.105 and shall be on 24" x 36" sheets in accordance with Appendix A, Section 1.3.
 - Site Plan review typically necessitates a minimum of three (3) reviews back and forth between staff and the developer.

- A Minor Site Plan is reviewed and approved administratively.
- The fee for processing a Minor Site Plan is \$500.00

Stormwater Management (SWM)

SWM is required for any Preliminary Plat, Limited Site Plan or Full Site Plan.

Stormwater Management Design Criteria

1. Water Quality – Capture the stormwater runoff volume of the first 1 inch of rainfall from a 24-hour storm event for the entire site. Water Quality cannot be compensated for by increase the facility for uncontrolled runoff unless a waiver is approved by the Chief County Engineer.
2. Water Quantity - For all new land development projects, the post-development peak discharge rate shall not exceed the predevelopment peak rate (adjusted for Karst if required) for the 2-year, 10-year, and 100-year storm events.
3. Stormwater Management Report Outline project overview/introduction
4. Site Characteristics
5. Water Quality
6. Water Quantity
7. Conveyance
 - A. Storm Sewer
 - B. Culvert
 - C. Swale
 - D. Roadway Ditch Line
 - E. Curb and Gutter
8. Sediment and Erosion Control
9. Permanent maintenance for all the permanent SWM facilities

If a criteria listed above does not apply to a project, still provide in the narrative and state why it does not apply. Example: Storm Sewer – Storm Sewers are not proposed for this project.

Building Code:

- Jefferson County is currently utilizing the 2018 International Building Code.
 - A Building Permit is required for any electrical work. Electrical inspections are conducted by a third party.
 - Please contact Mike Monaghan, Building Inspector, to determine what type of permitting or which section of code is applicable: 304-725-2998 / permits@jeffersoncountywv.org.

Bonding Requirements:

- If your project requires a minor or major site plan, bonding of site work will be required. You can contact Wsmith@jeffersoncountywv.org for more information.

Be advised that the purpose of this memo is informational and is only intended to provide general guidance.

Sincerely,



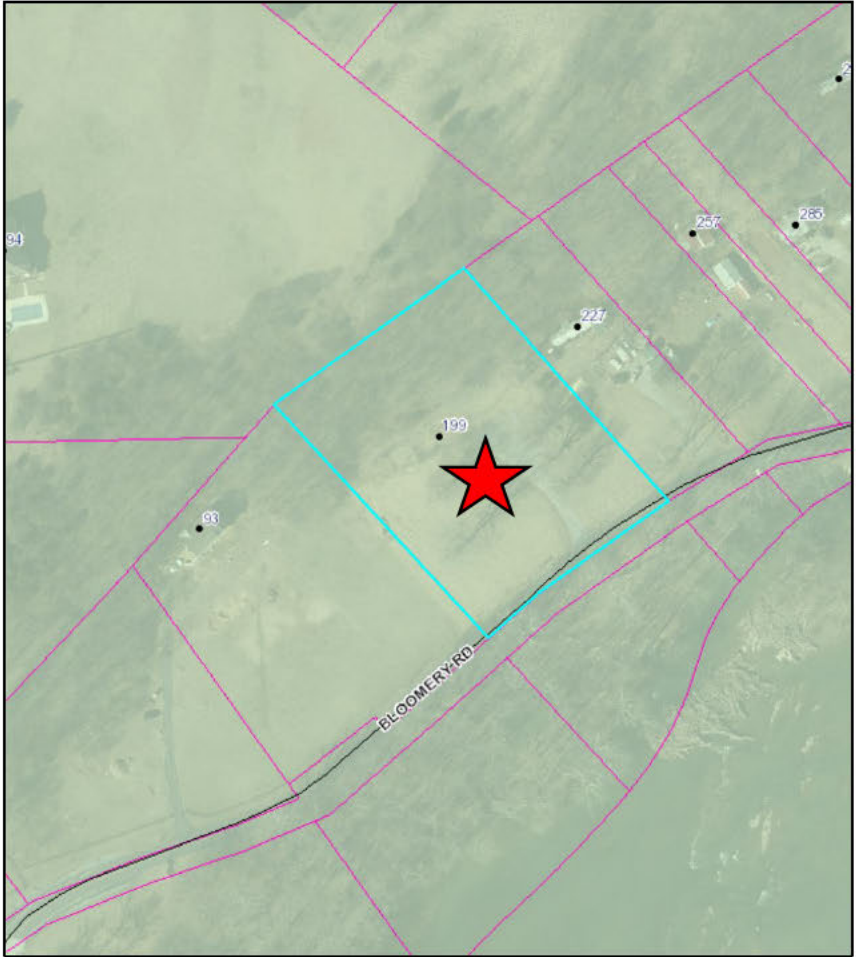
Andy Beall

Zoning Administrator

Staff Report
 Jefferson County Planning Commission Meeting
 March 10, 2026

Gonano Campground Site Plan Waiver (File: 26-5-PCW)

Item #7: Waiver from Section 8.1B of the Subdivision Regulations to waive the requirement of a site plan for a four-unit campground.

Property Owner:	Pamela B Wagoner & Shannon R Lepsic
Applicant	River & Trail Outfitters, Inc. / Attn: John Gonano
Consultant:	P.J. Raco Consulting, LLC. / Attn: Paul Raco
Parcel Information & Zoning District:	<p style="text-align: center;">199 Bloomery Road, Charles Town, WV Parcel ID: 02001900190000; Size: 1.92 acres; Zoning District: Rural</p> 
Surrounding Zoning:	<i>North, East, South, and West: Rural</i>
Proposed Activity	Campground
History:	10/19/57: Property created and designated at “Pittman Tract”, Recorded in DB220/PG358 03/26/26: Variance from Section 8.17B.1 to reduce the minimum required acreage to operate a campground from ten acres to 1.92 acres for the purpose of establishing a campground comprised of four campsites CURRENTLY PENDING. (File #26-7-ZV)

Gonano Campground Site Plan Waiver (File: 26-5-PCW)

Background and Summary of Request

The applicant is requesting a waiver to develop four campsites along the Shenandoah River using the No Site Plan Sketch process instead of the Limited Site Plan Process. The applicant has indicated that the capacity of the existing well and septic can only support 4-8 units. The proposed campsites would be located on the northeast side of the property as depicted on the application sketch. The subject parcel access Bloomery Road and has one existing structure.

Campgrounds are required by Section 8.1B to process as a Minor Site Plan. Campgrounds with more than 10 campsites are required to also process a Concept Plan.

Summary of Subdivision Regulation Requirements

Section 8.1 Minimum Requirements and Standards

- A. The requirements and standards of Division 8.0 are minimal and are not intended to discourage the use of higher standards by developers who wish to achieve more desirable results. The Planning Commission may specify additional requirements where, owing to unique or unusual characteristics, the purposes of these Regulations can be better served.
- B. Campgrounds are developments with special requirements of their own. All campgrounds shall process as a Minor Site Plan. Campgrounds proposing more than ten (10) sites shall also process a Concept Plan. The provisions of Division 8.0 are in addition to the requirements for subdivisions found in Appendix A and Appendix B. In the event of a conflict between a requirement of the Appendices and Division 8.0, then the requirement of Division 8.0 shall apply.

At the time of writing, one written public comment has been submitted and jointly signed by five residents near the proposed project. The full text is provided in the packet and highlights that there was insufficient time to respond and that the waiver should not be granted due to the nature of the project.

Please note at the time of this meeting, a Board of Zoning Appeals Variance request has been submitted to lower the required acreage from 10 acres to 1.92 acres. The public hearing for this request is scheduled for March 26, 2026.

Waiver Requirements

Division 24.300 of the Jefferson County Subdivision and Land Development Regulations states that waivers from the minimum standards in these Regulations, as well as process and procedural waivers, may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- (1) That the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature;
- (2) That the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- (3) That the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and
- (4) That the waiver if granted will result in a project of better quality and/or character.

Staff Report
Jefferson County Planning Commission Meeting
March 10, 2026

Gonano Campground Site Plan Waiver (File: 26-5-PCW)

The applicant has addressed these criteria in their application and have noted that this waiver request provides public notice to the project and that the No Site Plan sketch will address all standards and requirements.

Staff Comments/Recommendation

The purpose of a site plan is to ensure that a site is developed in a manner that protects the health, safety, and welfare of the public. Any additional campsites past the currently proposed four would require additional processing.

If the Planning Commission is inclined to grant the waiver, staff recommends approval of the waiver with the applicant proffered sketch plat showing that the project is compliant with all Zoning Requirements.



Jefferson County, West Virginia
Department of Engineering, Planning and Zoning
Office of Planning and Zoning
116 E. Washington Street, 2nd Floor
P.O. Box 716
Charles Town, West Virginia 25414

File #: 26-5-PCW
Mtg Date: 03/10/26
Date Rec'd: 02/17/26
Fees Paid: \$150
Staff Int: jth
List of Adjoiners:

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Planning Commission Waiver Request

Waivers must comply with Division 24.300 of the 2008 Subdivision Regulations, as amended.

Property Owner Information

Owner Name: Pamela Wagoner and Shannon Lepsic
Business Name: _____
Mailing Address: 2127 Greensburg Road, Martinsburg, WV 25404
Phone Number: c/o Paul phone on record Email: c/o Paul Email on Record

Applicant Contact Information

Applicant Name: John Gonano Same as owner:
Business Name: River and Trail Outfitters, Inc
Mailing Address: 604 Valley Road, Knoxville, MD 21758
Phone Number: c/o Paul Phone on Record Email: c/o Paul Email on Record

Consultant Information

Name: Paul J Raco
Business Name: P.J. Raco Consulting, LLC
Mailing Address: P.O. Box 548, Charles Town, WV 25414
Phone Number: Phone Number on Record in Office Email: Email on Record in Office

Physical Property Details

Physical Address: 199 Bloomery Road, Charles Town Vacant Lot:
Tax District: Charles Town Map No: 19 Parcel No: 19
Parcel Size: 1.92 +- Acres Deed Book: 989 Page No: 356
Zoning District: Rural

On a separate sheet of paper sketch the shape and location of the lot. Show the location of the intended construction or land use and indicate building setbacks, size, and height. Identify existing easements, roads, buildings, structures, or land uses on the property. Sign and date the sketch.

Included Not applicable (include a vicinity map if a sketch is not applicable)

What Section of the Subdivision Regulations and year of the Regulations are you requesting to Waive?
Section 8.1.B Minor Site Plan Waiver

Briefly Describe the Nature of Your Waiver Request:

See Attached

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

See Attached

Explain how the waiver, if granted, will not adversely affect the public health, safety, or welfare or the rights of adjacent property owners or residents.

See Attached

Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

See Attached

Explain how the waiver, if granted, will result in a project of better quality and/or character.

See Attached

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.

Authentisign
Pamela B Wagoner

02/11/26

Property Owner Signature

Date

Authentisign
Shannon R Lepsic

02/11/26

Property Owner Signature

Date

Notification Requirements

The subject parcel shall be posted with a minimum of one 28" x 22" placard at least 14 days prior to the public hearing. The placard(s) will be prepared by the Staff and posted by the applicant. Adjacent property owner name and address information shall be provided by the applicant so that notification letters can be mailed by Staff least 14 days prior to the public hearing.

03/10/26

Public Hearing Date

02/24/26

Date Placard Posted

02/18/26

Date Adjoiners Mailed

Planning Commission Determination

Approved

Denied

Date: ___ / ___ / ___

Owner: Pamela Wagoner and Shannon Lepsic
Applicant: River and Trail Outfitters, Inc
199 Bloomery Road
Request for Waiver
Jefferson County Subdivision Ordinance
Section 20.203B Site Plan Waiver
February 16, 2026

Brief Description:

The Property Owner has entered into a contract of sale for this approximately 2 acre parcel with River & Trail Outfitters who is the Applicant for this request. The Applicant has been a River Outfitter in Jefferson County for many years including owning property in Millville for nearly 30 years. Jefferson County opened up the opportunity of campgrounds in the Rural District and there have been several campgrounds both small and large that have begun operations in the County since the regulations were changed. This includes the Jefferson County Parks and Recreation Commission in the Bloomery area. Also, recently, a large one was proposed south of this property along the Shenandoah River. The Regulations were written primarily to require more standards as the operations got over 10 campsite/RV sites. For sites over 10 units, a Concept Plan is required, but only a limited site plan is needed with a limited number of items addressed. Even more standards are required for campgrounds over 100 units. Again, the purpose of the Campground regulations was to allow camping on property in the Rural District as a Principal Permitted Use with minimum standards, but with a variety of permitted uses associated with the Campground.

This proposal is to only allow what the existing septic and well system would allow with updated approvals to be obtained by the Health Department. In this case, the Health Department has already done a preliminary evaluation of the system and has determined that the system could reasonably accommodate 4 to 8 units during the re-permitting process. Final Approval will be sought if the waiver is granted. While 4 are shown on the sketch, that would be the maximum number of units added without further processing. Even at the maximum based on the septic system, it is still less than any requirement for a Concept Plan or a road other than the existing drive that serves the site. The Ordinance allows 15 units per acre, so a two acre site would correspond with a maximum of 30 units on this site. This would be a fully operational campground with many amenities. This proposal is to allow 4 units with the existing conditions and road being used including the gravel pads for the four units. Accordingly, the Applicant is asking for a waiver of the limited site plan. Again, there would be no improvements needed for the access and no significant grading needed. The campground spaces can be on gravel provided they are primarily level as most of the land in that area is flat along the river.

While there are not going to be any infrastructure improvements other than what the Health Department requests, there should not be any need for a site plan. However, the Applicant will proffer a sketch plat showing that it will meet all of the Zoning requirements including 50 feet setback of the units and buffering or commensurate natural landscaping along all property lines that adjoin residential uses. As the Commission and Staff know, it is not possible to do a site plan for 4 units without any amenities for the site other than the campground spaces. The purpose of the Campground is to be complimentary with the County's proposed campground proposed nearby and to provide some ancillary campground spaces for the Applicant's use. Campground uses are a major target to enhance tourism in Jefferson County as reflected in the Comprehensive Plan.

The provisions in the Ordinance requires 10 acres for Campgrounds, which would allow 150 camp/RV sites. This provision is a Zoning Provision, and the Applicant has a request in for a variance of that provision, which has been granted in the past. Using the same computation, a site of this size would allow 30 sites, but only a maximum of four is proposed.

The Ordinance states that the provisions for Campgrounds are intended to be flexible so that the natural aspects of the property are utilized. In this case, only the bare minimum of improvements is needed including using the existing driveway. There is really no standard of the minimum standards that will be needed since the site will only contain an extremely limited number of sites. However, the Applicant will comply with all setbacks, distance requirements, and buffer/landscape standards and will demonstrate compliance with a sketch plat approved by the Zoning Administrator.

Accordingly, the Applicant respectfully asks the Planning Commission to grant the Waiver to allow a maximum of 4 campsites on this property without a limited Site Plan, but with demonstrated and Zoning Administrator approved Zoning Requirements. Thank you.

Owner: Pamela Wagoner and Shannon Lepsic
Applicant: River and Trail Outfitters, Inc
199 Bloomery Road
Request for Waiver
Jefferson County Subdivision Ordinance
Section 20.203B Site Plan Waiver
February 16, 2026

Four Criteria:

1. *Explain how the design of the Project will provide public benefit in the form in the reduction of Public maintenance costs, greater open space, parkland consistent with the County Park Plans or benefits of a similar nature;*

This is a privately maintained property so there are no Public Maintenance costs. Regarding consistency with County Parks, the proposal is to allow 4 campground sites which are similar to other Parks and Recreation properties along Bloomery Road. There is an existing access drive, so no road construction is necessary since there are far less than the 100 units that require a Campground Grade Road access. There is an existing septic and well that has received tentative Health Department Approval to be re-permitted for up to 8 sites, pending final approval. However, this waiver is for the maximum shown on the sketch which is 4 sites with a gravel pad which will be provided along the north side of the existing access drive and each site will have an individual parking spot on the north side of the access drive. There is no other infrastructure needed, so a Site Plan will not serve a practical purpose. All other necessary State and Local permits will be obtained. The Applicant will obtain the Zoning Administrator's approval for any required Zoning provisions.

This proposal is a Principal Permitted Use that does not require a Concept Plan since there are less than 10 units. The only requirement is a Staff approved site plan that is an engineered document. However, since there is no infrastructure required and the access road exists, the Applicant is proposing to provide a Sketch Plat to the Zoning Administrator to demonstrate Zoning Compliance in lieu of a Site Plan.

2. *Explain how the waiver, if granted, will not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents;*

If the waiver is granted, it will have no adverse effect on public health, safety or welfare since the project will still provide for all Zoning standards such as setbacks, buffers, and distance requirements. If the waiver is denied, the Applicant can still move forward with no further Public Hearings or Planning Commission approvals. However, the site plan would not show anything in addition to the Zoning Requirements that will be demonstrated compliance with on the Sketch Plat that the Zoning Administrator will review. The two properties between the proposed campsites and the River are listed

with no known ownership by the County Tax Records. These areas have been used for camping sites in the past. The proposed campsites will provide for a managed camping use in the area.

The waiver will not adversely affect the neighbors since the use is a permitted use for this area without a Concept Plan. The Site Plan is not a prohibitive step, and the purpose of an Ordinance is still being fulfilled with the processing of necessary State permits, along with Jefferson County Zoning Approval. The Comprehensive Plan supports these types of Tourism uses.

3. *Explain how the waiver, if granted, will be keeping with the intent and purpose of this ordinance;*

The purpose of the Site Plan is to ensure potential compliance with the zoning regulations and so that the infrastructure is designed properly. In this case, there is no infrastructure needed since there are no planned improvements beyond the 4 gravel pads and the access road already exists. Therefore, the intent of the ordinance will be met with a Sketch Plat in lieu of a site plan that provides the Zoning Administrator with the appropriate information needed to approve the Zoning Certificate. Furthermore, any other required permits and/or approvals will be obtained during the Building Permitting process. Nothing is missed if this waiver is granted.

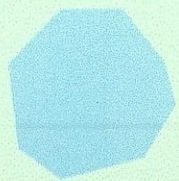
As such, the Applicant believes that the Intent and Purpose of the Ordinance support the waiver since the Ordinances already allow this facility to locate on the site without a Concept Plan and the Sketch Plat can adequately display required zoning elements.

4. *Explain how the waiver, if granted, will result in a project of better quality and/or character;*

The location of 4 camp/RV sites is permitted in this zoning district and is allowed without a Concept Plan since it is less than 10 sites. There is no infrastructure required since there are no amenities currently planned for the small operation. This use is supported by the Comprehensive Plan and will work in conjunction with the Tourism business that the Applicant owns and operates in Jefferson County, including in Millville just north of this property. Camping sites and RV Parking have taken place along Bloomery Road for many decades and the operation of a small one by the Applicant will provide for oversight on this particular site. Finally, there are other campground uses existing and proposed in the neighborhood including the County Parks and Recreation Commission.

Based on the above, the Applicant respectfully requests that the Planning Commission grant the waiver to allow the waiver as requested. Thank you.

Search Google Earth



Handwritten signature and date: JH 2/16/20

199 Bloomery Road

✓ Saved on this device

- Untitled placemark
- RV 1
- rv 2
- RV 3
- RV 4
- 50' SET BACK

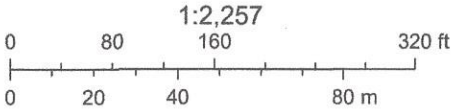
Location tracking has been denied [Settings](#)



Viewer Map



December 30, 2025



Vantor, County of Loudoun, VITA, Esri, HERE, IPC, County of Loudoun, VITA, Esri, HERE, Garmin, IPC

Me
Copyright 2014

From: [Planning Department](#)
To: ["BloomeryCivilSociety@mail.com"](mailto:BloomeryCivilSociety@mail.com)
Subject: RE: Waiver (campground) File #26-5-PCW
Date: Tuesday, March 3, 2026 4:33:00 PM

Good afternoon,

Please note that our office is in receipt of your email and your comments will be included in the Planning Commission packet for the upcoming March 10, 2026 Planning Commission meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, March 6, 2026.

Thank you,

Colin Uhry, County Planner
Office of Planning, & Zoning
Jefferson County, WV
304-728-3228

From: BloomeryCivilSociety@mail.com <BloomeryCivilSociety@mail.com>
Sent: Tuesday, March 3, 2026 4:11 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Waiver (campground) File #26-5-PCW

Att. Luke Seigfried Chief Planner and Planning Commission Members

Regarding waiver of requirement for 'any' site plan for a RV campground at 199 Bloomery Rd.

or what is defined as a "no site plan" exception, we note that:

- 1- there has been no reason, listed explanation, or provided justification for the granting of such a waiver.**
- 2- as property owners, concerned citizens, and neighbors on and along Bloomery Road, we must oppose such a waiver.**
- 3- we have not been adequately notified in a timely manner.**
- 4- All Bloomery Road residents who may be affected have not been notified, nor has there been a sufficient amount of time allocated to respond via written comment. (due March 3rd, 2025)
We are aware that the minimum notification requirements have been met, but this seems inappropriate as the waiver was filed on Feb. 17 and notices were sent to us in the last week of February, a short month, for written response by March 3rd. This seems hurried and not in the best interests of all involved.**
- 5. Since we are only ordinary citizens, not professionals in the reading of the County Code rules and bylaws, as you are, we feel it is only reasonable to register our position to the request for a "No Site Plan" designation as being without adequate merit and contrary to the existing**

code requirements as stated in the comprehensive county plan.

6. We refer you to the existing CC-Plan definition of a "Campground", as well as Section 8.17, B heading, #1 code: stating that - "*minimum of ten acres in size*", Section 8.17, B heading, #2 code; stating that - "**within 1,000 feet of private property**" (there are additional rules about buffers, setbacks which have not been addressed) and also, Section 8.17, C heading, #1 code: stating that "Campground uses must submit a Concept Plan" as well as other existing rules and concerns which have not been considered yet.

7. We are sympathetic to others who should be able to access and to enjoy the God-given endowment of the beautiful Shenandoah and to the desires of Jefferson County to expand facilities, but at the same time, we have unaddressed concerns about the implementation and management of a "No Site Plan" waiver.

8. Lastly, since there are multiple issues that the creation of a RV Campground, of any size, may generate, which we will not elaborate here, but can do so at your request, we hope you will seriously consider the points we have raised.

thank you kindly for your help and attention.

signed- Steering committee for the Bloomery Civil Society
Nelson Wilt
Bart Raguso
Bradly Baer
Carl and Connie Webster



Jefferson County, West Virginia

Department of Engineering, Planning, and Zoning

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

Charles Town, WV 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email: zoning@jeffersoncountywv.org

Fax: (304) 728-8126

Planner's Memorandum Planning Commission Meeting March 10, 2026

1) Department of Engineering, Planning and Zoning County Offices Contact Information

BUILDING PERMITS & INSPECTIONS 304-725-2998 permits@jeffersoncountywv.org

IMPACT FEES 304-728-3331 - mmason@jeffersoncountywv.org

ENGINEERING 304-728-3257 - engineering@jeffersoncountywv.org

PLANNING & ZONING 304-728-3228 - planningdepartment@jeffersoncountywv.org, zoning@jeffersoncountywv.org

GIS & ADDRESSING 304-724-6759 - gis@jeffersoncountywv.org

2) Text Amendment Updates

- The County Commission Public Hearings for the Historic Resources, Rural Residential Zoning District, Residential Commercial Zoning District, and Office Commercial Zoning District Text Amendments was held on January 22, 2026 and the Rural Residential, Residential Commercial, and Office Commercial Text Amendments were approved. The Historic Resources Text Amendment will be brought back to the County Commission at a later time.

3) Upcoming Rezoning Request

- The County Commission forwarded a rezoning request for the parcel located at 7866 Martinsburg Pike to be changed from Residential Growth to Office Commercial. This request will be held at the April 14, 2026 Planning Commission meeting.

3) Upcoming Term Expirations

- Please note that on March 31, 2026, three seats for the Planning Commission will expire and be open to applications. Reach out to the County Commission Office for applications to the Planning Commission, they can be reached at boards@jeffcowv.gov or physical applications can be sent to P.O. Box 250, Charles Town, WV 25414

4) Update on County Commission Directive Regarding Commercial Development Processing

5) Staffing Changes

- Patti Richardson submitted her resignation and her final day was on February 13, 2026.
- The vacant Planning Clerk position was posted on our website and the job listing expired on March 5, 2026.
- The Planning & Zoning Office is currently hiring a Planning Intern, the job listing expires on March 18, 2026.

6) Upcoming PC meetings

- Next Regular meeting date: **April 14, 2026**
 - 7:00 pm Planning Commission Meeting