



Jefferson County
Board of Zoning Appeals Agenda
Thursday, April 9, 2026 at 2:00 p.m.

Members
Matthew McKinney, Chair
David Wiegand, Vice Chair
Mikala Shremshock, Secretary
Tyler Quynn
Elliott Kletter
Keith Semler, Alternate

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 N. Lawrence Street, Charles Town, WV 25414

Broadcast Information: YouTube Live Stream Link: <https://www.youtube.com/@JeffCoWV>

Note: *The County does not transcribe meeting proceedings. Any party desiring a meeting transcript is responsible for providing a stenographer at their own expense.*

All requests are pursuant to the Zoning & Land Development Ordinance.

Approval of Minutes: February 26, 2026

Public Hearing – Administer Oath

Agenda Item #1 File #: 26-1-CUP and #26-6-ZV – Postponed from March 26, 2026

Request #1: Request for a Conditional Use Permit to establish a self-storage business that includes U-Haul, camper, boat rentals on 8 acres of a 116.02 acres parcel. The land use will include the construction of an office, multiple self-storage units, and a parking area for the storage of recreational vehicles, campers, and boats. The applicant anticipates operation 7-days a week. The site will also include an outdoor wash and dumping area and security fencing and cameras. The proposed land use designation as listed in Appendix C is *Storage, Commercial and Mobile Home, Boat, and Trailer Sales*. Signage shall conform with Article 10 of the Zoning Ordinance.

Request #2: Variance from Section 4.11 and Appendix B to allow a modified landscape buffer that includes existing vegetation in lieu of the required landscape buffer along the western property line; and, to allow a 10' wide unscreened buffer in lieu of the 75' distance requirement and the planted landscape buffer along the proposed eastern and southern property line.

Applicant: Elliott Kletter, Cedar Hill Storage, LLC

Parcel Info: Pine Run Ranch, LLC, property owner

500 Febrey Road, Kearneysville, WV 25430

Parcel ID: 07000200030000; Project Size: 8 acres; Parcel Size: 116.02 ac; Zoning District: Rural

Agenda Item #2 File #: 26-2-CUP – Postponed from March 26, 2026

Request: Request for a Conditional Use Permit to establish a home-based federal firearms business that intends on leasing or selling firearms and provides custom gunsmithing services. The use will be conducted from the existing dwelling unit on an appointment basis. The applicant anticipates no more than five customer/delivery trips per month. No signs are proposed. The proposed land use designation as listed in Appendix C is *Custom Manufacturing and Retail Sales and Service, General*, as defined in Article 2.

Applicant: Suttles, LLC

Parcel Info: Gregory Suttles, property owner

786 Best Road, Harpers Ferry, WV 25425

Parcel ID: 04000300090002; Project Size: <1 acre; Parcel Size: 2.04 acres; Zoning District: Rural

Agenda Item #3 File #: 26-7-ZV – Postponed from March 26, 2026

Request: 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.

Applicant: River and Trail Outfitters, Inc / Attn: John Gonano

Parcel Info: Pamela Wagoner and Shannon Lepsic, property owners
199 Bloomery Rd., Charles Town, WV 25414

Parcel ID: 02001900190000; Parcel Size: 1.92 acres; Zoning District: Rural

Discussion and Possible Action: To amend the Rules of Procedure pertaining to public comment. Continuation from February 26, 2026 discussion.

Zoning Administrator Report

- a. Monthly Zoning Certificate Activity Report

Legal Update

- a. Discussion with possible deliberative session of the following pending lawsuits:
 - 1. Jefferson County Circuit Court Case #CC-19-2022-C-141 (RE: Rippon Solar Energy Facility / File 22-9-CUP) Rockwell v. JCBZA
 - 2. Jefferson County Circuit Court Case #CC-19-2025-P-174 (RE: Rippon Solar Energy Facility / File 25-30-ZC) Aitcheson v. JCBZA - Appeal
- b. Discussion with possible deliberative session and signing of draft Findings/Decisions.

Meeting: February 26, 2026

- 1. Request to extend the Global Environmental Conditional Use Permit. Owner: Global Environmental & Remediation LLC. File# 24-5-CUP.

Draft Meeting Minutes
Jefferson County Board of Zoning Appeals

1 Meeting Date: February 26, 2026
2 Meeting Location: County Commission Meeting Room
3 Located on the main level of the Jefferson County Government Complex
4 393 N. Lawrence Street, Charles Town, WV 25414
5 Board Members Present: Matt McKinney, Chair; Dave Wiegand, Vice Chair; Tyler Quynn,
6 Member, and Keith Semler, Alternate, were present in person.
7 Elliott Kletter, Member, was present via ZOOM.
8 Board Members Absent: Mikala Shremshock, Secretary, was absent with notification.
9 Staff Members Present: Jennilee Hartman, Zoning Clerk; Steve Groh, Assistant Prosecuting Attorney;
10 and Colin Uhry, County Planner

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

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

14 **Approval of Minutes: October 23, 2025 (reconsideration) and January 22, 2026**

15 The Board discussed the proposed changes to the October 23, 2025 meeting minutes. The focus of
16 the discussion was to correctly identify how each member voted. Mr. Kletter and Mr. McKinney
17 confirmed their vote was in opposition to the request. The minutes were changed as follows:

- 18 • Page 3, Lines 10 and 11, “Mr. Quynn called for a vote, which carried four in support and
19 two in opposition (Kletter and McKinney).”

20 Mr. Wiegand moved to approve the minutes as corrected. Mr. McKinney called for a vote on the
21 corrected minutes, which carried unanimously.

22 Mr. McKinney moved to approve the minutes of January 22, 2026. Mr. McKinney called for a vote,
23 which carried unanimously.

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

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

26 **Tabled from January 22, 2026. Item to be considered at a later date. New notice will be provided.**

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

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

33 Ms. Hartman provided an update to the Board regarding the status of this request.

34 **Agenda Item #2 File #: 24-5-CUP – EXTENSION REQUEST**

35 Request: Request for an eighteen month extension of the Global Environmental & Remediation
36 Conditional Use Permit to operate as a Contractor with Outdoor Storage.

37 Project Info: Global Environmental & Remediation LLC, Property Owner
38 Parcel located north of the Middleway Pike and Shirley Road intersection (formerly
39 addressed as 7367 Middleway Pike), Charles Town, WV
40 Parcel ID: 07002000090001; Size: ~6 acres; Zoning District: Rural

1 Mr. Raymond Johnson, property owner, was present to represent the request.

2 Ms. Hartman provided an overview of the staff report to the Board noting that the applicant is
3 requesting an extension from March 10, 2026 to September 10, 2027. Ms. Hartman confirmed that
4 the applicant had been actively working towards completing the site plan for the proposed land use.

5 Mr. Johnson explained the nature of the request to the Board.

6 This item was not subject to a public hearing.

7 Mr. Wiegand moved to approve the extension request as presented. Mr. McKinney reiterated the
8 motion with the stipulation that the applicant is bound by their testimony. Mr. McKinney called for
9 a vote, which carried unanimously.

10 Mr. McKinney stated for the record that the Board would like to recognize Mr. Tyler Quynn for his
11 years of service to the Board of the Zoning Appeals.

12 **Legal Update**

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

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

16 No action has been taken on this item.

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

19 Mr. Groh informed the Board that this case was dismissed by Judge Cohee. A copy of
20 the Order Granting Motion to Dismiss was included in the packet.

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

22 **Meeting: January 22, 2026**

23 1. Variance from Appendix B. Owner: Kingdom Ventures, LLC. Applicant: Kolan
24 Investments, LLC / Attn: Dr. Kolawale Oshiyoye. File #26-1-ZV.

25 2. Variance from Appendix A. Owner: Lee and Dawn Mackey. File #26-3-ZV.

26 No action was taken on this item.

27 **Discussion and Possible Action:** To amend the Rules of Procedure pertaining to public comment.

28 Mr. McKinney explained that the purpose of this discussion was to create a uniform public comment
29 policy between the Board of Zoning Appeals and the Planning Commission. Using the Planning
30 Commission's existing Public Comment Policy as a guide, the Board discussed the feasibility of
31 using a similar format.

32 The Board discussed adding the following text to the existing Rules of Procedure:

33 **CONDUCT OF PUBLIC HEARINGS**

34 Public comment is welcome and encouraged to be submitted prior to all meetings.
35 All persons planning to testify shall sign up on the designated Speakers List prior
36 to the meeting, which shall be available no later than fifteen (15) minutes before
37 the meeting is called to order. After the meeting is called to order, sign-ups will
38 close for that meeting, unless approved by the Chair or presiding Member. When

1 called upon to speak, the speaker must be recognized by the Chair or presiding
2 Member and the speaker must state their name and address for the public record.

3 All presentations are timed and limited to a three (3) minute period. Persons
4 whose presentations do not pertain to the current agenda item may have their
5 public comment period ended early by the Chair or presiding Member.

6 In order to minimize repetitive testimony, organizations are encouraged to have
7 only one person speak for their group, with other members of the organization
8 standing to show their support. Testimony determined to be repetitive and of little
9 additional value to the Board and the public by the Board may be stopped by the
10 Chair or presiding Member.

11 The total allotted time for each public hearing shall be no longer than ninety (90)
12 minutes for public input. The allotted time will only be given to the individuals
13 that are signed up and cannot be dedicated to other individuals, groups or
14 organizations. Each person may testify only once per public hearing, unless called
15 back to the podium at the request of a Board member.

16 Mr. McKinney moved to forward the requested edits to legal for them to review and draft.

17 Mr. McKinney called for a vote, which carried unanimously.

18 **Zoning Administrator Report**

19 Ms. Hartman provided the Board with the following information:

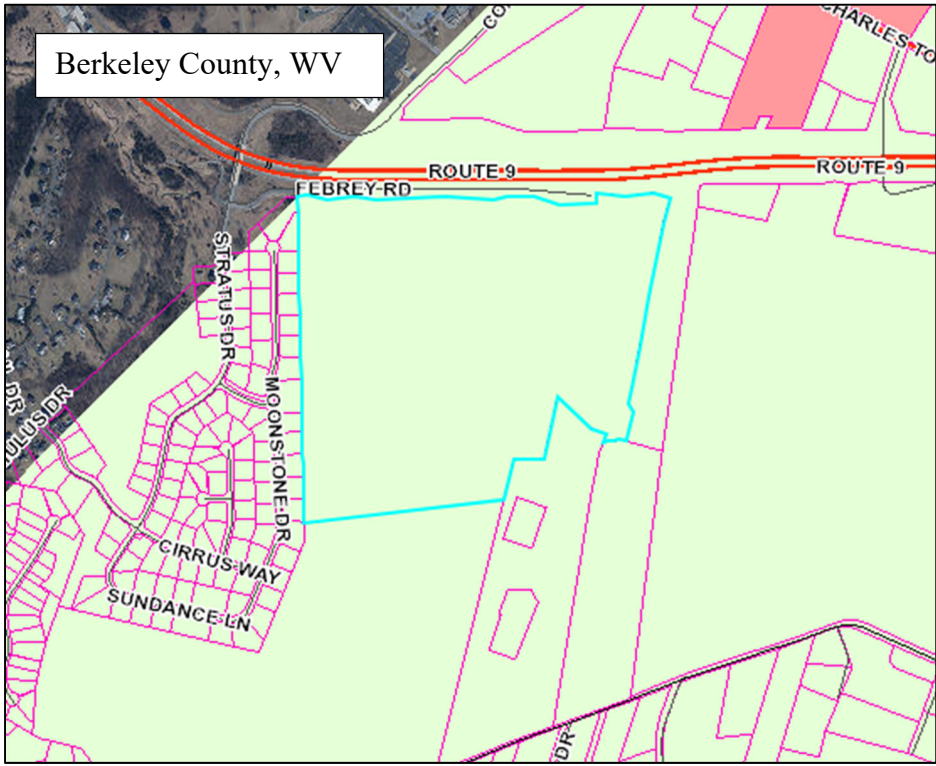
- 20 1. Monthly Zoning Certificate Activity Report. The Report was included in the Agenda packet.
- 21 2. Informed the Board that the recent Zoning Ordinance and Subdivision Regulation text
22 amendments were approved by the County Commission on January 22, 2026.
- 23 3. The Board briefly discussed other possible text amendments.

24 Mr. Wiegand moved to adjourn the meeting at 2:47 pm. Mr. Quynn called for a vote, which carried
25 unanimously.

Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 April 9, 2026
 (Postponed from March 26, 2026)

26-1-CUP Kletter - Cedar Hill Storage Conditional Use Permit Request

Item #1 Request for a Conditional Use Permit to establish a self-storage business that includes U-Haul, camper, boat rentals on 8 acres of a 116.02 acres parcel. The land use will include the construction of an office, multiple self-storage units, and a parking area for the storage of recreational vehicles, campers, and boats. The applicant anticipates operation 7-days a week. The site will also include an outdoor wash and dumping area and security fencing and cameras. The proposed land use designation as listed in Appendix C is *Storage, Commercial and Mobile Home, Boat, and Trailer Sales*. Signage shall conform with Article 10 of the Zoning Ordinance.

Owner:	Pine Run Ranch, LLC
Applicant:	Elliott Kletter, Cedar Hill Storage, LLC
Parcel Information and Zoning District:	<p style="text-align: center;">Febrey Minor Subdivision, Lot B 500 Febrey Rd., Kearneysville, WV Parcel ID: 07000200030000; Lot Size: ~116 acres; Zoning District: Rural Project Size: 8 acres; Parcel Size: 116.02 ac</p> 
Approvals:	06/28/2019: Rita Febrey Minor Subdivision (recorded in PB 25 PG 744) 09/22/2022: BZA approved Mission Critical Defense Solutions Conditional Use Permit, a federal firearms business, located within an existing barn.
Waiver/Variance:	03/26/2026: Variance from Section 4.11 and Appendix B to allow a modified landscape buffer that includes existing vegetation in lieu of the required landscape buffer along the western property line; and, to allow a 10' wide unscreened buffer in lieu of the 75' distance requirement and the planted landscape buffer along the proposed eastern and southern property line. – <i>pending</i>
Site Visit Conducted:	No.

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26-1-CUP Kletter - Cedar Hill Storage Conditional Use Permit Request

Summary of Request and Purpose of Ordinance Requirements

Request for a Conditional Use Permit to establish a self-storage business that includes U-Haul, camper, boat rentals on 8 acres of a 116.02 acres parcel. The land use will include the construction of an office, multiple self-storage units, and a parking area for the storage of recreational vehicles, campers, and boats. The applicant anticipates operation 7-days a week. The site will also include an outdoor wash and dumping area and security fencing and cameras. The proposed land use designation as listed in Appendix C is *Storage, Commercial and Mobile Home, Boat, and Trailer Sales*. Signage shall conform with Article 10 of the Zoning Ordinance.

Article 2 defines *Storage, Commercial* as:

An enclosed storage facility of a commercial nature containing independent, fully enclosed bays which are leased to persons exclusively for storage of their household goods or personal property.

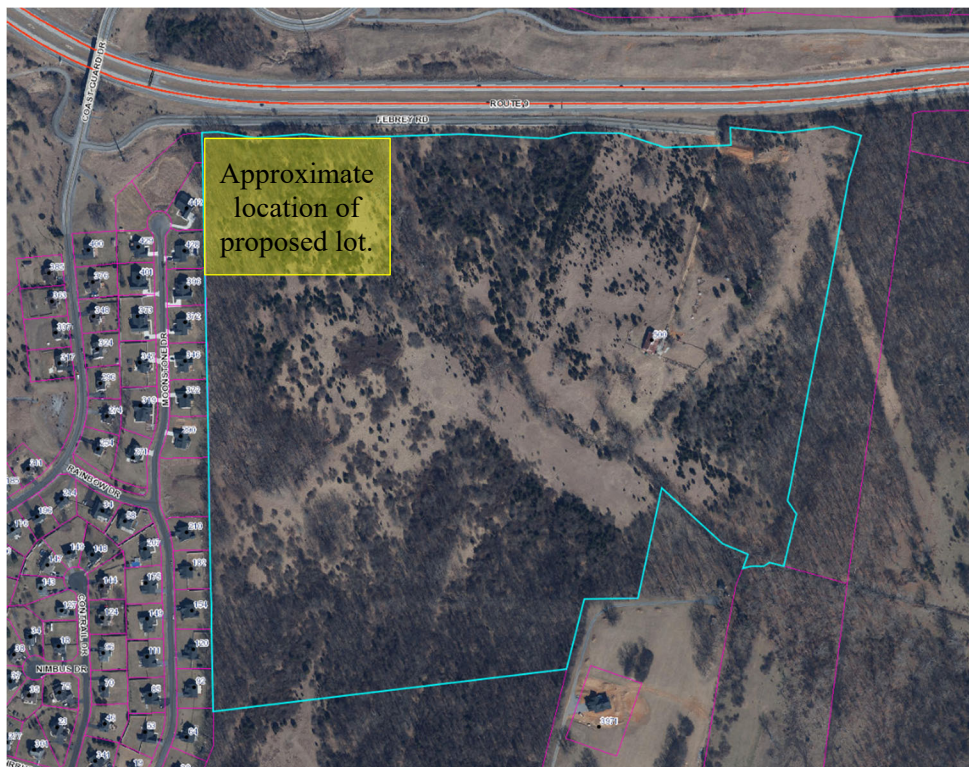
Article 2 defines *Mobile Home, Boat, and Trailer Sales* as:

Use of a site for the sale, rental or servicing of mobile homes, boats and trailers. This use includes outdoor display of items for sale or rent, and accessory retail sale of merchandise related to mobile homes, boats and trailers. This use does not include a gas station.

Property Description

The subject parcel is the residue parcel of the Rita Febrey Minor Subdivision, which was recorded in 2019. The lot is approximately 116.02 acres and borders the Quail Ridge Subdivision to the west and other rural zones to the south and east. Route 9 borders to the north.

The parcel is currently undeveloped with a single structure/barn. In 2022, the BZA approved a Conditional Use Permit for a federal firearms business in the existing structure.



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26-1-CUP Kletter - Cedar Hill Storage Conditional Use Permit Request

Conditional Use Permit Process

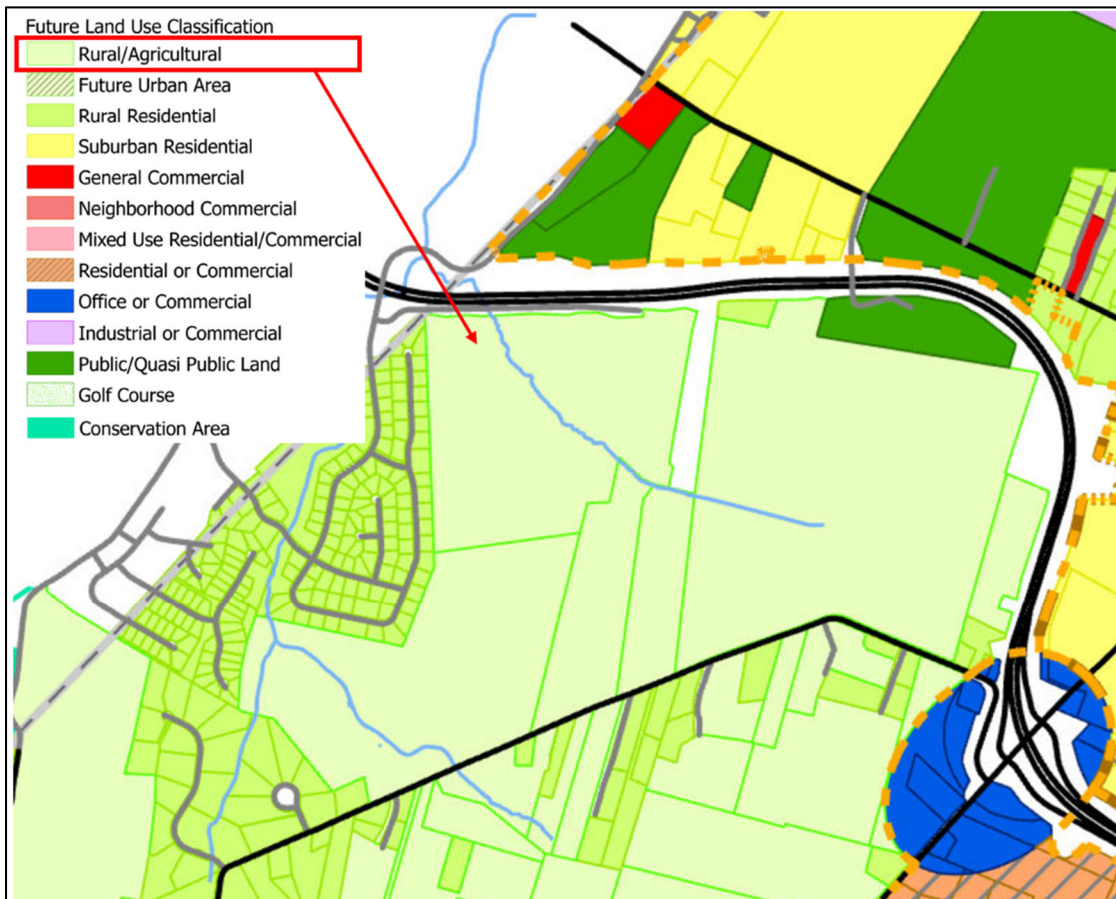
Section 6.3 of the Zoning Ordinance states:

“The Board of Zoning Appeals shall have the authority over the issuance or denial of a conditional use permit for uses listed as “Conditional Uses (CU)” in each zoning district. The Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed conditional use permit.”

The following General Standards shall be considered in approving or denying the CUP:

1. The proposed use is compatible with the goals of the adopted Comprehensive Plan. (Sec. 6.3A.1)

The subject parcel is shown as “Rural/Agriculture” on the 2045 Comprehensive Plan and it is not located within the Route 9 Preferred Growth Area (see below).



While the primary goal of the Rural / Agriculture land use classification is to foster working agricultural operations and single-family residences, The Plan supports allowing commercial uses in the Rural zoning district that the County deems compatible via the Conditional Use Permit Process. In March 2017, the County Commission amended the Zoning Ordinance to modify the CUP process. As part of that text amendment, the County Commission amended Appendix C to allow *most* commercial land uses to process as a Conditional Use. Commercial Storage is listed as a Conditional Use in the Rural zoning district.

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26-1-CUP Kletter - Cedar Hill Storage Conditional Use Permit Request

- 2. The proposed use is compatible in intensity and scale with the existing and potential land uses on the adjoining and confronting properties, and poses no threat to public health, safety and welfare. (Sec. 6.3A.2)**

The property is located off State Route 9, Veteran's Memorial Highway. The property is surrounded primarily by residential and agricultural uses.

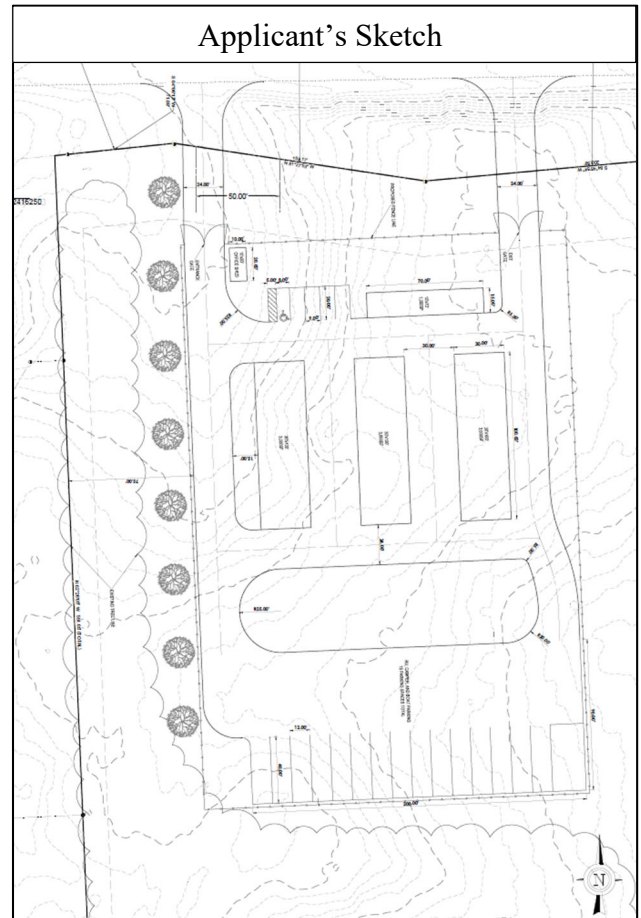
The land use will include the construction of an office, multiple self-storage units, and a parking area for the storage of recreational vehicles, campers, and boats. The property is mostly undeveloped with the exception of a small barn on the eastern portion of the property currently used as federal firearms business.

- 3. The proposed site development shall be such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings. (Sec. 6.3A.3)**

The adjacent land to the West has already been developed though the hindrance of the proposed use to adjacent land and buildings may be subjective to those adjacent property owners. The proposed eight (8) acre site, as it appears in conjunction with lands to the North, South, and East, will not hinder nor discourage the appropriate development and use of those adjacent lands as they either belong to the same owner or are bordered by Febrey Road and WV State Route 9.

- 4. Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements found in Appendix B and Section 4.11 of this Ordinance. (Sec. 6.3A.4)**

As presented, a site plan is required for the proposed use. A Concept Plan, which is subject to a Public Workshop before the Planning Commission, is *also* required because the total square footage of the proposed buildings exceeds 5,000 square feet. As such, the project will be required to reflect compliance with current landscaping requirements.



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26-1-CUP Kletter - Cedar Hill Storage Conditional Use Permit Request

5. Commercial and Industrial Uses shall be in conformance with Section 8.9 of this Ordinance. (Sec. 6.3A.5)

As part of the Conditional Use Permit application, the applicant was informed of this criteria and shall comply with this standard.

Section 8.9 Industrial and Commercial Uses²³		
A. Industrial and commercial uses in all districts shall comply with the following standards:		
1. Noise		
All noise shall be muffled so as not to be objectionable due to intermitting, beat frequency, or shrillness. Noise levels shall not exceed the following sound levels dB(A). The sound-pressure level shall be measured at the property line with a sound level meter.		
<u>Sound Measured In</u>	<u>DAY</u> <u>7 AM - 6 PM</u>	<u>NIGHT</u> <u>6 PM - 7 AM</u>
Adjoining Agricultural or Residential Growth District	60 dB(A)	50 dB(A)
Residential Uses in R-LI-C District	65 dB(A)	55 dB(A)
Commercial Uses	70 dB(A)	60 dB(A)
Light Industrial Uses adjacent to noise source	85 dB(A)	80 dB(A)
The following sources of noise are exempt:		
a. Transportation vehicles not under the control of the industrial use.		
b. Occasionally used safety signals, warning devices and emergency pressure relief valves.		
c. Temporary construction activity between 7:00 a.m. and 7:00 p.m.		

6. For properties in the Rural and Rural Residential zoning districts, roadway adequacy shall be assessed by the Comprehensive Plan’s Highway Road Classification Map. If a rural or rural residential parcel is not shown as commercial on the Future Land Use Guide or does not front on a Principal Arterial, Minor Arterial, or Major Collector road (as identified in the Comprehensive Plan), the applicant shall submit trip generation data, including Average Daily and Peak Hour trips, for the BZA to review in conjunction with the Highway Problem Areas Map when determining roadway adequacy for the proposed use.⁴⁴ (Sec. 6.3A.6)

Road frontage along Febrey Road and the lack of commercial land use status on the Future Land Use Guide prompt the submittal of trip generation data which the applicant has provided on pages 31-34 of the application.

7. Historic Landmarks Commission’s Findings related to the proposed land use. (Sec. 6.3A.7)

The subject property does not contain any Category I or II historic sites as defined by the Zoning Ordinance; therefore, this criteria does not apply.

8. Any signs associated with the proposed Conditional Use shall be reviewed by the Board in accordance with Section 10.6. (Sec. 6.3A.8)

Signs accessory to a Conditional Use are subject to Section 10.6 of the Zoning Ordinance, which requires that as part of the application, signage shall be addressed for review and consideration by the Board at the required Public Hearing.

The applicant represents that two (2) signs associated with the Conditional Use Permit will be proposed: (1) freestanding business sign; and (1) attached business sign.



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

File #: 26-1-CUP
 Mtg. Date: 03/26/2026
 Fee Paid: \$ 825

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Application for a Conditional Use Permit

Project Name

Cedar Hill Storage LLC

Property Owner Information

Name: Elliott A Kletter

Business Name: Pine Run Ranch LLC

Mailing Address: 500 Febrey Rd Kearneysville WV 25430

Phone Number: 304-582-9525

Email: [REDACTED]

Applicant Information

Name: Elliott A Kletter

Business Name: Cedar Hill Storage LLC

Mailing Address: 500 Febrey Rd Kearneysville WV 25430

Phone Number: 304-582-9525

Email: [REDACTED]

Consultant Information

Name: _____

Business Name: _____

Mailing Address: _____

Phone Number: _____

Email: _____

Physical Property Details

Physical Address: 500 Febrey Rd Kearneysville WV 25430

Parcel ID: (Tax District / Map No. / Parcel No.) Middleway/ M-2/ 3

Parcel Size: 116.02

Project Size 7

Deed Book: 1302

Page No: 405

Zoning District (please check one)

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

Provide the Land Use Designation (see Appendix C of the Zoning Ordinance).

Storage Commercial [and Mobile Home, Boat, and Trailer Sales \(jth\).](#)

For properties in the Rural Zoning District:

Is property located on a primary or secondary road?

[Application submitted 01/23/26 \(jth\)](#)

Yes No - [Not a primary or secondary road. \(jth\)](#)

Name of Road/Route Number: Febrey Rd

****The email address has been redacted to protect the privacy of the applicant (jth).**

Provide a detailed description of the proposed business (include information such as hours of operation, anticipated employee and/or customer visits, etc. A site sketch is required to be included with the application, delineating existing and proposed structures and parking areas, proposed signs, proposed landscaping, etc.

This will be a family owned and operated self storage business to facilitate the high demand of storage and influx of new residents moving to the area. The business plans to operate 7 days a week Mon-Sun. Office hours are being anticipated right now for 9-5 Monday-Friday and 9-2 Sat-Sun. Additional drawings and sketches will be provided before the meeting. The business will provide self storage, Boat, RV, Camper, Trailer parking for customers to access at anytime.

Provide a detailed response to the following questions to show how the proposed business complies with the criteria in Section 6.3 of the Zoning Ordinance. Feel free to attach a separate sheet with responses.

1. How is the proposed use compatible with the goals of the adopted Comprehensive Plan (Section 6.3A.1)?

Comprehensive plan supports the conditional use permit process for non-residential uses in the rural district.

2. How is the proposed use compatible in intensity and scale with the existing and potential land uses on surrounding properties? How will the proposed project mitigate potential threat to public health, safety, and welfare (Section 6.3A.2)?

The business will be using roughly 2-3 acres initially of parking, lanes between storage units, and the self storage units themselves. The site work of 7 acres will be conducted in the first phase that includes all necessary storm water management and estimated 10,000-20,000 sq feet of storage, along boat, RV storage, etc

3. Describe how the proposed site development will be designed such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings (Section 6.3A.3).

The business will adhere to all requirements/restrictions. The other 109 acres will remain farm land (restoration).

4. Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements found in Appendix B and Section 4.11 of this Ordinance (Section 6.3A.4).

I am aware of the landscaping buffer requirements and will adhere to them.

I am aware of the landscaping buffer requirements; however, I may seek a variance to modify them.

5. Commercial and Industrial Uses shall be in conformance with Section 8.9 of the Zoning Ordinance.

I am aware of the standards outlined in Section 8.9 of the Zoning Ordinance and will be in compliance.

6. For properties in the Rural zoning district, roadway adequacy shall be assessed by the Comprehensive Plan's Highway Road Classification Map. If a rural parcel is not shown as commercial on the Future Land Use Guide or does not front on a primary or secondary road (as identified in the Comprehensive Plan), the applicant shall submit trip generation data, including Average Daily and Peak Hour trips, for the Board of Zoning Appeals to review in conjunction with the Highway Problem Areas Map when determining roadway adequacy for the proposed use (Section 6.3A.6).

Trip Generation Data Attached

Not Applicable

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

By signing this application, I grant permission for County staff to walk onto the subject property to take photos for the Board of Zoning Appeals staff reports.


Property Owner Signature

1/23/2026
Date

Property Owner Signature

Date

PROJECT: 7-Acre Self Storage & RV/Boat Storage

1. Project Vision & Objectives

Primary Objective:

Maximize usable storage and parking area within the 7-acre parcel while relocating stormwater management outside the parcel (on adjacent property) via easement to preserve revenue-generating land.

Secondary Objectives:

- Obtain waivers for sidewalks and full asphalt coverage where feasible
- Phase development to reduce upfront capital burden
- Design infrastructure in Phase 1 to support all future expansions

DEVELOPMENT STRATEGY

Key Planning Priorities

1. Stormwater located off the 7-acre parcel
2. Design full buildout in Phase 1 (even if not constructed immediately)
3. Preserve expansion corridors
4. Separate entrance and exit from Febrey Rd
5. Utility design to accommodate future public water/sewer tie-in

PHASED PROJECT PLAN

PHASE 1 – Core Infrastructure & Initial Revenue Units

Objective:

Build infrastructure for entire project + first revenue-producing units.

Phase 1

1. Full Site Plan Approval (Entire Parcel)

- Engineered grading plan
- Drainage design (entire buildout capacity)
- SWM (off-site location finalized)
- Traffic plan
- Utility plan (future tie-in)
- Lighting plan (low Kelvin, down-facing building mounted)
- Landscape & screening plan
- Fence & gate layout
- Security plan (camera locations)

2. Site Infrastructure Construction

- Clearing & grading for entire parcel
- Base stone for outdoor RV/boat parking
- Asphalt in self-storage building areas only (if approved)
- Entrance & separate exit onto Febrey Rd
- Perimeter fencing + privacy screening
- Gate system with keypad access
- Camera system (full coverage)
- Low-level security lighting

3. Buildings (Initial Construction)

- 10,000–20,000 sqft non-climate self-storage
- Small office building:
 - Electric
 - Internet
 - Water (well or temporary source)
 - Septic
- Down-facing mounted lighting on buildings

PHASE 2 – Storage Expansion

Objective:

Expand revenue-producing units based on occupancy demand.

1. Additional Non-Climate Units

- Expand footprint using preserved corridors
- Tie into existing infrastructure

2. Climate-Controlled Units

- Insulated building
- HVAC system
- Upgraded electrical capacity
- Enhanced security access

3. Covered RV/Camper Storage

- Canopy structures

Infrastructure Already Accounted For:

- Drainage capacity
- Electrical load (if designed properly in Phase 1)
- Traffic circulation

PHASE 3 – Public Water & Sewer Tie-In

Objective:

Reduce insurance, enable wash/dump station.

1. Extend Public Mainline

- Coordinate with municipality
- Install fire hydrant
- Decommission septic (if applicable)

2. Install:

- Outdoor auto wash station
- Camper/RV dump station
- Dedicated drainage tied to approved system

PHASE 4 – Rental & Ancillary Revenue Expansion

Objective:

Increase per-customer revenue without major infrastructure expansion.

Add:

- U-Haul partnership
- RV & Camper rentals

SITE DESIGN CONSIDERATIONS

Circulation

- Separate entrance & exit on Febrey Rd
- Wide turning radius for RVs
- One-way internal flow preferred

Security

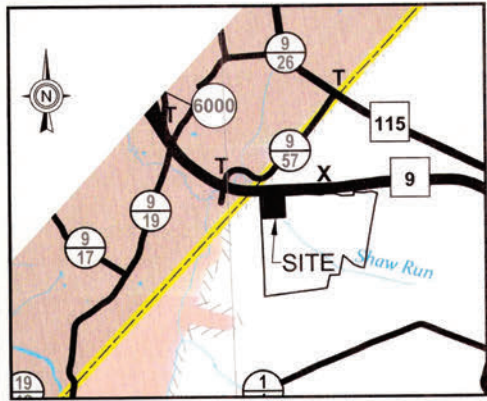
- Privacy fencing
- Controlled access gates
- Cameras
- Low-Kelvin lighting

HIGH-LEVEL TIMELINE

Phase	Duration (estimate)	Milestone
Phase 1	12 months	Facility operational
Phase 2	As needed	Expansion triggered by demand
Phase 3	6–12 months	Utility tie-in complete
Phase 4	Ongoing	Rental services launched

NEXT STEPS

1. CUP Approval



VICINITY MAP SCALE: 1" = 2000'

AREA TABLE	
EXISTING PARCEL	± 116.1185 ACRES
LOT 1	± 7.0169 ACRES
RESIDUE	± 109.1016 ACRES

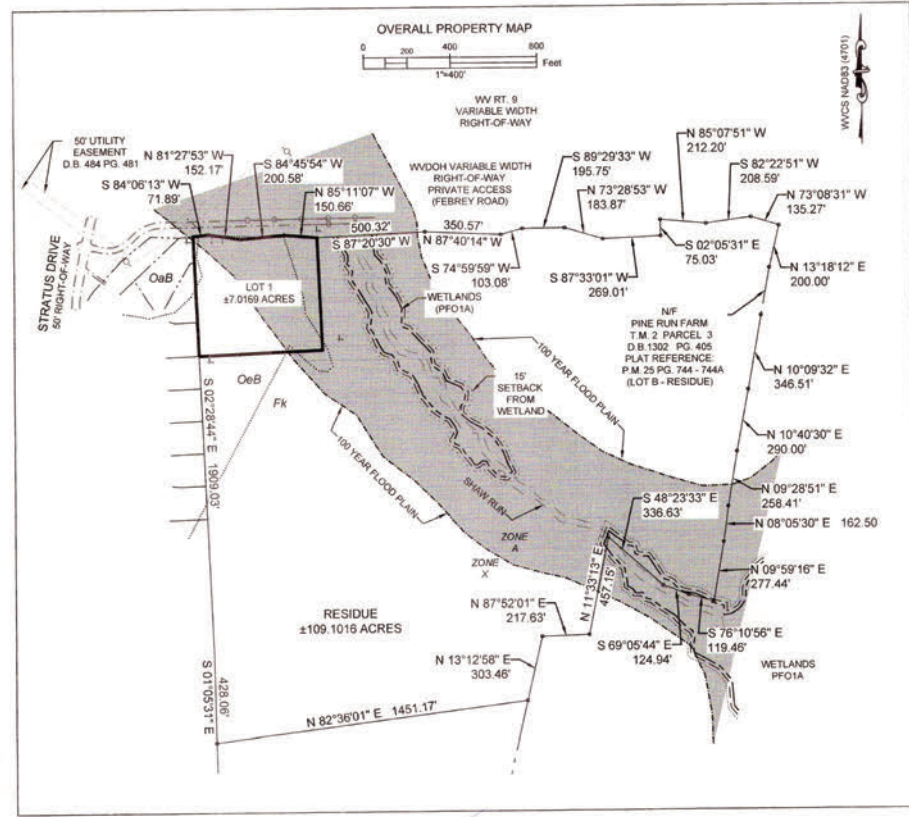


ALPHA ASSOCIATES, INC.
535 W. KING STREET
MARTINSBURG, WV 25401
PHONE: 304-264-0051
www.thinkALPHAfirst.com

JEFFERSON COUNTY - COMPLETE LIST OF WAIVERS/VARIANCES (TABLE 1.2-2)			
ORDINANCE	SECTION OF ORDINANCE	DESCRIPTION OF WAIVER OR VARIANCE	DATE GRANTED
NONE REQUESTED		NONE	

NOTES:

- THE INTENT OF THIS SUBDIVISION IS TO CREATE A 7.0169 ACRE LOT FOR COMMERCIAL USE. THE ENTIRE RESIDUE ±109.1016 ACRES HAS NOT BEEN SURVEYED WITH THIS PLAT.
 - THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHT-OF-WAYS, EASEMENTS, RESTRICTIONS OR EXEMPTIONS NOT SHOWN HEREON.
 - THIS PARCEL IS LOCATED ON FEMA MAP # 54037C0136E, EFFECTIVE DATE 12/18/2009. THE AREA DESIGNATED IN ZONE "X" IS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN ZONE "A", IS DETERMINED TO BE WITHIN THE 100-YEAR FLOOD ZONE.
 - THIS PROPERTY IS LOCATED AT 500 FEBREY ROAD, KEARNEYVILLE, WV, 25430
 - WEST VIRGINIA DOH PERMIT NO. 0X-X0X0-0X0X.
 - THE PARENT PROPERTY IS ZONED: RURAL.
 - THE SETBACKS ARE AS FOLLOWS:
FRONT: 45' SIDE: 15' REAR: 50'
 - MAX BUILDING HEIGHT = 45'
 - THE MINIMUM LOT SIZE FOR A WELL & SEPTIC SYSTEM IS 20,000 SF.
 - PUBLIC WATER ARE AVAILABLE FOR THESE PROPERTIES AND WILL BE PROVIDED BY BERKELEY COUNTY PUBLIC SERVICE WATER DISTRICT & BERKELEY COUNTRY PUBLIC SERVICE SEWER DISTRICT.
 - THE SOILS SURVEY OF JEFFERSON COUNTY, WEST VIRGINIA INDICATES A SEASONAL HIGH WATER TABLE ON A PORTION OF THE PARCELS HEREON (SOILS: OaB, OaB, Fk) AND THEREFORE BASEMENT CONSTRUCTION IS NOT RECOMMENDED IN THOSE AREAS.
- SOILS:
OaB - OAKLET SILT LOAM, 3 TO 8 PERCENT SLOPES, DEPTH TO WATER TABLE MORE THAN 80".
OaB - OAKLET SILT LOAM, 3 TO 8 PERCENT SLOPES, VERY ROCKY, DEPTH TO WATER TABLE MORE THAN 80".
Fk - FUNKSTOWN SILT LOAM, 0 TO 3 PERCENT SLOPES, DEPTH TO WATER TABLE MORE THAN 80".
- A BLANKET EASEMENT IS GRANTED TO THE APPROPRIATE PUBLIC UTILITIES IN ALL ROAD RIGHT-OF-WAY FOR CONSTRUCTION AND MAINTENANCE OF WATER AND SEWER LINES.
 - ALL RESIDENTIAL AND NON-RESIDENTIAL BUILDING LOTS SHALL HAVE A STABILIZED CONSTRUCTION ENTRANCE INSTALLED PRIOR TO BEGINNING CONSTRUCTION ON THE LOT.
 - NO STRUCTURES, FENCES, OR LANDSCAPING SHALL BE LOCATED IN THE EASEMENTS.
 - FOR DRIVEWAYS THAT REQUIRE A CULVERT FOR DITCH DRAINAGE, THE MINIMUM CULVERT SIZE SHALL BE 15" IN DIAMETER.
 - WETLANDS EXIST ON THE RESIDUE PARCEL AND ARE SHOWN HEREON PER THE NATIONAL WETLAND INVENTORY BY GRAPHIC PLOTTING ONLY. THERE IS A 30' BUFFER AROUND THESE WETLANDS. THERE SHALL BE NO DISTURBANCE OF WETLANDS OR BUFFER AREAS WITHOUT APPROVAL FROM USACE AND WVDEP.
 - FEBREY ROAD IS A PART OF THE WVDON RT. 9 PROVIDES INGRESS/EGRESS TO 500 FEBREY ROAD AND HAS A VARIABLE WIDTH RIGHT OF WAY.



JEFFERSON COUNTY, WEST VIRGINIA

OFFICE OF PLANNING & ZONING

DATE: _____

ACCEPTANCE STATEMENT:

THE OWNER, IN SIGNING THIS PLAT, AGREES TO ABIDE BY ALL CONDITIONS, TERMS AND SPECIFICATIONS PROVIDED HEREON.

ELLIOT KLETTER

DATE: _____

I, RICHARD A COLEBANK, A WEST VIRGINIA LICENSED PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS SEALED PLAT IS ACCURATE, COMPLETE AND REASONABLY MEETS OR EXCEEDS MINIMUM ACCEPTABLE SURVEYING STANDARDS AND THOSE STATE AND/OR COUNTY CODE PROVISIONS APPLICABLE ON THIS DATE. THE RELATIVE POSITIONAL ACCURACY OF THE SURVEY, BASED UPON GPS MEASUREMENTS, IS WITHIN ACCEPTED LIMITS. THIS SUBDIVISION COMPLIES WITH THE JEFFERSON COUNTY SUBDIVISION REGULATIONS, SECTION 1.4(7) FOR PERIMETER BOUNDARY CLOSURE OF 1:7500 OR BETTER.

Richard A. Colebank 12.31.24
RICHARD A COLEBANK, P.S. #1076 DATE: _____

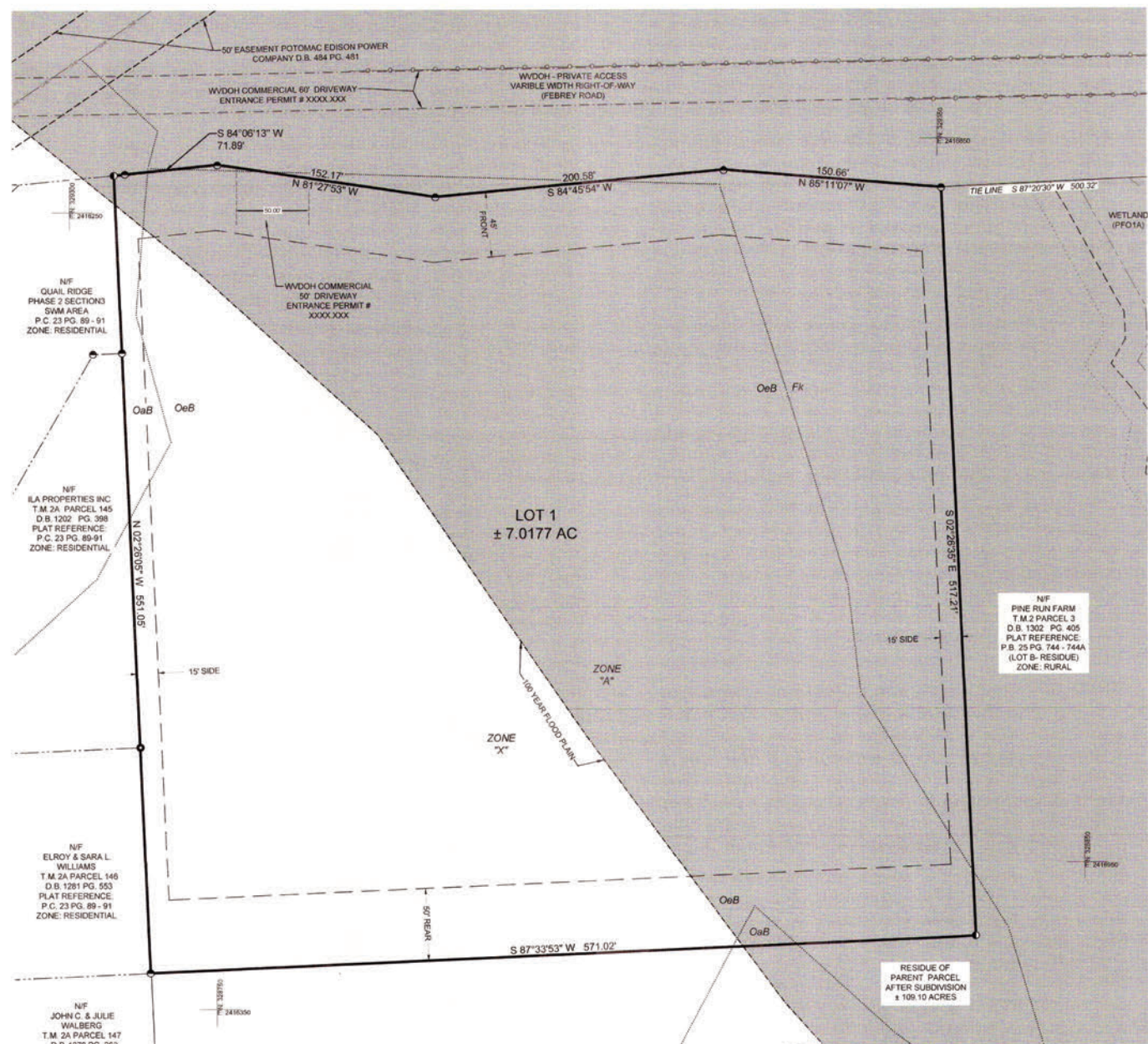
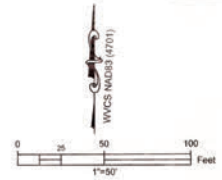


PLAT OF MINOR SUBDIVISION
FOR
PINE RUN RANCH, L.L.C.
MIDDLEWAY DISTRICT
T.M. 2 PAR. 3 D.B. 1302 PG. 405
JEFFERSON COUNTY, WEST VIRGINIA

OWNER/DEVELOPER: PINE RUN RANCH, LLC	PROJ. NO.: 2408079 00
ADDRESS: 273 EQUESTRIAN CIRCLE SHERANDOAH JUNCTION, WV 25442	DATE: 12/09/2024
PHONE:	SHEET NO.:
ATTN: ELLIOT KLETTER	1 OF 2
COPYRIGHT 2024 ALPHA ASSOCIATES, INC. ALL RIGHTS RESERVED	



ALPHA ASSOCIATES, INC.
535 W. KING STREET
MARTINSBURG, WV 25401
PHONE: 304-264-0051
www.thinkALPHAfirst.com



LEGEND

- T.M. TAX MAP NUMBER
- PAR. PARCEL NUMBER
- D.B. DEED BOOK
- PG. PAGE NUMBER
- NF NOW OR FORMERLY
- 5/8" REBAR WITH CAP FOUND
- 5/8"X30" REBAR WITH ORANGE CAP SET
- MAG NAIL FOUND/SET
- REBAR FOUND
- ⊕ SANITARY MANHOLE
- BUILDING SETBACKS
- PROPERTY LINE
- - - ADJOINER LINE
- - - EDGE OF GRAVEL
- ○ ○ GUARD RAIL
- OHE OVER HEAD ELECTRIC
- - - 100 YEAR FLOOD LINE
- - - SOIL DELINEATION LINES
- - - STREAM LINE
- - - WETLANDS SETBACKS
- - - POWER LINE EASEMENT



Richard A. Colebank 12-31-24
RICHARD A. COLEBANK, P.S. 1076 DATE

**PLAT OF MINOR SUBDIVISION
FOR
PINE RUN RANCH, L.L.C.**

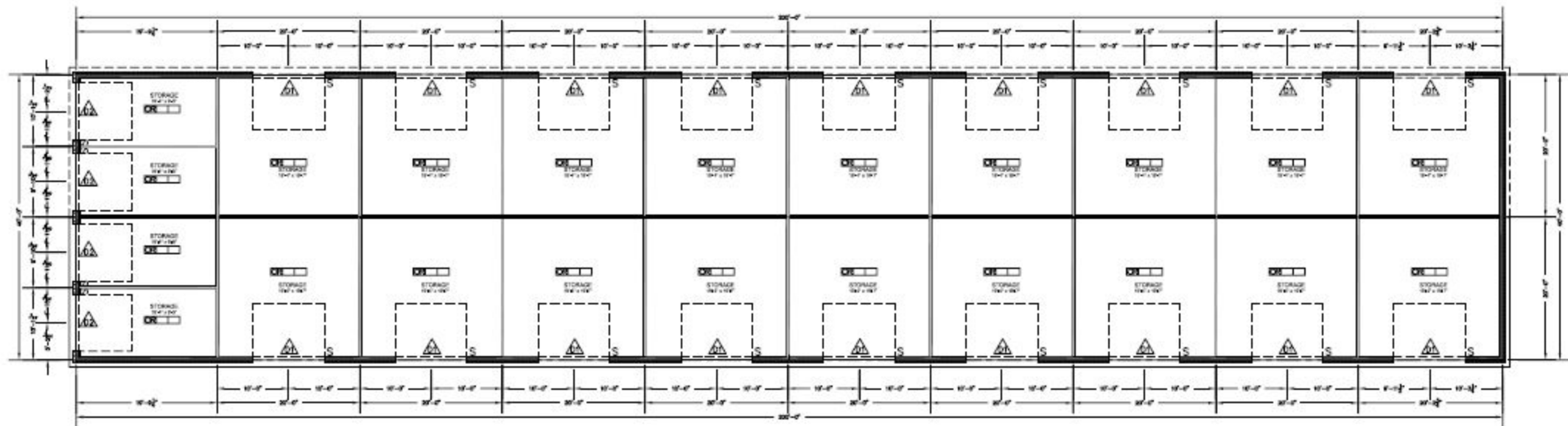
MIDDLEWAY DISTRICT
T.M. 2 PAR. 3 D.B. 1302 PG. 405
JEFFERSON COUNTY, WEST VIRGINIA

OWNER/DEVELOPER:
PINE RUN RANCH, L.L.C.
ADDRESS:
273 EQUESTRIAN CIRCLE
SHENANDOAH JUNCTION,
WV 25442
PHONE:
ATTN:
ELLIOT KLETTER

PROJ. NO.: 2408079.00
DATE: 12/09/2024
SHEET NO.:
2 OF 2

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WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

Office of the District Engineer/Manager
District Five

Post Office Box 99 • Burlington, West Virginia 267100-0099 • (681) 320-2000

Stephen T. Rumbaugh, P.E.
Secretary of Transportation
Commissioner of Highways

April 21, 2025

Pine Run Ranch L.L.C.
273 Equestrian Circle
Shenandoah Junction, West Virginia 25442

Dear Pine Run Ranch L.L.C.:

Permit Number: 05-2025-5056
Route: County 9/57, Milepost: 0.763
19 - Jefferson County

Enclosed and approved is your permit application for work at the above-referenced location.

Please contact Kevin McDonald, Permit Supervisor, at 681-320-2026, at least 2 days in advance of the date you plan to begin work so arrangements can be made to inspect the work authorized by the permit. Failure to comply will result in cancellation of your permit.

A copy of this permit is to be available on the job at all times while the work is in progress for inspection by West Virginia Division of Highways personnel.

Before digging or otherwise disturbing the earth, call WV811 at 1-800-245-4848.

Sincerely,

Travis Ray
Deputy District Engineer

TLR:r
Enclosures

West Virginia Department of Transportation Division of Highways Right of Way Issued Entry Permit

PERMIT NO. 05-2025-5056

DOH Reviewer: Electronically Signed by Kevin McDonald on 4/15/2025 DOH Reviewer Title: Acting Permit Supervisor

DOH Approver: Electronically Signed by Travis Ray on 4/21/2025 DOH Approver Title: Deputy District Engineer

PERMIT ISSUE DATE: 4/21/2025

Applicant: *Pine Run Ranch L.L.C.*

Address: 273 Equestrian Circle City: Shenandoah Junction State: West Virginia Zip: 25442

Phone Number: 304-582-9525 Email: pinerunranchllc@gmail.com

Route Type: County Route Number: 9/57 Milepost: 0.763 County: 19 - Jefferson

Latitude/ Longitude at/along Roadway (in decimal degrees): 39.393256 /-77.917221

Description of Work: ***This is for a subdivision plat in Jefferson County on Febrey Road. Should this parcel develop commercially, further subdivide, or be located within a subdivision with internal access, this permit will be invalid. Applicant shall apply for a new permit to fit altered conditions to allow review of traffic impacts and Stratus Drive connection.***

Length of Installation: _____ Estimated Construction Duration: 45 working days

DOH Project Number/Name (if applicable): _____

Customer Reference Number (if applicable): _____

Inspection Fees (must check one):

- | | |
|--|--|
| <input type="checkbox"/> Water Installations (\$0 per foot) | <input type="checkbox"/> Small Cell Installations (flat fee - \$0) |
| <input type="checkbox"/> Sewer Installations (\$0 per foot) | <input checked="" type="checkbox"/> Standard Permit Expenses Fee (\$0) |
| <input type="checkbox"/> Aerial Installation (\$0 per day) | <input type="checkbox"/> Misc Fee (\$0) |
| <input type="checkbox"/> Subsurface Installation (\$0 per day) | |

DEPOSIT/BOND REQUIRED: **NO**

BOND / CHECK RECEIVED:

DATE:

BOND NUMBER:

DEPOSIT/BOND AMOUNT:

TERMS AND CONDITIONS

1. This permit, between the WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, a statutory corporation, hereinafter called "DIVISION" and APPLICANT, a person, firm or corporation, listed on page one.
2. In consideration of the conditions hereinafter set forth and in accordance with all state and federal laws, including but not limited to, W. Va. Code §17-2E-1 et seq., §17-4-8, §17-16-6, §17-16-9, §31H-1-1 et seq., and any related rules, regulations, policies, manuals, or guidelines, APPLICANT does hereby apply to enter DIVISION's right(s) of way listed on page one, for the purpose listed in Description of Work on page one.
3. APPLICANT shall deposit with DIVISION an official, certified or cashier's check, or executed bond with surety satisfactory to DIVISION to cover any damage and inspection costs DIVISION may sustain by reason of the issuing of this permit, including any expense incurred in restoring said right(s) of way to original condition or the proper repair of any and all damages arising from, related to, or otherwise connected to said entry.
4. APPLICANT agrees to reimburse DIVISION for inspection costs as listed on page one.
5. **APPLICANT shall notify DIVISION at least 48 hours in advance of the date the work will begin. Failure to comply may result in cancellation of this permit.**
6. APPLICANT shall notify DIVISION upon completion of any work authorized under this permit. If APPLICANT's work is anticipated to extend beyond the estimated construction duration indicated on page one, APPLICANT shall notify the DIVISION as soon as possible. Failure to comply may result in additional charges.
7. APPLICANT agrees to protect all users of the road right(s) of way, as well as all employees and equipment of APPLICANT and DIVISION, at all times in accordance with the current Division of Highways manual, "[Manual on Temporary Traffic Control for Streets and Highways](https://transportation.wv.gov/highways/traffic/Pages/default.aspx)" (<https://transportation.wv.gov/highways/traffic/Pages/default.aspx>).
8. APPLICANT agrees to comply with all applicable state and federal laws related to the entry that is the subject of this permit, including but not limited to the requirement to provide DIVISION copies of any NEPA clearance documentation for utility installations along or across the Interstate Highway System and/or controlled-access right(s) of way.
9. The person, firm or corporation to whom a permit is issued agrees to defend, indemnify, and hold the State of West Virginia and DIVISION harmless on account of any damages to persons or property which may arise during the process of the work authorized by this permit or by reason thereof.
10. Applications for permission to perform work within highway right(s) of way shall be made on DIVISION's standard permit form and shall be signed by the authorized representative of the person, firm or corporation applying.
11. The APPLICANT shall give detailed information concerning the nature of the entry and any work to be performed, and the application must include plans sufficient to show the same.
12. Any work authorized under this permit shall be completed on or before one calendar year from the issue date listed on page one, unless otherwise specified or approved by DIVISION.
13. APPLICANT, its agents, successor, heirs or assigns, contractors or any other person, firm or corporation working under APPLICANT's real or apparent authority, shall perform the work in a manner satisfactory to DIVISION. Damage to the right(s) of way resulting at any time from work authorized under this permit shall be repaired by APPLICANT. Unsatisfactory repairs, at the sole discretion of DIVISION, may be corrected by DIVISION or its authorized agent and the cost thereof paid by APPLICANT.
14. DIVISION shall not be liable for any damage or costs incurred by APPLICANT arising from or related to DIVISION's construction or maintenance of DIVISION's facilities.
15. Utility installation(s) shall be in accordance with the current manual, "[Accommodation of Utilities on Highway Right of Way](https://transportation.wv.gov/highways/right-of-way/Pages/Utility-Publications.aspx)" (<https://transportation.wv.gov/highways/right-of-way/Pages/Utility-Publications.aspx>).
16. Driveway construction shall be in accordance with the current manual, "[Rules and Regulations for Constructing Driveways on State Highway Rights-of-Way](https://transportation.wv.gov/highways/traffic/Pages/default.aspx)" (<https://transportation.wv.gov/highways/traffic/Pages/default.aspx>).
17. DIVISION reserves the right to cancel this permit at any time.
18. This permit is issued only insofar as DIVISION has a right to do so. APPLICANT has sole responsibility to secure all necessary rights or permissions for any third-party property interests related to the entry, known or unknown. APPLICANT, by signing on page one, hereby warrants that, to the extent its entry onto DIVISION's right(s) of way involves or affects any other entity's property, real or personal, on or within DIVISION's right(s) of way, that APPLICANT has full legal authorization or the legal right to do so. To the fullest extent permitted by law, APPLICANT agrees to defend, indemnify, and hold harmless DIVISION for damage to any persons or property arising from APPLICANT's breach of this representation and warranty.
19. All attachments are incorporated into this permit. To the extent of any conflict, the terms of this permit shall control.
20. APPLICANT agrees to keep any surface facilities installed pursuant to this permit clear of vegetation for so long as APPLICANT's facilities are located on DIVISION's rights of way. APPLICANT agrees to remove promptly any vegetation in, on, or around such facilities that poses a risk or hazard to the safety of the travelling public.
21. Applicant agrees that this submission is an application, and any final permit issued may include changes required by DIVISION.

West Virginia Department of Transportation
Division of Highways
Right of Way Entry Permit Application

PERMIT NO. 05-2025-5056

By signing below, APPLICANT agrees to all terms and conditions (see page 2) associated with this permit to enter upon, under, over, or across the state road right(s) of way of the State of West Virginia.

Applicant: Pine Run Ranch L.L.C.

Address: 273 Equestrian Circle City: Shenandoah Junction State: West Virginia Zip: 25442

Phone Number: 304-582-9525 Email: pinerunranchllc@gmail.com

Route Type: WV Route Number: RT. 9 Milepost: _____ County: 19 - Jefferson

Latitude/ Longitude at/along Roadway (in decimal degrees): 39.39337 /-77.91468

Description of Work: ***This is for a subdivision in Jefferson County. This 7-acre lot will be used for storage units. a WVDOH permit number is needed for the subdivision of the property and Jefferson County Planning and zoning approval of the subdivision.***

Length of Installation: _____ Estimated Construction Duration: 45 working days

DOH Project Number/Name (if applicable): _____

Customer Reference Number (if applicable): _____

Inspection Fees (must check one):

- | | |
|--|--|
| <input type="checkbox"/> Water Installations (\$0 per foot) | <input type="checkbox"/> Small Cell Installations (flat fee - \$0) |
| <input type="checkbox"/> Sewer Installations (\$0 per foot) | <input checked="" type="checkbox"/> Standard Permit Expenses Fee (\$0) |
| <input type="checkbox"/> Aerial Installation (\$0 per day) | <input type="checkbox"/> Misc Fee (\$0) |
| <input type="checkbox"/> Subsurface Installation (\$0 per day) | |

Applicant: Electronically Signed on _____ Applicant Title: ALPHA ASSOCIATES
PRINCIPLE/PE
1/7/2025

Applicant Printed Name: CHUCK BRANCH Date: 1/7/2025

DEPOSIT/BOND REQUIRED: NO

BOND ON FILE: NO

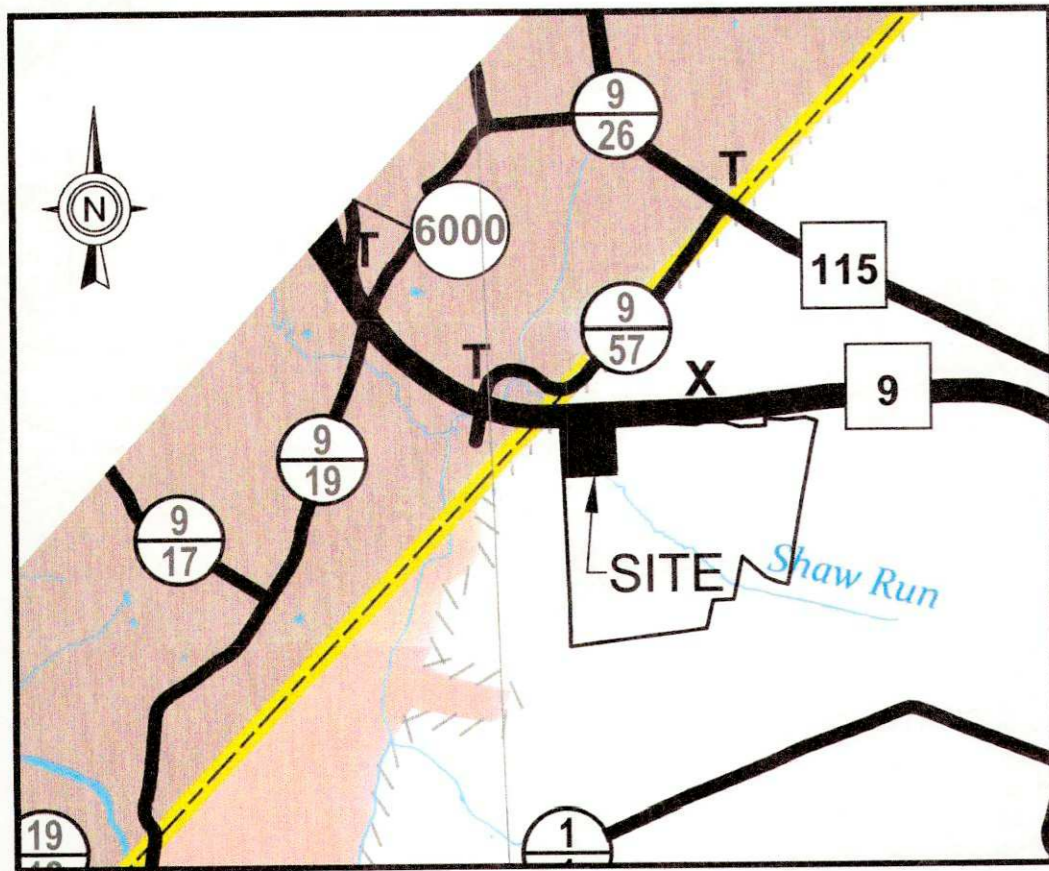
DATE:

BOND NUMBER:

DEPOSIT/BOND AMOUNT:

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3. APPLICANT shall deposit with DIVISION an official, certified or cashier's check, or executed bond with surety satisfactory to DIVISION to cover any damage and inspection costs DIVISION may sustain by reason of the issuing of this permit, including any expense incurred in restoring said right(s) of way to original condition or the proper repair of any and all damages arising from, related to, or otherwise connected to said entry.
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VICINITY MAP SCALE: 1" = 2000'

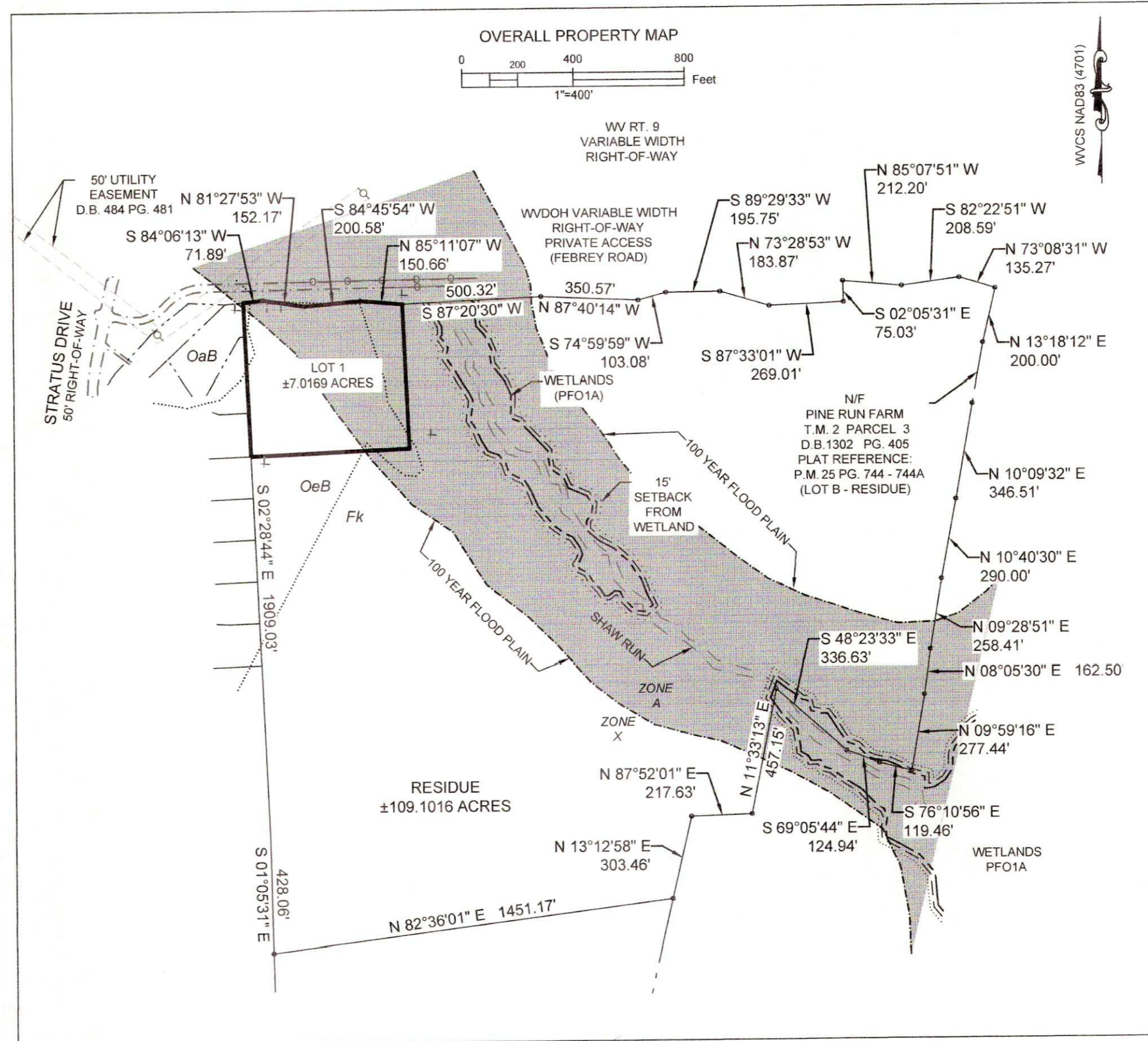
- NOTES:
- THE INTENT OF THIS SUBDIVISION IS TO CREATE A 7.0169 ACRE LOT FOR COMMERCIAL USE. THE ENTIRE RESIDUE ±109.1016 ACRES HAS NOT BEEN SURVEYED WITH THIS PLAT.
 - THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHT-OF-WAYS, EASEMENTS, RESTRICTIONS OR EXEMPTIONS NOT SHOWN HEREON.
 - THIS PARCEL IS LOCATED ON FEMA MAP # 54037C0136E, EFFECTIVE DATE 12/18/2009. THE AREA DESIGNATED IN ZONE "X", IS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN. ZONE "A", IS DETERMINED TO BE WITHIN THE 100-YEAR FLOOD ZONE.
 - THIS PROPERTY IS LOCATED AT 500 FEBREY ROAD, KEARNEYSVILLE, WV, 25430
 - WEST VIRGINIA DOH PERMIT NO. 0X-X0X0-0X0X.
 - THE PARENT PROPERTY IS ZONED: RURAL
 - THE SETBACKS ARE AS FOLLOWS: FRONT: 45' SIDE: 15' REAR: 50'
 - MAX BUILDING HEIGHT = 45'
 - THE MINIMUM LOT SIZE FOR A WELL & SEPTIC SYSTEM IS 20,000 SF.
 - PUBLIC WATER ARE AVAILABLE FOR THESE PROPERTIES AND WILL BE PROVIDED BY BERKELEY COUNTY PUBLIC SERVICE WATER DISTRICT & BERKELEY COUNTRY PUBLIC SERVICE SEWER DISTRICT.
 - THE SOILS SURVEY OF JEFFERSON COUNTY, WEST VIRGINIA INDICATES A SEASONAL HIGH WATER TABLE ON A PORTION OF THE PARCELS HEREON (SOILS: OaB, OeB, Fk) AND THEREFORE BASEMENT CONSTRUCTION IS NOT RECOMMENDED IN THOSE AREAS.
- SOILS:
 OaB - OAKLET SILT LOAM, 3 TO 8 PERCENT SLOPES. DEPTH TO WATER TABLE MORE THAN 80".
 OeB - OAKLET SILT LOAM, 3 TO 8 PERCENT SLOPES, VERY ROCKY. DEPTH TO WATER TABLE MORE THAN 80".
 Fk - FUNKSTOWN SILT LOAM, 0 TO 3 PERCENT SLOPES, DEPTH TO WATER TABLE MORE THAN 80".
- A BLANKET EASEMENT IS GRANTED TO THE APPROPRIATE PUBLIC UTILITIES IN ALL ROAD RIGHT-OF-WAY FOR CONSTRUCTION AND MAINTENANCE OF WATER AND SEWER LINES.
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 - FOR DRIVEWAYS THAT REQUIRE A CULVERT FOR DITCH DRAINAGE, THE MINIMUM CULVERT SIZE SHALL BE 15" IN DIAMETER.
 - WETLANDS EXIST ON THE RESIDUE PARCEL AND ARE SHOWN HEREON PER THE NATIONAL WETLAND INVENTORY BY GRAPHIC PLOTTING ONLY. THERE IS A 30' BUFFER AROUND THESE WETLANDS. THERE SHALL BE NO DISTURBANCE OF WETLANDS OR BUFFER AREAS WITHOUT APPROVAL FROM USACOE AND WVDEP.
 - FEBREY ROAD IS A PART OF THE W/DOH RT. 9 PROVIDES INGRESS/ EGRESS TO 500 FEBREY ROAD AND HAS A VARIABLE WIDTH RIGHT OF WAY.

AREA TABLE	
EXISTING PARCEL	± 116.1185 ACRES
LOT 1	± 7.0169 ACRES
RESIDUE	± 109.1016 ACRES

ALPHA ASSOCIATES, INC.
 535 W. KING STREET
 MARTINSBURG, WV 25401
 PHONE: 304-264-0051
 www.thinkALPHAfirst.com

JEFFERSON COUNTY - COMPLETE LIST OF WAIVERS/VARIANCES (TABLE 1.2-2)

ORDINANCE	SECTION OF ORDINANCE	DESCRIPTION OF WAIVER OR VARIANCE	DATE GRANTED
NONE REQUESTED		NONE	



JEFFERSON COUNTY, WEST VIRGINIA

OFFICE OF PLANNING & ZONING

DATE: _____

ACCEPTANCE STATEMENT:

THE OWNER, IN SIGNING THIS PLAT, AGREES TO ABIDE BY ALL CONDITIONS, TERMS AND SPECIFICATIONS PROVIDED HEREON.

DATE: _____

ELLIOT KLETTER

I, RICHARD A COLEBANK, A WEST VIRGINIA LICENSED PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS SEALED PLAT IS ACCURATE, COMPLETE AND REASONABLY MEETS OR EXCEEDS MINIMUM ACCEPTABLE SURVEYING STANDARDS AND THOSE STATE AND/OR COUNTY CODE PROVISIONS APPLICABLE ON THIS DATE. THE RELATIVE POSITIONAL ACCURACY OF THE SURVEY, BASED UPON GPS MEASUREMENTS, IS WITHIN ACCEPTED LIMITS. THIS SUBDIVISION COMPLIES WITH THE JEFFERSON COUNTY SUBDIVISION REGULATIONS, SECTION 1.4(7) FOR PERIMETER BOUNDARY CLOSURE OF 1:7500 OR BETTER.

Richard A. Colebank 12.31.24
 RICHARD A COLEBANK, P.S. #1076 DATE: _____



PLAT OF MINOR SUBDIVISION
 FOR
 PINE RUN RANCH, L.L.C.

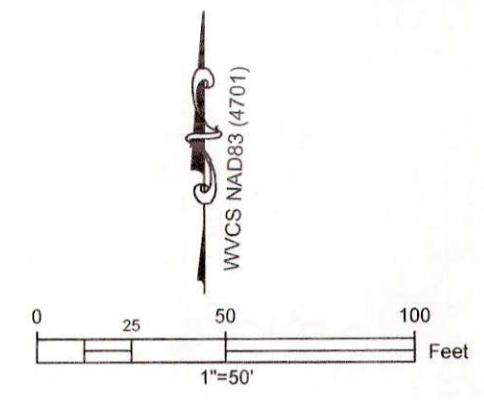
MIDDLEWAY DISTRICT
 T.M. 2 PAR. 3 D.B. 1302 PG. 405
 JEFFERSON COUNTY, WEST VIRGINIA

OWNER/DEVELOPER: PINE RUN RANCH, LLC.	PROJ. NO.: 2408079.00 DATE: 12/09/2024
ADDRESS: 273 EQUESTRIAN CIRCLE SHENANDOAH JUNCTION, WV 25442	
PHONE:	
ATTN: ELLIOT KLETTER	SHEET NO.: 1 OF 2

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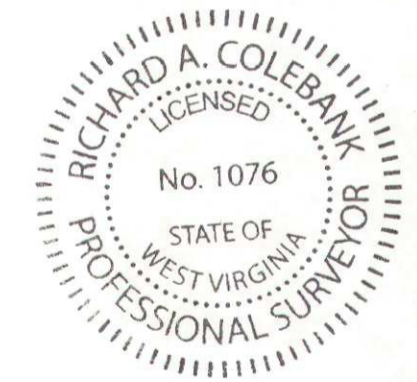


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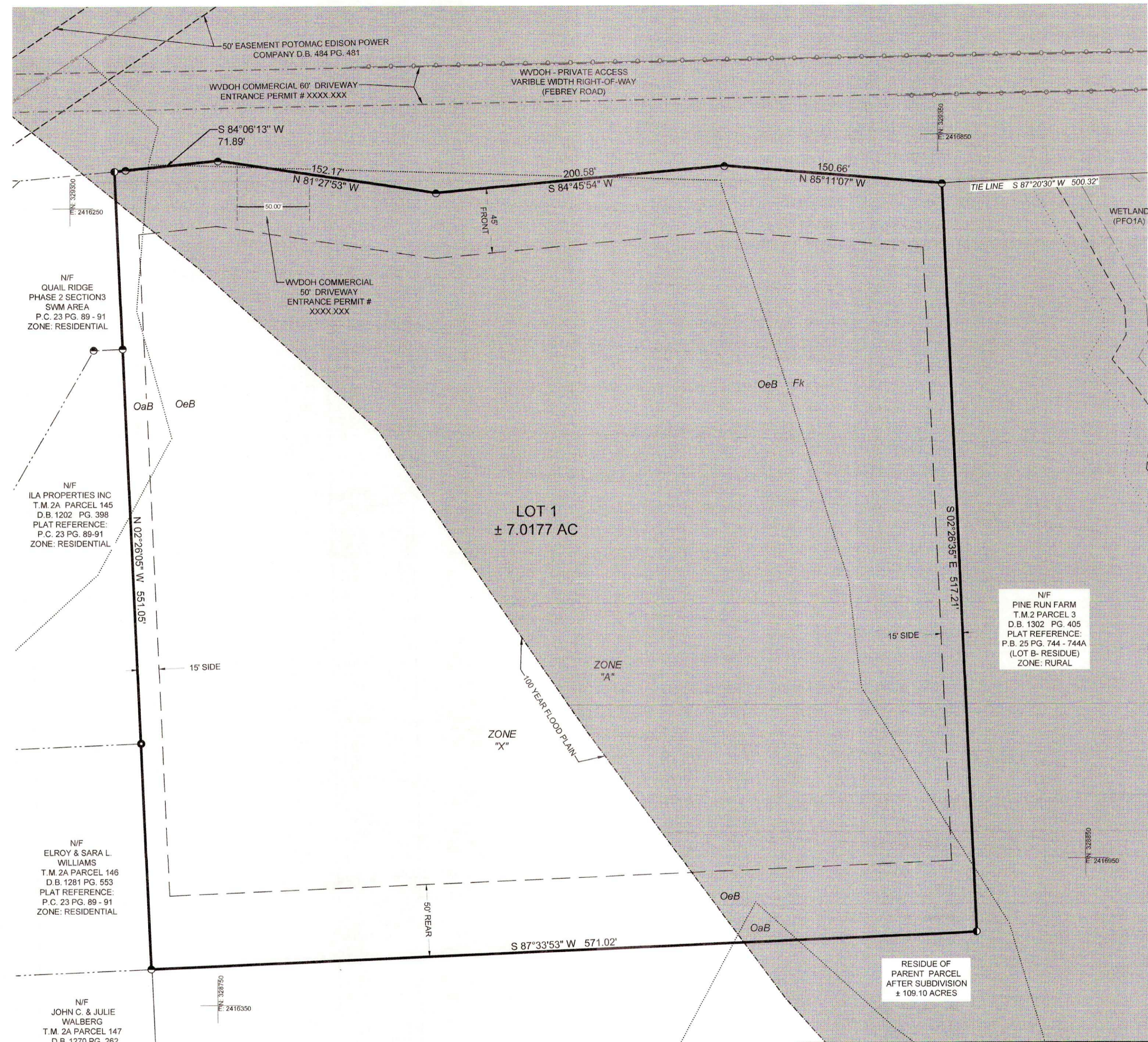


LEGEND

- T.M. TAX MAP NUMBER
- PAR. PARCEL NUMBER
- D.B. DEED BOOK
- PG. PAGE NUMBER
- N/F NOW OR FORMERLY
- 5/8" REBAR WITH CAP FOUND
- 5/8"x30" REBAR WITH ORANGE CAP SET
- MAG NAIL FOUND/SET
- ⊕ REBAR FOUND
- ⊙ SANITARY MANHOLE
- BUILDING SETBACKS
- PROPERTY LINE
- ADJOINER LINE
- EDGE OF GRAVEL
- GUARD RAIL
- OHE— OVER HEAD ELECTRIC
- 100 YEAR FLOOD LINE
- SOIL DELINEATION LINES
- STREAM LINE
- WETLANDS SETBACKS
- POWER LINE EASEMENT



Richard A. Colebank 12-31-24
RICHARD A. COLEBANK, P.S. 1076 DATE:



**PLAT OF MINOR SUBDIVISION
FOR
PINE RUN RANCH, L.L.C.**

MIDDLEWAY DISTRICT
T.M. 2 PAR. 3 D.B. 1302 PG. 405
JEFFERSON COUNTY, WEST VIRGINIA

OWNER/DEVELOPER:
PINE RUN RANCH, LLC.
ADDRESS:
273 EQUESTRIAN CIRCLE
SHENANDOAH JUNCTION,
WV 25442
PHONE:
ATTN:
ELLIOT KLETTER

PROJ. NO.: 2408079.00
DATE: 12/09/2024

SHEET NO.:
2 OF 2

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Federal Emergency Management Agency

Washington, D.C. 20472

January 16, 2026

MR. ELLIOTT KLETTER
273 EQUESTRIAN CIRCLE
SHENANDOAH JUNCTION, WV 25442

CASE NO.: 26-03-0005A
COMMUNITY: JEFFERSON COUNTY, WEST
VIRGINIA
(UNINCORPORATED AREAS)
COMMUNITY NO.: 540065

DEAR MR. KLETTER:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.

Sincerely,

David N. Bascom, Acting Director
Engineering and Modeling Division
Risk Analysis, Planning and Information Directorate

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	JEFFERSON COUNTY, WEST VIRGINIA (Unincorporated Areas)	A portion of Lot B-Residue, as shown on the Plat recorded as Instrument No. 201900007842, in Book 25, Page 744, in the Office of the County Clerk, Jefferson County, West Virginia The portion of property is more particularly described by the following metes and bounds:
	COMMUNITY NO.: 540065	
AFFECTED MAP PANEL	NUMBER: 54037C0020E	
	DATE: 12/18/2009	
FLOODING SOURCE: SHAW RUN		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 39.392581, -77.914445 SOURCE OF LAT & LONG: LOMA LOGIC DATUM: NAD 83

DETERMINATION

LOT	BLOCK/SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
--	--	--	500 Febrey Road	Portion of Property	X (unshaded)	--	--	448.1 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION	STATE LOCAL CONSIDERATIONS
PORTIONS REMAIN IN THE SFHA ZONE A	

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMA Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.

David N. Bascom
David N. Bascom, Acting Director
Engineering and Modeling Division
Risk Analysis, Planning and Information Directorate



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP AMENDMENT
DETERMINATION DOCUMENT (REMOVAL)**
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

Beginning at a capped rebar found on the right of way of Febrey Road, a WVDH private access road, marking the northeast corner of proposed Lot 1, thence; leaving said right of way, S 02° 26' 35" E, 517.21' to a capped rebar to be set, thence; S 87° 33' 53" W, 571.02' to a rebar found and corner to Walburg (Lot 147) and Rexroat (Lot 146), thence; N 02° 26' 05" W, 551.05' (total) to a capped rebar to be set this survey and passing through a mag nail in a stump at 155.85' and a capped rebar found at 428.20', thence; with the right of way of Febrey Road, S° 84 06' 13" W, 71.89' (total) to a capped rebar found and passing through a capped rebar (WVDH) at 9.55', thence; continuing with said right of way, N 81° 27' 53" W, 152.17' to a capped rebar found, thence; S 84° 45 54 W, 200.58' to a capped rebar found, thence; N 85° 11' 07" W, 150.66' to the place of beginning

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

ZONE A (This Additional Consideration applies to the preceding 1 Property.)

The National Flood Insurance Program map affecting this property depicts a Special Flood Hazard Area that was determined using the best flood hazard data available to FEMA, but without performing a detailed engineering analysis. The flood elevation used to make this determination is based on approximate methods and has not been formalized through the standard process for establishing base flood elevations published in the Flood Insurance Study. This flood elevation is subject to change.

STATE AND LOCAL CONSIDERATIONS (This Additional Consideration applies to all properties in the LOMA DETERMINATION DOCUMENT (REMOVAL))

Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMA Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.

David N. Bascom

David N. Bascom, Acting Director
Engineering and Modeling Division
Risk Analysis, Planning and Information Directorate



Federal Emergency Management Agency

Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

When making determinations on requests for Letters of Map Amendment (LOMAs), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that removal of a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property is not subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This does not mean the property is not subject to other flood hazards. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the effective National Flood Insurance Program (NFIP) map.

The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision, that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

The LOMA provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMA is not a building permit, nor should it be construed as such. Any development, new construction, or substantial improvement of a property impacted by a LOMA must comply with all applicable State and local criteria and other Federal criteria.

Even though structures are not located in an SFHA, as mentioned above, they could be flooded by a *flooding event with a greater magnitude than the base flood.* In fact, more than 25 percent of all claims paid by the NFIP are for policies for structures located outside the SFHA in Zones B, C, X (shaded), or X (unshaded). More than one-fourth of all policies purchased under the NFIP protect structures located in these zones. The risk to structures located outside SFHAs is just not as great as the risk to structures located in SFHAs. Finally, approximately 90 percent of all federally declared disasters are caused by flooding, and homeowners insurance does not provide financial protection from this flooding. Therefore, FEMA encourages the widest possible coverage under the NFIP.

LOMAs are based on minimum criteria established by the NFIP. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If a State, county, or community has adopted more restrictive and comprehensive floodplain management criteria, these criteria take precedence over the minimum Federal criteria.

In accordance with regulations adopted by the community when it made application to join the NFIP, letters issued to amend an NFIP map must be attached to the community's official record copy of the map. That map is available for public inspection at the community's official map repository. Therefore, FEMA sends copies of all such letters to the affected community's official map repository.

When a restudy is undertaken, or when a sufficient number of revisions or amendments occur on particular map panels, FEMA initiates the printing and distribution process for the affected panels. FEMA notifies community officials in writing when affected map panels are being physically revised and distributed. In such cases, FEMA attempts to reflect the results of the LOMA on the new map panel. If the results of particular LOMAs cannot be reflected on the new map panel because of scale limitations, FEMA notifies the community in writing and revalidates the LOMAs in that letter. LOMAs revalidated in this way usually will become effective 1 day after the effective date of the revised map.



Zone A

ELEV

JEFFERSON

Shore Run

Proposed Storage Unit Traffic Study Estimate

Average Vehicle Accesses

BLUF:

The average number of vehicles accessing a self-storage facility can vary widely, but studies suggest about 6.5 to 7 vehicles per day for every 100 rented units. For a facility with 150 units, this could mean approximately 10 to 11 vehicles daily, depending on factors like location and type of storage offered.

Average Traffic at Self-Storage Facilities

Daily Vehicle Access

The number of vehicles accessing self-storage facilities can vary significantly based on several factors, including the size of the facility and the type of clientele. Here are some general estimates:

- **Small Facilities (150 units):** Approximately 3 to 6 vehicles per day. 5-10%
- **Medium Facilities (400 units):** Around 6 to 12 vehicles per day. 1.5- 3%
- **Larger Facilities (over 500 units):** Can see 48 vehicles or more daily, especially during peak times. 10%

Factors Influencing Traffic

1. **Type of Storage:** Facilities offering climate-controlled units may attract more traffic due to higher demand.
2. **Location:** Urban facilities often experience more traffic than rural ones due to higher population density.
3. **Seasonality:** Traffic tends to increase during weekends and peak moving seasons, such as summer.

Traffic Generation Studies

Traffic studies indicate an average of about 6.5 to 6.82 vehicles per 100 rented units per day. This figure can serve as a benchmark for estimating traffic at various facilities. ***Initial phase would be anywhere from 100-200 units varying in size from 5x5, 10x10, 10x15. This estimate assumes based off of online research that 6.5-13 cars would be accessing the storage facility daily during normal business hours. This does not estimate the beginning or end of the month, see “**Busiest Times**” section at the bottom of the document.

Conclusion

Overall, traffic at self-storage facilities is generally spread throughout the day, with peaks during weekends and busy moving seasons.

References: <https://www.selfstoragetalk.com/forum/general-self-storage-forums/general-storage-chat/8381-how-many-vehicles-in-and-out>

Vehicle Traffic Influences

BLUF:

The main factors influencing vehicle traffic at self-storage facilities include location, with high-traffic areas attracting more customers, and the surrounding population density. Additionally, the time of day and days of the week can affect traffic patterns, as weekends typically see more renters accessing their units.

Key Factors Influencing Vehicle Traffic at Self-Storage Facilities

Location

- **Traffic Volume:** Facilities located on main roads with high traffic counts (10,000 to 20,000 vehicles per day) attract more customers.
- **Accessibility:** Easy access from major roads increases visibility and convenience for potential renters.

Time of Day

- **Peak Hours:** Traffic tends to increase on weekends, particularly Saturdays and Sundays, when more renters access their units.
- **Spread of Traffic:** Generally, traffic is spread throughout the day, reducing congestion at any given time.

Surrounding Population

- **Demographics:** The size and characteristics of the nearby population can impact demand for storage units.
- **Competition:** The presence of other self-storage facilities nearby can influence traffic patterns, as customers may choose based on proximity and availability.

Marketing and Online Presence

- **Digital Marketing:** A strong online presence can drive traffic, with a significant portion of customers finding facilities through internet searches.
- **Local Engagement:** Participation in community events and local business networks can enhance visibility and attract more customers.

Facility Features

- **Safety Measures:** Implementing safety features, such as bollards and clear signage, can improve customer confidence and encourage more visits.
- **Operational Hours:** Extended access hours can accommodate more customers, leading to increased vehicle traffic.

References: <https://www.selfstorage.org/Blog/ArticleID/320/Help-the-SSA-to-Help-You-with-its-New-Traffic-Study>

<https://www.storable.com/resources/effective-strategies-to-drive-demand-for-self-storage-facilities/>

<https://www.storageauthorityfranchise.com/post/i-m-looking-for-a-self-storage-facility-site-how-important-is-the-traffic-count>

Busiest Times

***BLUF:** The busiest times at self-storage facilities are typically during the first five days and the last five days of the month, as many customers tend to move in or out during these periods. Additionally, weekends can also see increased traffic as renters access their units.*

Peak Traffic Times at Self-Storage Facilities

General Traffic Patterns

Self-storage facilities typically experience varying traffic throughout the day. The busiest times are influenced by customer behavior and local patterns.

Highest Traffic Times

Time of Day	Description
10:00 AM - 12:00 PM	Late morning sees increased activity as customers visit to access or rent units.
5:00 PM - 7:00 PM	Evening rush hour often brings a spike in traffic as people stop by after work.
Saturday	Generally, Saturdays see higher traffic due to weekend access for renters.
Sunday Evening	Sunday evenings can be busy as customers return from weekend trips.

Contributing Factors

- **Weekends:** More renters tend to visit on weekends, especially on Saturdays.
- **After Work Hours:** Many customers prefer to visit after their workday, leading to increased traffic in the early evening.

References: <https://www.selfstorage.org/Blog/ArticleID/320/Help-the-SSA-to-Help-You-with-its-New-Traffic-Study>

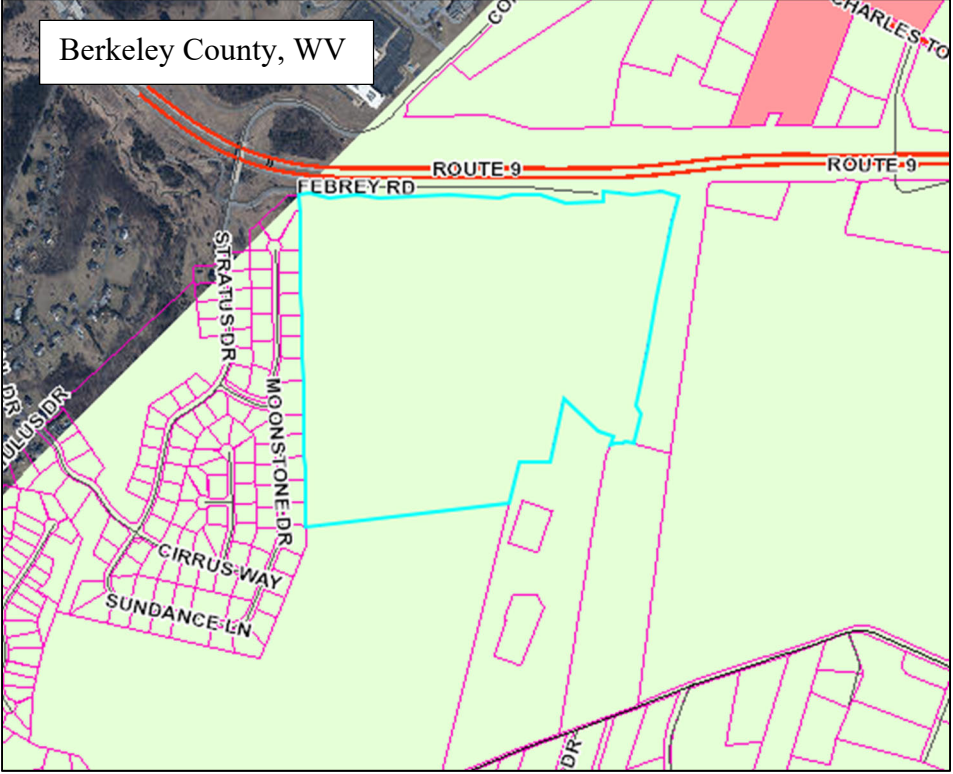
<https://www.radiusplus.com/post/traffic-counts-are-key/>



Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 April 9, 2026
 (Postponed from March 26, 2026)

26-6-ZV Kletter - Cedar Hill Storage Variance (Landscaping & Buffers)

Item #1 Variance from Section 4.11 and Appendix B to allow a modified landscape buffer that includes existing vegetation in lieu of the required landscape buffer along the western property line; and, to allow a 10' wide unscreened buffer in lieu of the 75' distance requirement and the planted landscape buffer along the proposed eastern and southern property line.

Owner:	Pine Run Ranch, LLC
Applicant:	Elliott Kletter, Cedar Hill Storage, LLC
Parcel Information and Zoning District:	<p style="text-align: center;">Febrey Minor Subdivision, Lot B, 500 Febrey Rd., Kearneysville, WV Parcel ID: 07000200030000; Lot Size: ~116 acres; Zoning District: Rural Project Size: 8 acres; Parcel Size: 116.02 ac</p> 
Approvals:	<p>06/05/2018: Rita Febrey Minor Subdivision (recorded in PB 25 PG 744) 09/22/2022: BZA approved Mission Critical Defense Solutions Conditional Use Permit, a federal firearms business, located within an existing barn.</p>
Pending:	<p>03/26/2026: Request for a Conditional Use Permit to establish a self-storage business that includes U-Haul, camper, boat rentals on 8 acres of a 116.02 acres parcel. The land use will include the construction of an office, multiple self-storage units, and a parking area for the storage of recreational vehicles, campers, and boats. The applicant anticipates operation 7-days a week. The site will also include an outdoor wash and dumping area and security fencing and cameras. The proposed land use designation as listed in Appendix C is <i>Storage, Commercial and Mobile Home, Boat, and Trailer Sales</i>. Signage shall conform with Article 10 of the Zoning Ordinance.</p>
Site Visit Conducted:	No.

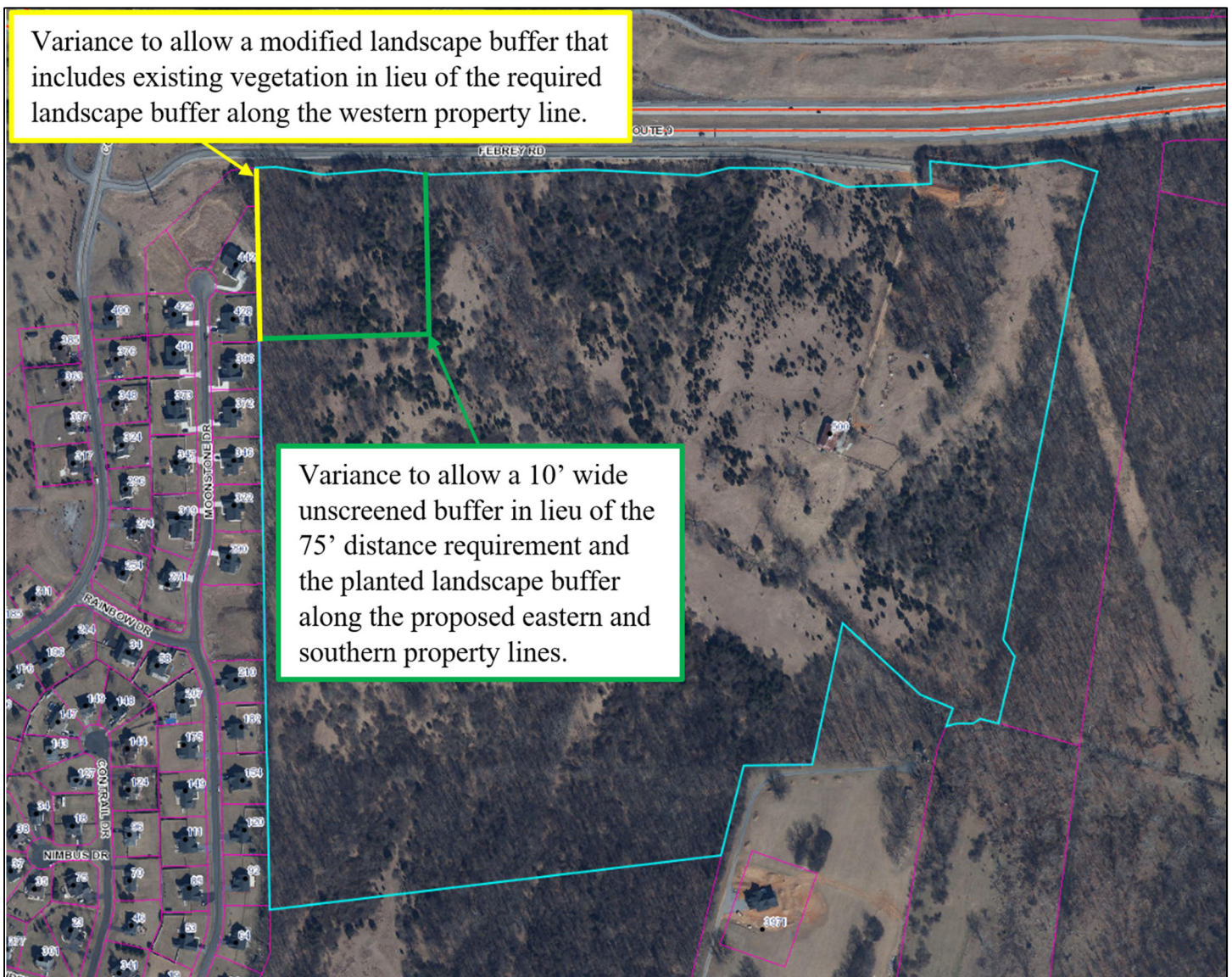
Staff Report
Jefferson County Board of Zoning Appeals Meeting
April 9, 2026
(Postponed from March 26, 2026)

26-6-ZV Kletter - Cedar Hill Storage Variance (Landscaping & Buffers)

Staff Overview

The subject parcel, containing 116 acres, is located in the Rural Zoning District and is designated on the Future Land Use Map as Rural / Agriculture. The applicant intends to subdivide a 7-acre parcel in the NW corner of the current 116 acres for the purpose of establishing a commercial self-storage business consisting of enclosed units and an outdoor area for RV's, boats, and trailers. The use will also involve the rental of U-Hauls, boats, and RVs. The variance request is two-fold and applicable only to the proposed 7-acre parcel in the NW corner of the larger 116 acres:

1. The Western property line - To utilize existing vegetation within the required 75' site distance buffer in lieu of the requirements set forth in section 4.11 of the Zoning Ordinance. The applicant states in the application that additional vegetation will be planted where needed in order to meet the intent of the ordinance.
2. The Southern and Eastern property lines – Reduce the 75' site distance requirement to 10' as the neighboring properties will belong to the same owner once subdivided.



Staff Report
Jefferson County Board of Zoning Appeals Meeting
April 9, 2026
(Postponed from March 26, 2026)

26-6-ZV Kletter - Cedar Hill Storage Variance (Landscaping & Buffers)

Pursuant to [WV Code Chapter §8A-7-11](#) and Article 2 of the [Jefferson County Zoning Ordinance](#), a variance is defined as “...a deviation from the minimum standards of the zoning ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district nor shall it involve changing the zoning classifications of a parcel of land.”

Pursuant to [WV Code Chapter §8A-7-11](#) and Article 6, Section 6.2 of the [Zoning Ordinance](#), the Board shall consider the following criteria and shall grant a variance if it finds that the variance:

1. Will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
2. Arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance;
3. Would eliminate an unnecessary hardship and permit a reasonable use of the land; and
4. Will allow the intent of the Zoning and Land Development Ordinance to be observed and substantial justice done.

Conditions of Approval

Should the Board choose to approve this request, possible conditions of approval include:

1. No conditions of approval were identified.

Section of Ordinance to be Considered

Section 4.11 - (See Attached)

Appendix B – Non Residential Site Development Standards Table (See Attached)

2. Uses permitted within the Protection Radius include Residential Uses as listed in Appendix C, barns, and residential accessory structures as defined by this Ordinance. Existing structures (which existed prior to the adoption of this text amendment) within the protection radius may be converted to a non-residential use in accordance with Appendices B & C and shall comply with applicable district regulations as required by Article 5.

Section 4.7 Essential Utility Equipment

Essential utility equipment, as defined in Section 2.2, shall be permitted in any district, as authorized and regulated by law and ordinances of Jefferson County, it being the intention hereof to exempt such essential utility equipment from the application of this Ordinance. Wireless telecommunication towers, however, shall conform to the requirements of Article 4B.^{7, 22}

Section 4.8 Buildable Lot

Any lot which was a buildable lot under the terms or regulations in effect at the time of the adoption of this ordinance and which was established or recorded at that time shall be deemed a buildable lot for the erection of a single-family dwelling, subject to the provisions of the appropriate district regulations of this Ordinance.

Section 4.9 Traffic Visibility Across Corner Lots

On any corner in all districts, there shall be no obstruction to traffic visibility within 35 feet of the intersection of the two street property lines of the corner lot. Site plan and subdivision applications must comply with the Intersection Design requirements of the Subdivision and Land Development Regulations.²³

Section 4.10 Site Plan Requirements³⁹

- A. Submittal and approval of a site plan is required for all commercial, townhouse and multi-family residential, industrial, and institutional development in any district and for all major additions or expansions of existing uses as defined in Article 2, in accordance with the requirements of the Subdivision and Land Development Regulations and this Ordinance.^{23, 26}
- B. Site plan submittal is not required for single-family or two-family dwelling units unless planned as part of a multi-unit or mixed use development plan.
- C. Site Plan submittal is not required for any Agricultural Use defined in Article 2. Agricultural Uses which are open to the public (Agricultural Special Event Facility, Farm Market, etc.) established on parcels of less than 20 acres shall process a Concept Plan in accordance with the Subdivision and Land Development Regulations.
- D. The site plan format and informational requirements that must be followed are referenced in the Jefferson County Subdivision and Land Development Regulations, and this Ordinance.²³
- E. The Planning Commission has the authority to waive any site plan standards in accordance with the Subdivision and Land Development Regulations.^{10, 17, 21, 23}

Section 4.11 Landscaping, Screening and Buffer Yard Requirements

Buffer yard requirements are as shown in Appendix A and B of this Ordinance, and are summarized in this section.²⁷

- A. Commercial Development²⁷
 1. All commercial development adjacent to any Residential district, or any lot with a residence, school, church, or institution of human care shall have a 50 foot or greater unscreened green space buffer or a 15 foot screened green space buffer along common property lines. The screening may be either vegetative or opaque fencing and may be placed anywhere within the buffer. No structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers.

2. All commercial development adjacent to all other uses must maintain ten foot side and rear yard landscape buffers.⁵

B. Industrial Development²⁷

1. All industrial development adjacent to any Residential district, or a residence, school, church, or institution for human care shall have an unscreened buffer yard of no less than 200 feet. No structures, stored materials, or vehicular parking shall be permitted within the buffer yard.
2. All industrial development adjacent to any use other than an industrial use shall have screened front yard buffers of no less than one-half ($\frac{1}{2}$) the front yard building setback, which may be included within the 200-foot buffer required in this subsection.^{5, 7}
3. All industrial development adjacent to any use shall have 20 foot screened side and rear landscape buffers.

C. Multi-family Development²⁷

1. All multi-family adjacent to any Residential district, or any lot with a residence, school, church, or institution of human care shall have, along common property lines, screened green space buffers as follows:
 - a. Front and rear: a minimum of 15 feet
 - b. Side: a minimum of 12 feet

- D. In all buffer yards, the exterior width beyond the vegetative screen shall be planted with grass, seed, sod, or ground cover.

- E. All buffer yards shall include a fence or a dense screen planting of trees, shrubs, or other plant materials or both, to the full length of the lot line to serve as a barrier to visibility, air borne particles, glare or noise. Such screen planting shall meet the following requirements.

1. Vegetative screening shall comply with Standard Details M52, M53 or M54, or other applicable Standard Details, depending on the buffer width. At the time of the planting the vegetation shall be at least six (6) feet in height.^{7, 23, 27, 28}

However, any development where a 10 foot side and/or rear yard vegetative landscaping buffer is required adjacent to proposed commercial uses and where no outdoor storage is being proposed or provided, the following standards shall be met:^{27, 28}

- a. One (1) deciduous or evergreen tree with a height of six (6) feet or more when planted, likely to reach a height of 20 feet or more at maturity, planted every 50 linear feet; at least every other tree shall be an evergreen;
- b. One (1) ornamental tree with a height of four (4) feet or more when planted, likely to reach a height of six (6) feet or more at maturity, planted every 50 linear feet; and
- c. Three (3) shrubs per each 25 feet along the property line, round upward.
- d. These requirements shall be required on both sides of a property line for adjoining properties.
- e. A 10 foot landscape area on the property unless shared parking is proposed. In the event shared parking is proposed, the required property line planting would be in addition to other plantings.^{7, 23, 26}

2. It will be the responsibility of the landowner to replace any trees that die and shall be so noted on the site plan.

3. Screen planting shall be a minimum of ten (10) feet wide but shall be placed so that it is no closer than four (4) feet at maturity from a property line or from any street.
4. No structure, fence, planting, or other obstruction shall be permitted which would interfere with traffic visibility.

- F. In any Commercial, Industrial, Institutional, or Residential development, all dumpsters shall be screened from any residences or from view of a public highway.²³
- G. All buffer yards shall be maintained by the property owner.
- H. All development adjacent to a Sensitive Natural Area shall have a buffer of natural vegetation. Environmental standards contained in Section 8.9A, 1 through 7, will apply. The buffer shall meet the current Federal standard except as required in Table 4.11 -1 below:²³

Table 4.11 -1 Wetland Size in Acres^{5, 8, 23}

Greater Than	Less Than	Buffer Width in Feet
0.05	0.10	30
0.10	0.16	35
0.15	0.21	40
0.20	0.26	50
0.25	0.31	55
0.30	0.36	60
0.35	0.41	65
0.40	0.46	70
0.45	0.51	75
0.50	0.66	80
0.65	0.81	85
0.80	0.96	90
0.95	1.21	95
1.20	--	100

- I. All required landscape plans shall contain the following elements:⁷
1. Deciduous street trees for shade and aesthetics, planted at the following average spacing:²³
 - a. Site with street frontage of up to 200 feet: 1 tree per 50 feet.
 - b. Site with street frontage exceeding 200 feet: The greater of 4 trees or 1 tree per 100 feet.
 2. Evergreen buffer planting, as required, for full screening.
 3. Parking lot and internal drive plantings (mix of evergreen and deciduous) for partial screening and limited shade.
 4. Structure plants for aesthetics and limited shade.
 5. Schedule of plants including common name, scientific name, minimum size (height, caliper, etc.) quantity and specific limitation notes.
- J. Required landscape buffers for a non-residential use are indicated in Appendix B.²⁷

Section 4.12 Design Standards for Multi-Family Developments²³

- A. Common open space shall be oriented to the interior of the development and shall consist of land suitable for passive and active recreational use. No more than 50 percent of land dedicated to recreational use shall be within the 100 year Floodplain.

APPENDIX B: NON RESIDENTIAL SITE DEVELOPMENT STANDARDS TABLE^{27, 32, 35}

Zoning District	Development Type [⊖]	Min Lot Area (MLA)	Min Lot Width	Max Building Height*	Imper-vious Surface Limit	Building Setbacks		Parking/ Drive Aisle Setbacks			Buffers (Sec. 4.11) (Screened / Unscreened) Adjacent Use							
						Front	Side	Rear	Front	Side	Rear	A Residential district, or any lot with a residence, school, church, or institution of human care (Distance per Sec. 4.6)		Commercial Use		Industrial Use		
												Distance Front Side Rear	Front	Side & Rear	Front	Side & Rear	Front	Side & Rear
Industrial – Commercial (IC)**	Commercial sites 1.5 acres and smaller	N/A	N/A	75	80%	25			15	4	4	75	Street Trees	Narrow Buffer Detail No. M-54	N/A	10(S)	N/A	10(S)
	Commercial sites greater than 1.5 acres	N/A	N/A	75	80%	25			15	10	10	75	Street Trees	Medium Buffer Detail No M-53	N/A	10(S)	N/A	10(S)
	Industrial	3 ac***	N/A	75	90%	50 or 25 if adjacent to Industrial Use			25 or 20 if adjacent to Industrial Use			200	Street Trees	Wide Buffer Detail No. M-52	25(S)	20(S)	N/A	20(S)
Residential-Light Industrial-Commercial (RLIC)	Commercial or Industrial	N/A	N/A	75	80%	See IC District												
Rural (R)	Churches	2 acres	200	45	N/A	25	50	50	See IC District for commercial sites			N/A	50(U) or 15 (S)		N/A	10(S)	N/A	10(S)
	Schools, Grades K-12	K-4: 10 ac+ 5-8: 20 ac+ 9-12: 30 ac+	500	45	N/A	100						N/A	N/A		N/A	N/A	N/A	N/A
	Hospitals	10 ac	500	45	N/A	100						N/A	N/A		N/A	N/A	N/A	N/A
	Other Rural principal permitted uses	40,000	100	45	N/A	40	50	50				N/A	See I-C District for commercial or industrial use; Otherwise, N/A					
	Commercial or Industrial**	See IC District																
Village (V)	Commercial [¥]	N/A	N/A	35	N/A	25	10	40	See IC District									
	Industrial**	See IC District			35	See IC District												
Residential Growth (RG)	Commercial or Industrial**	See IC District			35	See IC District												
Neighborhood Commercial (NC)	Commercial	N/A	N/A	35	70%	15 min 25 max	10 [£]	10 [⊖]	See I-C District		25	See IC District						
General Commercial (GC)	Commercial	N/A	N/A	75	80%	20	10	25	See IC District									
Highway Commercial (HC)	Commercial	N/A	N/A	75	80%	25	25	25										
Light Industrial (LI)	Commercial or Industrial	N/A	N/A	75	80%	25	25	25										
Major Industrial (MI)	Commercial	N/A	N/A	75	90%	25	10	50										
	Industrial	3 ac***	N/A	75	90%	25	50	50										
Office/Commercial Mixed Use (OC)	Commercial	N/A	N/A	75	80%	15 min 25 max	10 [£]	10 [⊖]	See IC District									
Planned Neighborhood Development (PND)	Commercial	3 acres	See GC District Note: Planning Commission may amend development standards for developments in the PND District (see Article 5).															

The requirements in this table are in addition to any other applicable requirements in the text of this Ordinance. In the event of a conflict with the text, this table shall prevail.

All dimensions are in feet unless otherwise indicated by “ac” (acres).

* Maximum building height is subject to Sec. 9.2.

** If land use(s) approved via the Conditional Use process in accordance with this Ordinance.

*** MLA for Industrial uses does not apply if the site is located in an approved Industrial Park [Source: Sec. 5.6E]

**** Schools in Rural district: Plus one (1) additional acre for every 100 pupils. Minimum lot size for Vocational Schools shall be based on State of West Virginia Code. If a sewer treatment plant and retention ponds are required, acreage shall be increased accordingly.

¥ Non-Residential Site Development in an existing structure in the Village District shall comply with Section 5.10A.2.

‡ Setback may be reduced if adjacent to industrial use.

⊕ For an industrial use, no structures, stored materials, or vehicular parking shall be permitted within the buffer yard. For a commercial use, no structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers.

⊖ A rear yard setback may be reduced to 10' for a non-residential use abutting a commercial or industrial use at a rear lot line

⊖ Churches in any district: (1) are treated as a commercial use on a lot of greater than 1.5 acres in determining buffer requirements and parking/drive aisle setbacks; (2) building setbacks are 25' (front) and 50' (side/rear); and (3) distance requirements do not apply.

£ For a non-residential use abutting a commercial or industrial use, no side yard setback is required, unless required by Building Code or other law or regulation.



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

File #: 26-6-ZV
 Mtg. Date: 03/26/26
 Fee Paid: \$ \$150

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Zoning Variance Application

Variations from the Zoning and Land Development Ordinance must comply with Article 8A-7-11 of the WV State Code. A variance is a deviation from the minimum standards of the Ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district, nor shall it involve changing the parcel's zoning classification.

Property Owner Information

Owner Name: Elliot A Kletter
 Business Name: Pine Run Ranch LLC
 Mailing Address: 500 Febury Rd Kearneysville WV 25430
 Phone Number: 304 582 9525 Email: [REDACTED]

Applicant Contact Information

Applicant Name: Elliot A Kletter Same as owner:
 Business Name: Cedar Hill Storage LLC
 Mailing Address: 500 Febury Rd Kearneysville WV 25430
 Phone Number: 304 582 9525 Email: [REDACTED]

Consultant Information

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

Physical Property Details

Physical Address: Face lot will have new address subdivided from: [REDACTED] Vacant Lot:
 Parcel ID: (Tax District / Map No. / Parcel No.) middleway/M-2/3
 Parcel Size: 116.02 Deed Book: 1302 Page No: 405

Zoning District (please check one)

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

Is there a Code Enforcement action pending in relation to this property? Yes No

Date Received: Received via email 02/20/26 (jth)

**The email address has been redacted to protect the privacy of the applicant.

Briefly describe the nature of the request (include the dimensions of the proposed structure, if applicable):

Section of the Zoning Ordinance pertaining to this request: on the west side of the property bordering the neighborhood I would like to keep the 75' set back but place the required privacy screening (reference M-53) within the 75' buffer, along with the natural native trees. Additionally rear and east sides to be reduced to 10' since they border my property.

If this request is for a setback variance, please check the following: Section 4.11 & Appendix B (jth)

Front Setback Side Setback Rear Setback Reduction from 75' to 10'

Required Sketch: Provide a sketch showing the shape and location of the lot indicating all roads, rights of way, and easements. Show the location of the intended construction or land use indicating building setbacks (i.e. the distance of the structure from all property lines), size, and height. Identify all existing buildings, structures, or land uses on the property. The sketch should show the full extent of the property.

Required Responses: Each of the following questions must be answered in detail. The Board will evaluate your request based on the answers provided (attach a separate sheet of paper if necessary).

Explain why granting the variance will NOT adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents.

The privacy screening on the west side of the project area will only add density for the neighboring homes. The rear and east side ^(south) setback variance reduction requests will not affect anyone.

In what way does this request arise from special conditions or attributes, which pertain to the property for which a variance is sought and which were not created by the person seeking the variance?

This request allows for maximum usable space within the 7-acre project area. The surrounding property is not owned by anyone else so these setbacks hinder space that is otherwise wasted.

How will granting this variance eliminate an unnecessary hardship and permit a reasonable use of the land?

This will maximize privacy screening, as well as usable space within the 7-acre project area.

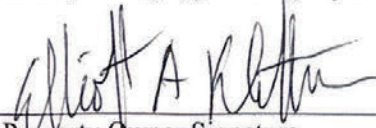
How will granting this variance allow the intent of the Zoning Ordinance to be observed and substantial justice done?

This is a unique request since all surrounding properties in this case are owned by the same owner.

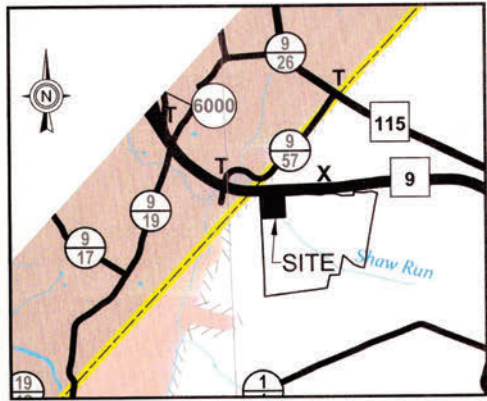
I authorize the Planning and Zoning staff to revise the application/sketch on my behalf. I understand that said revisions will be discussed with me prior to revising the application/sketch.

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

By signing this application, I grant permission to County staff to walk onto the subject property to take photos for the Board of Zoning Appeals staff reports.

 2/17/2026
Property Owner Signature Date

Property Owner Signature Date



VICINITY MAP SCALE: 1" = 2000'

AREA TABLE	
EXISTING PARCEL	± 116.1185 ACRES
LOT 1	± 7.0169 ACRES
RESIDUE	± 109.1016 ACRES

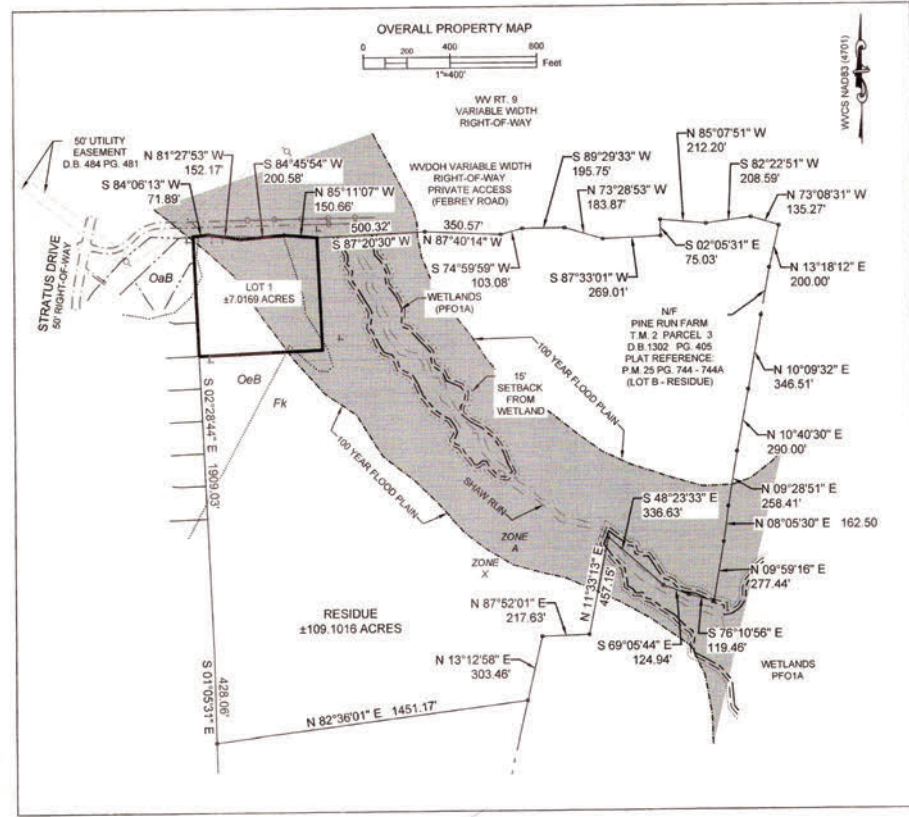


ALPHA ASSOCIATES, INC.
535 W. KING STREET
MARTINSBURG, WV 25401
PHONE: 304-264-0051
www.thinkALPHAfirst.com

JEFFERSON COUNTY - COMPLETE LIST OF WAIVERS/VARIANCES (TABLE 1.2-2)			
ORDINANCE	SECTION OF ORDINANCE	DESCRIPTION OF WAIVER OR VARIANCE	DATE GRANTED
NONE REQUESTED		NONE	

NOTES:

- THE INTENT OF THIS SUBDIVISION IS TO CREATE A 7.0169 ACRE LOT FOR COMMERCIAL USE. THE ENTIRE RESIDUE ±109.1016 ACRES HAS NOT BEEN SURVEYED WITH THIS PLAT.
 - THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHT-OF-WAYS, EASEMENTS, RESTRICTIONS OR EXEMPTIONS NOT SHOWN HEREON.
 - THIS PARCEL IS LOCATED ON FEMA MAP # 54037C0136E, EFFECTIVE DATE 12/18/2009. THE AREA DESIGNATED IN ZONE "X" IS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN ZONE "A", IS DETERMINED TO BE WITHIN THE 100-YEAR FLOOD ZONE.
 - THIS PROPERTY IS LOCATED AT 500 FEBREY ROAD, KEARNEYVILLE, WV, 25430
 - WEST VIRGINIA DOH PERMIT NO. 0X-X0X0-0X0X.
 - THE PARENT PROPERTY IS ZONED: RURAL.
 - THE SETBACKS ARE AS FOLLOWS:
FRONT: 45' SIDE: 15' REAR: 50'
 - MAX BUILDING HEIGHT = 45'
 - THE MINIMUM LOT SIZE FOR A WELL & SEPTIC SYSTEM IS 20,000 SF.
 - PUBLIC WATER ARE AVAILABLE FOR THESE PROPERTIES AND WILL BE PROVIDED BY BERKELEY COUNTY PUBLIC SERVICE WATER DISTRICT & BERKELEY COUNTRY PUBLIC SERVICE SEWER DISTRICT.
 - THE SOILS SURVEY OF JEFFERSON COUNTY, WEST VIRGINIA INDICATES A SEASONAL HIGH WATER TABLE ON A PORTION OF THE PARCELS HEREON (SOILS: OaB, OaB, Fk) AND THEREFORE BASEMENT CONSTRUCTION IS NOT RECOMMENDED IN THOSE AREAS.
- SOILS:
OaB - OAKLET SILT LOAM, 3 TO 8 PERCENT SLOPES, DEPTH TO WATER TABLE MORE THAN 80".
OaB - OAKLET SILT LOAM, 3 TO 8 PERCENT SLOPES, VERY ROCKY, DEPTH TO WATER TABLE MORE THAN 80".
Fk - FUNKSTOWN SILT LOAM, 0 TO 3 PERCENT SLOPES, DEPTH TO WATER TABLE MORE THAN 80".
- A BLANKET EASEMENT IS GRANTED TO THE APPROPRIATE PUBLIC UTILITIES IN ALL ROAD RIGHT-OF-WAY FOR CONSTRUCTION AND MAINTENANCE OF WATER AND SEWER LINES.
 - ALL RESIDENTIAL AND NON-RESIDENTIAL BUILDING LOTS SHALL HAVE A STABILIZED CONSTRUCTION ENTRANCE INSTALLED PRIOR TO BEGINNING CONSTRUCTION ON THE LOT.
 - NO STRUCTURES, FENCES, OR LANDSCAPING SHALL BE LOCATED IN THE EASEMENTS.
 - FOR DRIVEWAYS THAT REQUIRE A CULVERT FOR DITCH DRAINAGE, THE MINIMUM CULVERT SIZE SHALL BE 15" IN DIAMETER.
 - WETLANDS EXIST ON THE RESIDUE PARCEL AND ARE SHOWN HEREON PER THE NATIONAL WETLAND INVENTORY BY GRAPHIC PLOTTING ONLY. THERE IS A 30' BUFFER AROUND THESE WETLANDS. THERE SHALL BE NO DISTURBANCE OF WETLANDS OR BUFFER AREAS WITHOUT APPROVAL FROM USACE AND WVDEP.
 - FEBREY ROAD IS A PART OF THE WVDON RT. 9 PROVIDES INGRESS/EGRESS TO 500 FEBREY ROAD AND HAS A VARIABLE WIDTH RIGHT OF WAY.



JEFFERSON COUNTY, WEST VIRGINIA

OFFICE OF PLANNING & ZONING

DATE: _____

ACCEPTANCE STATEMENT:

THE OWNER, IN SIGNING THIS PLAT, AGREES TO ABIDE BY ALL CONDITIONS, TERMS AND SPECIFICATIONS PROVIDED HEREON.

ELLIOT KLETTER

DATE: _____

I, RICHARD A COLEBANK, A WEST VIRGINIA LICENSED PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS SEALED PLAT IS ACCURATE, COMPLETE AND REASONABLY MEETS OR EXCEEDS MINIMUM ACCEPTABLE SURVEYING STANDARDS AND THOSE STATE AND/OR COUNTY CODE PROVISIONS APPLICABLE ON THIS DATE. THE RELATIVE POSITIONAL ACCURACY OF THE SURVEY, BASED UPON GPS MEASUREMENTS, IS WITHIN ACCEPTED LIMITS. THIS SUBDIVISION COMPLIES WITH THE JEFFERSON COUNTY SUBDIVISION REGULATIONS, SECTION 1.4(7) FOR PERIMETER BOUNDARY CLOSURE OF 1:7500 OR BETTER.

Richard A Colebank 12.31.24
RICHARD A COLEBANK, P.S. #1076 DATE: _____

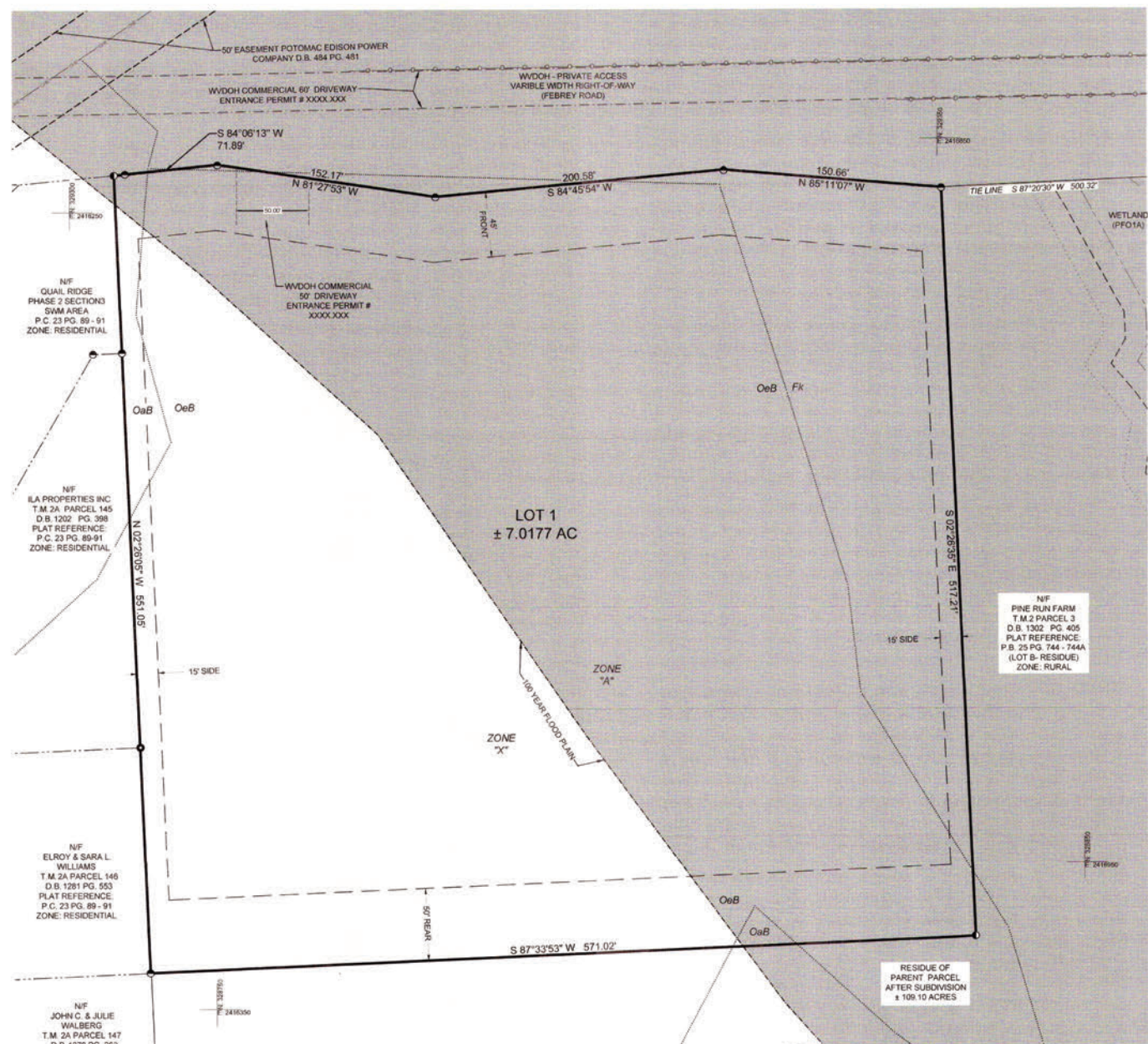
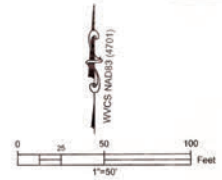


PLAT OF MINOR SUBDIVISION
FOR
PINE RUN RANCH, L.L.C.
MIDDLEWAY DISTRICT
T.M. 2 PAR. 3 D.B. 1302 PG. 405
JEFFERSON COUNTY, WEST VIRGINIA

OWNER/DEVELOPER: PINE RUN RANCH, LLC	PROJ. NO.: 2408079 00
ADDRESS: 273 EQUESTRIAN CIRCLE SHERANDOAH JUNCTION, WV 25442	DATE: 12/09/2024
PHONE:	SHEET NO.:
ATTN: ELLIOT KLETTER	1 OF 2
COPYRIGHT 2024 ALPHA ASSOCIATES, INC. ALL RIGHTS RESERVED	



ALPHA ASSOCIATES, INC.
535 W. KING STREET
MARTINSBURG, WV 25401
PHONE: 304-264-0051
www.thinkALPHAfirst.com



LEGEND

- T.M. TAX MAP NUMBER
- PAR. PARCEL NUMBER
- D.B. DEED BOOK
- PG. PAGE NUMBER
- NF NOW OR FORMERLY
- 5/8" REBAR WITH CAP FOUND
- 5/8"X30" REBAR WITH ORANGE CAP SET
- MAG NAIL FOUND/SET
- REBAR FOUND
- ⊕ SANITARY MANHOLE
- BUILDING SETBACKS
- PROPERTY LINE
- - - ADJOINER LINE
- - - EDGE OF GRAVEL
- ○ ○ GUARD RAIL
- OHE OVER HEAD ELECTRIC
- - - 100 YEAR FLOOD LINE
- - - SOIL DELINEATION LINES
- - - STREAM LINE
- - - WETLANDS SETBACKS
- - - POWER LINE EASEMENT



Richard A. Colebank 12-31-24
RICHARD A. COLEBANK, P.S. 1076 DATE

**PLAT OF MINOR SUBDIVISION
FOR
PINE RUN RANCH, L.L.C.**

MIDDLEWAY DISTRICT
T.M. 2 PAR. 3 D.B. 1302 PG. 405
JEFFERSON COUNTY, WEST VIRGINIA

OWNER/DEVELOPER:
PINE RUN RANCH, LLC.
ADDRESS:
273 EQUESTRIAN CIRCLE
SHENANDOAH JUNCTION,
WV 25442
PHONE:
ATTN:
ELLIOT KLETTER

PROJ. NO.: 2408079.00
DATE: 12/09/2024
SHEET NO.:
2 OF 2

\\p0102021_1\pld\2408079001\p0102021\p0102021.dwg
12/31/2024 12:00:00 PM

Public Comment

Zoning

From: Zoning
Sent: Thursday, March 12, 2026 9:10 AM
To: 'W Couch'
Subject: RE: Formal Notice of Concerns Regarding CUP #26-1-CUP (Cedar Hill Storage) – Potential Impacts on Liability, Rural Preservation, and County Revenue

Good morning,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming March 26, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, March 20, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Thank you,

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: W Couch <wcouch8@yahoo.com>
Sent: Wednesday, March 11, 2026 1:33 PM
To: Edwina LM. Benites <edwina.c.benitesLM@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Formal Notice of Concerns Regarding CUP #26-1-CUP (Cedar Hill Storage) – Potential Impacts on Liability, Rural Preservation, and County Revenue

Dear Ms. Benites-LM, Mr. Seigfried, and Mr. McKinney,

I request the BZA defer all decisions on this request for at least one month until the April meeting. I am writing as a resident of the downstream housing development affected by the proposed Cedar Hill Storage facility (Conditional Use Permit #26-1-CUP and related variances, hearing March 26, 2026) to formally place you on notice of serious concerns. Key issues include:

Potential personal and official liability for decision-makers if the project results in environmental harm. The outdoor vehicle/RV/boat wash and dumping area can release oils, fuels, hydrocarbons, soaps/detergents, sewage nutrients (nitrogen/phosphorus), heavy metals, and salts into stormwater and soil. These pollutants would flow downhill through the adjacent wetlands toward our existing homes, potentially violating Clean Water Act standards, exacerbating flooding in karst terrain, or contaminating groundwater—issues that could lead to resident claims, enforcement actions, or costly remediation.

Undermining public confidence in Jefferson County's commitment to protect rural character, as outlined in the Envision Jefferson 2035 Comprehensive Plan. Approving a large-scale commercial storage/rental operation with significant variances (e.g., shrinking required landscape buffers from 75'

to 10') in the Rural Zoning District risks appearing inconsistent with goals to limit incompatible uses and preserve the county's rural nature.

Decreased property values/reduced property tax revenue from 7-day commercial operations and public activity (including U-Haul/camper/boat rentals) within 10' of high-end housing, leading to resident flight from the neighborhood, lower assessed values across the entire end of the development, and reduced property tax revenue that funds essential county programs.

These concerns are grounded in the project's site plan, proximity to wetlands, downstream drainage patterns, and applicable federal/state regulations. I respectfully urge careful review and consideration of denial, conditions, or full federal agency input (USACE, EPA) to avoid these outcomes.

Thank you for your attention. I look forward to your response and will attend the March 26 hearing. I hope to hear that all decisions are deferred until at least April 2026 and that it is removed from the March agenda.

Sincerely,

Wendy Couch
Quail Ridge Development
290 Moonstone Drive
Kearneysville, WV 25430
(301) 466-9828
wcouch8@yahoo.com

CC: zoning@jeffersoncountywv.org; planningdepartment@jeffersoncountywv.org

Wendy Couch
290 Moonstone Drive
Kearneysville, WV 25430
wcouch8@gmail.com
(301) 466-9828

March 23, 2026

Board of Zoning Appeals
Jefferson County Office of Planning & Zoning
116 East Washington Street
Charles Town, WV 25414

Re: Conditional Use Permit (CUP) Elliott Kletter, Cedar Hill Storage, LLC, Parcel ID 07000200030000, Zoning District: Rural, Proposed self-storage and long-term RV/boat/recreational vehicle storage, cleaning, and dumping facility

Dear Members of the Board of Zoning Appeals,

I am writing as an adjacent property owner and concerned resident to provide comments and proposed conditions regarding the above-referenced Conditional Use Permit (CUP) application. The proposed commercial use on 116 acres of currently Rural-zoned farmland directly abuts high-to-moderate-end residential properties, including my own and those of many neighbors. These homes were constructed in reliance on the existing Rural zoning protections and the 2045 Jefferson County Comprehensive Plan's emphasis on preserving rural character, dark skies, and residential compatibility.

The proposed facility would operate 24/7/365 with customer access, motion-activated or user-controlled lighting, vehicle movement, and outdoor storage of RVs, boats, and recreational vehicles. Even with full-cutoff fixtures, artificial lighting from pole-mounted area lights (typical 25–40 feet tall, 4000–5000K LEDs) would introduce objectionable glare and light trespass into private backyards, patios, and bedrooms — areas where residents currently enjoy dark rural nighttime conditions with no street lighting.

The fact that the applicant/owner lacks a more suitable site for this 24/7 commercial storage and RV/boat cleaning/dumping facility is not a valid reason under the Jefferson County Zoning Ordinance or the 2045 Comprehensive Plan to infringe upon the private yards, bedrooms, and dark-sky rural character of existing high-to-moderate-end residential homes that were established long before this proposal. These residences are occupied, have no street lighting, and were built in reliance on the Rural zoning protections that explicitly seek to prevent objectionable glare and light trespass. The owner must fully accommodate the pre-existing residential community before any development may proceed — or the CUP must be denied. Accommodation is the easiest path.

To ensure zero adverse impact on adjacent residential properties and to exceed all requirements of the Jefferson County Zoning Ordinance (glare defined as “brightness sufficient to cause annoyance, discomfort, or lessen visual performance”) and Subdivision & Land Development Regulations (“Lighting shall be shielded and directed down to prevent glare and to minimize light trespass”), I respectfully request that the Board impose the following mandatory conditions as part of any CUP approval.

Exhibit A: Proposed Mandatory CUP Conditions – Zero-Tolerance Light Pollution and Glare Protection (attached hereto) details these conditions in full. They include:

- A 150-foot vegetated setback/buffer with 8-foot security fencing and dense evergreen screening (prepared by a licensed landscape architect, achieving 100% opacity at maturity).
- An independent photometric/glare study using AGI32 software demonstrating zero light trespass (0.0 foot-candles) at residential property lines.
- Professional design of the entire outdoor lighting system by a third-party licensed Professional Engineer or IES-certified lighting designer.
- A separate third-party comparative study on a **Night sky protection strategy** (Hawaii Revised Statutes § 201-8.5) and related standards.
- Annual third-party certifications verifying continued performance of the buffer and lighting.
- Explicit requirement that the Board address compliance risk and incorporate risk mitigation measures in its findings.

These conditions are the minimum necessary to protect the existing residential community and rural character. The Applicant’s failure or refusal to accept them in full shall constitute grounds for denial of the CUP.

I appreciate the Board’s careful consideration of this application and its responsibility to ensure compatibility with surrounding uses. I request that these comments and proposed conditions be made part of the official record and considered at the public hearing.

Thank you for your time and service to Jefferson County.

Sincerely,

Wendy Couch

cc:

John Walberg (Email)
396 Moonstone Drive
Kearneysville, WV
jgwalberg@gmail.com

Richard Kelsey (Email)
372 Moonstone Drive
Kearneysville, WV 25430
richkelsey91@gmail.com

Wendy Couch
290 Moonstone Drive
Kearneysville, WV 25430
wcouch8@yahoo.com

Martin Sulsky (Email)
346 Moonstone Drive
Kearneysville, WV 25430
msulsky@gmail.com

Carl Maxwell (Email)
442 Moonstone Drive
Kearneysville, WV 25430
SkyKing6275@gmail.com

Russel Rexroat (Google
Drive)
428 Moonstone Drive
Kearneysville, WV 25430

DarkSky Bolivar-Harpers
Ferry Chapter (Email)
(bhf@darksky.org)

Attachment: Exhibit A – Proposed Mandatory CUP Conditions – Zero-Tolerance Light Pollution and Glare Protection

Exhibit A (attach as separate page(s)):

Exhibit A: Proposed Mandatory CUP Conditions – Zero-Tolerance Light Pollution and Glare Protection

To ensure zero adverse impact on adjacent residential properties and to exceed all requirements of the Jefferson County Zoning Ordinance (glare defined as “brightness sufficient to cause annoyance, discomfort, or lessen visual performance”) and Subdivision & Land Development Regulations (“Lighting shall be shielded and directed down to prevent glare and to minimize light trespass”), the following conditions shall be imposed at the Applicant’s sole expense and risk:

A. 150-Foot Enhanced Vegetated Setback and Screening Buffer

A minimum 150-foot vegetated setback/buffer shall be maintained in perpetuity from all adjacent residential property lines. Within this buffer, the Applicant shall install and maintain: (1) an 8-foot-high galvanized chain-link security fence topped with continuous barbed wire and razor-wire spiral; and (2) dense vegetative screening prepared by a licensed landscape architect consisting of staggered double rows of evergreen trees (minimum 8–10 feet tall at planting, maturing to 25–35+ feet) and dense evergreen shrubs (maturing to 6–8 feet tall) across a minimum 50-foot width. The planting plan shall achieve and maintain 100% opacity at maturity to provide total blockage of direct light rays and glare into residential backyards and bedrooms.

B. Independent Photometric/Glare Analysis

The Applicant shall engage, at its sole cost, a third-party licensed Professional Engineer (PE) or IES-certified lighting designer who has no prior relationship with the Applicant or its agents. The study shall be prepared using industry-standard AGI32 photometric modeling software. The consultant shall submit the complete study, raw data files, all modeling outputs, and sky-glow calculations **directly** to the Jefferson County Office of Planning & Zoning (not through the Applicant) no later than 30 days prior to the BZA hearing. The study and all supporting materials shall be included in the full public application packet, all BZA hearing materials, and posted on the County website.

The study must demonstrate **zero measurable light trespass (0.0 foot-candles at every point)** along the residential property lines, including during motion-activated or user-controlled 24/7 operation.

C. Professional Design of Outdoor Lighting System

The entire outdoor lighting system for the facility (including all fixtures, poles, controls, and related components) shall be professionally designed by a third-party licensed Professional Engineer (PE) or IES-certified lighting designer (no prior relationship with the Applicant or its agents). The design shall incorporate full-cutoff fixtures, BUG-rated per IES TM-15, maximum 3000K correlated color temperature, and full compliance with DarkSky International guidelines and IES RP-20. The complete lighting design plans, specifications, and certifications shall be

submitted **directly** by the designer to the Jefferson County Office of Planning & Zoning and become part of the permanent public record prior to any installation or CUP issuance.

D. Night Sky Protection Strategy Comparative Study

The Applicant shall fund, at its sole cost, a separate third-party study prepared by an independent licensed Professional Engineer or IES-certified lighting designer (no prior relationship with the Applicant). The study shall compare the proposed lighting design to Hawaii's **Night sky protection strategy** (Hawaii Revised Statutes § 201-8.5) and related county standards (e.g., Maui County Code Chapter 20.35, "Outdoor Lighting"), which mandate fully shielded fixtures with all light projected downward below the horizontal plane of the fixture, correlated color temperature limits (typically 4000K or less), and additional glare/trespass controls. The study shall explain why these more protective standards are not being utilized in Jefferson County and shall include recommendations on whether adopting elements of Hawaii's standards would better achieve zero trespass. The consultant shall submit the complete study **directly** to the Jefferson County Office of Planning & Zoning and it shall become part of the permanent public record.

E. Annual Compliance Certification and Risk Mitigation

The Applicant shall fund annual third-party certifications prepared by an independent licensed landscape architect or IES-certified lighting designer verifying that the 150-foot buffer, security fence, vegetative screening (100% opacity), and all lighting systems continue to function exactly as approved and achieve zero light trespass. Certifications shall be submitted **directly** by the consultant to the Board of Zoning Appeals and Office of Planning & Zoning and posted publicly on the County website.

The Board of Zoning Appeals must explicitly evaluate and address in its findings of fact the compliance risk associated with this project and shall incorporate specific risk mitigation measures in the event that future redesign of the lighting system or the landscaping light buffer becomes necessary to maintain zero light trespass.

Any violation of these zero-tolerance standards shall result in immediate cessation of operations and revocation of the CUP.

F. Public Record Requirement

All studies, planting plans, lighting designs, certifications, and supporting materials shall be submitted directly by the respective third-party consultants and shall become permanent public records available to the Board, adjacent residents, and any potential lenders.

These conditions are the minimum necessary to protect the existing residential community and rural character. The Applicant's failure or refusal to accept them in full shall constitute grounds for denial of the CUP.



Re: Conditional Use Permit (CUP) Elliott Kletter, Cedar Hill Storage, LLC, Parcel ID 07000200030000, Zoning District: Rural, Proposed self-storage and long-term RV/boat/recreational vehicle storage, cleaning, and dumping facility

From Zoning <zoning@jeffcowv.gov>

Date Mon 3/23/2026 1:01 PM

To Wendy Couch <wcouch8@gmail.com>

Cc John Walberg <jgwalberg@gmail.com>; Richard Kelsey <richkelsey91@gmail.com>; msulsky@gmail.com <msulsky@gmail.com>; SkyKing6275@gmail.com <SkyKing6275@gmail.com>; bhf@darksy.org <bhf@darksy.org>

Good afternoon,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming April 9, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, April 3, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Thank you,

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Wendy Couch <wcouch8@gmail.com>

Sent: Monday, March 23, 2026 11:54 AM

To: Zoning <Zoning@jeffersoncountywv.org>

Cc: Planning Department <PlanningDepartment@jeffersoncountywv.org>; Roger Goodwin <roger.l.goodwin@jeffcowv.gov>; Edwina Benites County Administrator <Edwina.C.BenitesLM@jeffcowv.gov>; Michael Mood <michael.t.mood@jeffcowv.gov>; John Walberg <jgwalberg@gmail.com>; Richard Kelsey <richkelsey91@gmail.com>; msulsky@gmail.com <msulsky@gmail.com>; SkyKing6275@gmail.com <SkyKing6275@gmail.com>; bhf@darksy.org <bhf@darksy.org>

Subject: Conditional Use Permit (CUP) Elliott Kletter, Cedar Hill Storage, LLC, Parcel ID 07000200030000, Zoning District: Rural, Proposed self-storage and long-term RV/boat/recreational vehicle storage, cleaning, and dumping facility

Mr McKinney and Board of Zoning Appeals,

I am writing as an adjacent property owner and concerned resident to provide comments and proposed conditions regarding the above-referenced Conditional Use Permit (CUP) application. The proposed

commercial use on 116 acres of currently Rural-zoned farmland directly abuts high-to-moderate-end residential properties, including my own and those of many neighbors.

My letter requests addressing lighting pollution.

Please see the attached correspondence for additional details. This letter is being sent via email and will be followed up with a hard copy via USPS.

I respectfully request that concerns be acknowledged or a request to stay discussions be requested prior to the zoning meeting on April 9, 2026, in order to give the BZA an opportunity to assure residents and voter rights are protected.

Please acknowledge receipt of this email.

Sincerely,

Wendy Couch

Zoning

From: Zoning
Sent: Friday, March 13, 2026 4:48 PM
To: martin sulsky
Cc: wcouch8@yahoo.com; dzab1930@protonmail.com; jasonhowardburton@gmail.com; amymichellescott@hotmail.com; troberts48@aol.com; jgwalberg@gmail.com; jpotocnak@earthlink.net
Subject: RE: CUP #26-1-CUP (Cedar Hill Storage) (with attachment)

Good afternoon,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming March 26, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, March 20, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Thank you,

Colin Uhry, County Planner
Office of Planning and Zoning
304-728-3228

From: martin sulsky <msulsky@yahoo.com>
Sent: Friday, March 13, 2026 11:52 AM
To: Edwina LM. Benites <edwina.c.benitesLM@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Cc: wcouch8@yahoo.com; dzab1930@protonmail.com; jasonhowardburton@gmail.com; amymichellescott@hotmail.com; msulsky@yahoo.com; troberts48@aol.com; jgwalberg@gmail.com; jpotocnak@earthlink.net
Subject: CUP #26-1-CUP (Cedar Hill Storage) (with attachment)

Good morning,

Please see the attached letter regarding CUP #26-1-CUP (Cedar Hill Storage). Also, please acknowledge receipt of this letter in response to this email. Thank you very much.

Sincerely,

Dr. Martin S. Sulsky

Miss Jennifer Potocnak

346 Moonstone Drive

Kearneysville, WV 25430-2651

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

Attention: Chief County Planner Luke Seigfried
Count Planner Colin Uhry
Zoning Administrator Andy Beall
Zoning Clerk Jennilee Hartman

From: Dr. Martin S. Sulsky
Miss Jennifer Potocnak
346 Moonstone Drive, Kearneysville, WV 25430-2651

Dr. Sulsky Mobile: (703) 314-1025
Miss Potocnak Mobile: (703) 314-0867

Good afternoon,

Thank you for your kind attention to this matter. This letter is referring to the variance request, amongst other issues related to Cedar Hill Storage (File Number 26-1-CUP). My wife and I strenuously object to the variance request in no uncertain terms. The reasons we feel that the variance should absolutely not be granted are as follows: the 75 foot buffer all the way around the proposed 8 acre industrial/commercial business would at least mitigate some of the noise pollution, light pollution and unsightliness of a facility of this nature. There are dense, fallow, neglected woodland with existing tall trees surrounding the entire proposed project which would eliminate the need for a landscaped buffer and would greatly ameliorate the concerns listed above. We do not feel that denying this variance would cause any undue burden or unnecessary hardship on Cedar Hill Storage.

As we mentioned above, we are writing regarding the request for a conditional use permit to establish a commercial self-storage business, Cedar Hill Storage (File Number 26-1-CUP). As described, but not limited to, the business will have commercial vehicles including: U-Haul, campers, boats, recreational vehicles, mobile homes and trailers on an 8 acre parcel. My wife Jennifer and I purchased our home on April 13, 2022. One of the primary reasons we purchased our home was because our lot backed to a wooded area on a farm that we were informed by our builder (JBG Builders) could not be subdivided for commercial use. If we had known that this was even a remote possibility, we would not have purchased this home, as we consciously decided to retire to a rural area and this area was designated as such and remains so.

Our understanding is that in West Virginia, land nuisance laws protect homeowners from substantial, unreasonable interference with the use, enjoyment, and anything that would disturb the peace, quiet and repose of their property caused by neighboring commercial activities. As this business will operate 7 days a week, we will no have no respite.

We feel aggrieved due to the gravity of potential harms, including but not limited to, noise, light pollution, excessive commercial traffic, and potential hazards from dust on the paved roads (because of the heavy traffic) which has been shown to be harmful to health. We also feel aggrieved due to the potential harmful health hazards due short term and long term exposure from commercial vehicle exhaust, not to mention the noxious odors. Further, we believe the above may result in a significant reduction of our property values which is a common occurrence in situations such as these.

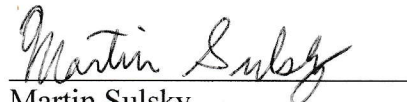
We are concerned that the waste water and other substances from “outdoor wash and dumping” could contaminate the ground water and soil with hazardous chemicals. Especially, as most of us on Moon Stone Drive have gardens, fruit trees, pets and children.

We ourselves are senior citizens with multiple chronic health conditions, that we feel will be exacerbated by the conditions listed above. My wife has been an RN for 36 years and for the majority of her career worked in Occupational Health and Safety. She has vast expertise in matters related to Health and Safety.

Therefore, we respectfully ask the Zoning Board to deny the “Request for a Conditional Use Permit.”

Again, thank you for your kind consideration and attention to this matter.

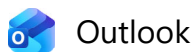
Sincerely,



Martin Sulsky



Jennifer Potocnak



Re: Formal Notice of Concerns Regarding CUP #26-1-CUP (Cedar Hill Storage) - Public Comment – Conditional Use Permit Application File #26-1-CUP

From Zoning <zoning@jeffcowv.gov>
Date Fri 3/13/2026 4:44 PM
To John Walberg <jgwalberg@gmail.com>

Good afternoon,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming March 26, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, March 20, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Thank you,

Colin Uhry, County Planner
Office of Planning and Zoning
304-728-3228

From: John Walberg <jgwalberg@gmail.com>
Sent: Friday, March 13, 2026 10:04 AM
To: Edwina LM. Benites <edwina.c.benitesLM@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Formal Notice of Concerns Regarding CUP #26-1-CUP (Cedar Hill Storage) - Public Comment – Conditional Use Permit Application File #26-1-CUP

To the Jefferson County Planning Commission,

I am writing as a nearby property owner and resident of the surrounding rural community to express my concerns regarding the application for a Conditional Use Permit (File #26-1-CUP) submitted by Cedar Hill Storage, LLC for the development of a commercial self-storage facility on approximately eight acres of the Pine Run Ranch property located at 500 Febrey Road in Kearneysville.

While I respect the rights of property owners to pursue development opportunities, I believe the proposed use raises several important concerns regarding compatibility with the existing Rural zoning designation, the character of the surrounding community, and the potential impacts on neighboring properties and nearby public infrastructure.

According to information provided on the **Jefferson County website**, zoning ordinances help protect the public from adverse impacts of incompatible land uses and help implement the vision and intent

of county comprehensive plans. Zoning is intended to ensure that communities grow and prosper in a safe and environmentally sustainable way. In addition, by law, any change in zoning must align with the comprehensive plan of the municipality. These principles highlight the importance of ensuring that any proposed conditional use is compatible with the surrounding land uses and supports the long-term vision for the community.

The proposed project introduces a **significant commercial operation** within an area designated as Rural. The proposed activities—including self-storage operations, U-Haul rentals, camper and boat storage, and an RV wash and dumping area operating seven days a week—represent a level of commercial activity that may not be consistent with the intended character of the Rural zoning district. Many residents in the surrounding area chose to live here specifically because of its rural setting, open space, and limited commercial intensity. Introducing a large-scale commercial storage facility in this setting has the potential to alter the rural character that zoning protections are designed to preserve.

The application also requests a **substantial variance** from the required landscape buffer standards. The applicant proposes to reduce the required seventy-five (75) foot landscaped buffer to a ten (10) foot unscreened buffer in certain areas. Landscape buffers serve an important purpose in protecting neighboring properties by mitigating visual, noise, and operational impacts between commercial uses and rural or residential areas. A reduction of this magnitude significantly diminishes the effectiveness of those protections and may expose adjacent properties to increased visual impact, lighting, and operational noise.

Additionally, the proposed use raises concerns regarding traffic safety and increased vehicle activity on local rural roads. The inclusion of U-Haul rentals, recreational vehicle storage, and trailer traffic may substantially increase the number of larger vehicles entering and exiting the property. Rural roads in this area were not designed for frequent commercial vehicle traffic, and increased traffic could create safety concerns for residents, pedestrians, cyclists, and agricultural equipment that commonly use these roads.

Stormwater management and environmental impacts should also be carefully evaluated. The construction of multiple storage buildings, parking areas, and vehicle storage spaces will introduce significant impervious surfaces. Increased runoff has the potential to affect neighboring properties, drainage patterns, and nearby waterways if not properly managed.

The scale and nature of the proposed operation may also introduce increased lighting and noise into an area that currently experiences limited commercial activity. Security lighting associated with a commercial facility operating seven days a week can significantly alter nighttime conditions in rural areas and may negatively affect nearby residents and the surrounding environment.

While adjoining property owners were notified of the proposed Conditional Use Permit application, the scope of the project has the **potential to affect not only adjacent parcels but also nearby established government infrastructure and public resources** in the surrounding area. Increased traffic activity, operational intensity, stormwater runoff, and changes in land use should be evaluated carefully to ensure that nearby public infrastructure and services are not adversely affected.

Finally, approval of this Conditional Use Permit could establish a **precedent for future commercial development within areas currently designated as Rural**. Decisions regarding conditional uses should carefully consider the long-term planning implications for the surrounding community and whether such development aligns with the County's broader goals of preserving rural character and promoting environmentally sustainable growth.

For these reasons, I respectfully request that the Planning Commission carefully evaluate whether the proposed Conditional Use Permit meets the intent of the Rural zoning district and aligns with the County's comprehensive planning goals. If the project is to move forward, I strongly encourage the

Commission to consider conditions that ensure adequate buffering, limit operational impacts, protect neighboring properties, and preserve the rural character of the area.

Thank you for your time and consideration, and for the opportunity to provide public comment on this matter.

Respectfully,

John & Julie Walberg
396 Moonstone

Kearneysville, WV 25430
jgwalberg@gmail.com

218.349.9500

Zoning

From: Zoning
Sent: Monday, March 16, 2026 10:15 AM
To: 'jakefrnkln@tutamail.com'; Dzab1930; Jasonhowardburton; Anymichellescott; Troberts48; Jpotocnak
Cc: Zoning
Subject: RE: Conditional Use Permit Application: 26-16-CUP

Good morning,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming March 26, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, March 20, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: jakefrnkln@tutamail.com <jakefrnkln@tutamail.com>
Sent: Sunday, March 15, 2026 4:32 PM
To: Edwina LM. Benites <edwina.c.benitesLM@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>; Planning Department <PlanningDepartment@jeffersoncountywv.org>; Dzab1930 <dzab1930@protonmail.com>; Jasonhowardburton <jasonhowardburton@gmail.com>; Anymichellescott <anymichellescott@hotmail.com>; Troberts48 <trobets48@aol.com>; Jpotocnak <jpotocnak@earthlink.net>
Subject: Conditional Use Permit Application: 26-16-CUP

Good evening.

My name is **Jacob Franklin**, and I live in the residential neighborhood directly adjacent to the property at **500 Febrey Road**.

Residents in our community are not opposed to development of this parcel. Our concern is the **specific placement of the proposed storage facility immediately along the residential boundary while simultaneously requesting a significant reduction in the required landscape buffer**.

We believe the key issue before the Board is whether the current site layout satisfies the ordinance standards for **compatibility with surrounding land uses** and whether the requested variance is truly necessary.

Importantly, it appears that **a reasonable alternative configuration exists on the same parcel that would move the development farther from existing homes while preserving the required buffer**.

Residents respectfully request that the Board:

1. Deny the requested reduction of the required landscape buffer; or

2. Require the applicant to revise the site layout to maintain the required buffer and increase separation between the development and adjacent residential properties prior to approval of the Conditional Use Permit; or
3. Continue the application pending submission of a revised site plan addressing the concerns identified above.

Please see attached Febrey_Opposition.pdf memorandum and Findings_Of_Concern.pdf for supporting arguments and information.

We appreciate the Board's careful consideration of these issues, and we look forward to the Board of Zoning Appeals Public Hearing March 26, 2026 at 2:00 PM
Thank you,

Jacob Franklin
144 Contrail Dr.
Kearneysville WV 25430
jakefrnkln@tutamail.com / (703) 297-2174

Memorandum in Opposition to Conditional Use Permit Application

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Cedar Hill Storage LLC

Self Storage / RV & Boat Storage

Property Address: 500 Febrey Road Jefferson County, West Virginia

Conditional Use Permit Application: 26-16-CUP

Submitted to: Jefferson County Planning Commission and Board of Zoning Appeals

Submitted by: Adjacent Residents and Property Owners

Date: 15 March 2026

I. Introduction

This memorandum is submitted in opposition to the Conditional Use Permit application filed by Cedar Hill Storage LLC for development of a self-storage facility and outdoor RV/boat storage at 500 Febrey Road in Jefferson County, West Virginia.

Residents of the adjacent neighborhood do not oppose reasonable development of the subject parcel. However, the currently proposed site layout raises substantial concerns regarding compliance with the Jefferson County Zoning Ordinance, particularly with respect to compatibility with surrounding land uses, preservation of required landscape buffers, floodplain proximity, and the lack of detailed planning documentation supporting the application.

As discussed below, the current proposal places intensive commercial activity directly adjacent to residential properties while simultaneously seeking a substantial reduction in the landscape buffer intended to protect those properties. In addition, several critical components of the project appear to be deferred to future planning phases rather than demonstrated through the materials submitted with the application.

Importantly, a feasible alternative layout exists on the same parcel that would substantially reduce these impacts while preserving the intent of the zoning ordinance.

For these reasons, residents respectfully request that the Board deny the requested buffer reduction and require revision of the proposed site layout prior to approval of any Conditional Use Permit.

II. Applicable Zoning Standard

Under Section 6.3 of the Jefferson County Zoning Ordinance, a Conditional Use Permit may be granted only where the applicant demonstrates that the proposed use:

1. Is compatible in intensity and scale with surrounding land uses;
2. Will not adversely affect the public health, safety, or welfare; and
3. Will be arranged and operated in a manner that does not hinder or discourage the appropriate development of adjacent land.

Additionally, the ordinance requires landscape buffers between commercial uses and adjacent residential properties. These buffer requirements exist to mitigate visual, operational, and environmental impacts associated with more intensive land uses.

III. Compatibility With Surrounding Residential Properties

The proposed development includes multiple self-storage buildings and outdoor parking for RVs, boats, and trailers. Such facilities inherently generate vehicle traffic, trailer maneuvering, security lighting, and periodic activity associated with storage access.

Based on the submitted site materials, the proposed development area is positioned directly along the property boundary adjacent to established residential properties and an existing residential subdivision.

While the parcel itself may be zoned Industrial-Commercial, the zoning ordinance requires consideration of compatibility with surrounding land uses rather than solely the zoning designation of the parcel itself.

Placing a commercial storage facility directly adjacent to residential homes without meaningful separation raises substantial compatibility concerns under Section 6.3 of the ordinance.

IV. Requested Reduction of Required Landscape Buffer

The zoning ordinance requires a landscaped buffer between commercial or industrial uses and adjacent residential properties. The applicant has indicated an intention to seek a variance reducing this buffer from the required seventy-five (75) feet to approximately ten (10) feet.

The purpose of such buffers is to mitigate visual, lighting, and operational impacts that commercial uses may impose upon adjacent residential areas.

Reducing this buffer to approximately one-seventh of the required width would substantially undermine the purpose of the ordinance and place commercial activity in close proximity to existing homes.

Variances are generally justified only where strict application of the ordinance would create a hardship resulting from the unique physical characteristics of the property and where the requested relief represents the minimum necessary to allow reasonable use of the land.

Based on the materials submitted, the requested buffer reduction appears to arise from the applicant's chosen placement of development within the parcel rather than from any inherent physical limitation of the property.

Where a variance request arises from a site layout selected by the applicant rather than from the physical characteristics of the land itself, the resulting condition is commonly described in land-use review as a self-created hardship. Variances are generally not intended to relieve conditions created by a development design choice when reasonable alternative configurations of the property remain available.

V. Floodplain and Environmental Considerations

The application materials indicate that portions of the property remain within the FEMA Special Flood Hazard Area associated with Shaw Run.

Although certain portions of the parcel have been removed from the mapped floodplain, the currently proposed layout places development immediately adjacent to the creek corridor.

Development in close proximity to this flood corridor raises additional concerns regarding stormwater management, runoff, and potential environmental disturbance within the watershed.

These considerations further support the need for careful site planning and preservation of adequate buffers between the development and surrounding residential properties.

VI. Incomplete Planning Documentation

The application materials indicate that several critical elements of the project—including traffic circulation, stormwater management, lighting plans, and other operational considerations—will be addressed during future planning or engineering stages.

However, under the standards governing Conditional Use Permits, the Board must determine whether the proposed use as presented satisfies the compatibility and public welfare requirements of the zoning ordinance.

At present, the application appears to rely largely on general statements that these issues will be addressed at a later stage of development. The record currently contains limited documentation demonstrating how the project will mitigate impacts related to traffic, stormwater, lighting, and operational activity associated with RV and boat storage.

Approval of a Conditional Use Permit based primarily on conceptual future planning rather than detailed demonstrated compliance would be premature.

VII. Stormwater Management Located Off-Parcel

The project description indicates that stormwater management infrastructure may be located outside the subject parcel through the use of an easement on adjacent property.

Relocating stormwater management outside the parcel raises additional concerns regarding drainage impacts, runoff patterns, and the potential transfer of stormwater burdens to surrounding land.

Stormwater systems are typically designed to ensure that runoff generated by development is properly contained and managed within the project site.

Without detailed engineering analysis demonstrating the effectiveness and long-term management of the proposed off-parcel stormwater system, it is difficult to evaluate whether the proposal adequately protects surrounding properties and the Shaw Run watershed.

VIII. Phased Development Strategy

The materials accompanying the application describe a phased development plan in which the initial construction phase would be followed by additional storage units, expanded facilities, and potentially additional commercial activities.

While phased construction may be common in certain developments, the Board's review of a Conditional Use Permit should consider the full scope of the proposed use rather than only the initial phase.

Future expansion of storage units, RV parking, and related commercial activities may substantially increase the intensity of use, traffic generation, and operational impacts on surrounding properties.

For this reason, evaluation of the Conditional Use Permit should consider the cumulative impacts associated with the full build-out of the proposed development.

XI. Conclusion

The Jefferson County Zoning Ordinance requires that conditional uses be compatible with surrounding land uses and arranged in a manner that avoids adverse impacts on adjacent properties.

The currently proposed site layout places commercial storage activity directly adjacent to residential homes while simultaneously seeking significant reduction of the landscape buffer intended to protect those homes.

In addition, key elements of the proposal—including stormwater management, traffic circulation, and operational mitigation measures—remain conceptual and appear to rely on future planning rather than demonstrated compliance.

Because a reasonable alternative layout exists that would preserve required buffers and reduce impacts on surrounding properties, approval of the requested buffer reduction would be inconsistent with the intent of the zoning ordinance.

Approval of a Conditional Use Permit under circumstances where significant elements of the proposal remain conceptual and where reasonable alternative site configurations appear available may raise questions as to whether the statutory standards governing conditional uses and variances have been fully satisfied, potentially subjecting the decision to further administrative or judicial review.

For these reasons, residents respectfully request that the Board deny the requested buffer reduction and require revision of the proposed site layout prior to approval of any Conditional Use Permit.

Respectfully submitted,

Jacob Franklin
144 Contrail Dr.
Kearneysville WV 25430
jakefrnkln@tutamail.com / (703) 297-2174

Findings of Concern

Conditional Use Permit Application: 26-16-CUP Cedar Hill Storage LLC 500 Febrey Road Jefferson County, West Virginia

Purpose of This Document

This document summarizes key issues raised by adjacent residents regarding the Conditional Use Permit application for the proposed self-storage and RV/boat storage facility at 500 Febrey Road.

The following findings are provided to assist the Planning Commission and Board of Zoning Appeals in evaluating the application under the standards of the Jefferson County Zoning Ordinance, including Section 6.3 governing Conditional Uses.

Finding 1: Compatibility With Surrounding Land Uses

The proposed development places commercial self-storage buildings and outdoor RV/boat parking directly adjacent to established residential properties.

While the subject parcel is zoned Industrial-Commercial, the surrounding properties include existing residential uses. The zoning ordinance requires that conditional uses be compatible in intensity and scale with surrounding land uses.

Placement of commercial storage operations immediately adjacent to residential homes raises concerns regarding lighting, traffic, operational activity, and visual impacts on neighboring properties.

Finding 2: Requested Reduction of Required Landscape Buffer

The zoning ordinance requires a landscaped buffer between commercial uses and adjacent residential properties.

The applicant has indicated an intention to seek a variance reducing the required seventy-five (75) foot landscape buffer to approximately ten (10) feet.

Such a reduction would substantially undermine the purpose of the buffer requirement, which exists to mitigate visual and operational impacts between commercial and residential land uses.

Based on the materials submitted, the requested buffer reduction appears to result from the applicant's chosen placement of development on the parcel rather than from a physical hardship inherent to the property.

Finding 3: Proximity to Floodplain Corridor

Portions of the property remain within the FEMA Special Flood Hazard Area associated with Shaw Run.

The proposed development layout places structures and parking areas immediately adjacent to this creek corridor.

Development in close proximity to the floodplain raises concerns related to stormwater runoff, drainage management, and environmental disturbance within the Shaw Run watershed.

Finding 4: Lack of Detailed Planning Documentation

The application materials indicate that several important components of the project—including traffic circulation, stormwater management, lighting design, and operational mitigation measures—will be addressed during future engineering or design stages.

At present, the application contains limited documentation demonstrating how these issues will be addressed in a manner that protects adjacent residential properties.

Approval of a Conditional Use Permit based primarily on conceptual future planning rather than detailed demonstrated compliance would be premature.

Finding 5: Off-Site Stormwater Management

The project description indicates that stormwater management infrastructure may be located outside the subject parcel through the use of an easement.

Stormwater management systems are typically designed to contain and manage runoff generated by development within the project site.

Without detailed engineering documentation demonstrating the effectiveness and long-term management of an off-parcel stormwater system, the Board cannot fully evaluate the potential drainage impacts of the proposed development.

Finding 6: Phased Development and Future Expansion

The application materials describe a phased development strategy in which the initial construction phase would be followed by additional storage buildings and expanded facilities.

Evaluation of the Conditional Use Permit should consider the full potential build-out of the proposed development, as future phases may significantly increase operational intensity, traffic generation, and overall impacts on surrounding properties.

Finding 7: Existence of a Reasonable Alternative Layout

A feasible alternative configuration appears to exist on the same parcel that would relocate the proposed storage facility farther from adjacent residential properties.

Such a configuration would:

- Increase separation between commercial activity and residential homes
- Utilize the Shaw Run corridor as a natural buffer
- Reduce interaction with floodplain areas
- Preserve the required 75-foot residential buffer

Because a reasonable alternative layout exists that would substantially reduce impacts on neighboring properties, the requested buffer reduction does not appear necessary to allow reasonable development of the parcel.

This alternative configuration represents a form of least intrusive alternative siting that would reduce impacts on adjacent residential properties while still allowing development of the parcel.

Summary

The issues identified above raise substantial questions regarding whether the proposed development, as currently configured, satisfies the standards required for approval of a Conditional Use Permit under the Jefferson County Zoning Ordinance.

Residents respectfully request that the Board consider these findings in evaluating the application and require revision of the site layout prior to approval of any Conditional Use Permit.

Requested Action

Residents respectfully request that the Board:

1. Deny the requested reduction of the required landscape buffer; or
2. Require the applicant to revise the site layout to maintain the required buffer and increase separation between the development and adjacent residential properties prior to approval of the Conditional Use Permit; or
3. Continue the application pending submission of a revised site plan addressing the concerns identified above.

- Reduced risk of run-off contamination of Shaw Run from proposed diesel vehicles.
- Reduced tree clearing.
- Improved compatibility with surrounding residential and agricultural land uses.
- Placement of the facility closer to the property owner's residence, improving operational oversight and site monitoring.

Land-Use Planning Consideration

In land-use planning practice, locating development in the portion of a parcel that minimizes impacts on surrounding properties is commonly referred to as **least intrusive alternative siting**.

The conceptual layout illustrated in this exhibit demonstrates that the subject parcel can reasonably accommodate the proposed use while substantially reducing impacts on adjacent residential properties.

Accordingly, the requested reduction of the required residential landscape buffer does not appear necessary to allow reasonable development of the parcel.

Exhibit Disclaimer

This exhibit is conceptual in nature and is intended solely to illustrate the existence of a feasible alternative site configuration. Detailed engineering design, grading, drainage, and circulation analysis would be required for any final development plan.

Richard Kelsey

372 Moonstone Dr.

Kearneysville WV. 25430

Richkelsey91@Gmail.com 03/14/2026

Jefferson County Zoning Commission 393 N. Lawrence Street Charles Town, WV
25414

RE: Opposition to Conditional Use Permit and Variance Requests for Cedar Hill Storage (File #26-1-CUP)

Dear Members of the Jefferson County Zoning Commission,

I am writing to formally request the rejection of the proposed Conditional Use Permit and associated variances for Cedar Hill Storage (File #26-1-CUP). While the applicant seeks to develop a self-storage and rental facility on 8 acres of a Rural zoning district, the proposed intensity of use and the requests to bypass standard protections are incompatible with the character of our community.

My opposition is based on the following critical concerns:

1. Inadequate Buffering and Landscaping Variances

The applicant is requesting significant deviations from the Jefferson County Zoning Ordinance that would leave neighboring properties exposed. Specifically, they are asking for:

- **A variance from Section 4.11 and Appendix B** to use existing vegetation instead of a required landscape buffer along the western property line.
- **A reduction to a 10' wide unscreened buffer** in place of the mandatory 75-foot distance requirement and planted landscape buffer along the eastern and southern property lines.

These requests essentially ask the Commission to waive the very protections designed to shield residential areas from commercial blight. A 10-foot unscreened buffer is insufficient to mask an 8-acre facility filled with storage units, RVs, boats, and security fencing.

2. Operational Impacts and Traffic

The nature of the request includes not only self-storage but also U-Haul, camper, and boat rentals, operating 7 days a week. This will result in:

- **Increased Heavy Vehicle Traffic:** Frequent movement of large rental trucks and trailers on roads meant for rural or residential use.
- **Noise and Light Pollution:** With security cameras, fencing, and 7-day operations, the quiet enjoyment of the surrounding area will be compromised.
- **Environmental Concerns:** The inclusion of an outdoor wash and dumping area poses potential runoff risks to the local ecosystem.

3. Economic and Community Impact

Allowing a high-intensity commercial "Storage, Commercial and Mobile Home, Boat, and Trailer Sales" use in a Rural district threatens the stability of nearby housing communities.

- **Reduced Property Values:** The presence of a large, poorly screened commercial rental hub can significantly lower the market value of adjacent homes.
- **Lower Tax Revenue:** While the storage facility may provide some tax base, the cumulative loss in property value across the surrounding residential community could result in a net loss of property tax revenue for Jefferson County.

The requirements set forth in the Zoning Ordinance exist to maintain the integrity of our county. Granting these variances would set a dangerous precedent that developer convenience outweighs community protection. I urge the Commission to deny File #26-1-CUP and uphold the standards of our Rural zoning districts.

Thank you for your time and consideration of these concerns.

Sincerely,

Richard Kelsey

Zoning

From: Zoning
Sent: Monday, March 16, 2026 1:45 PM
To: 'Richard Kelsey'
Subject: RE: File# 26-1-CUP Letter

Good morning,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming March 26, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, March 20, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Note, today our office also received the letter you sent via certified mail.

Thank you,

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Richard Kelsey <richkelsey91@gmail.com>
Sent: Sunday, March 15, 2026 7:13 PM
To: Zoning <Zoning@jeffersoncountywv.org>
Subject: File# 26-1-CUP Letter

Please find attached my letter opposing Cedar Hill Conditional Use Permit

RECEIVED

MAR 16 2026

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

Richard Kelsey

372 Moonstone Dr.

Keameysville WV. 25430

Richkelsey91@Gmail.com 03/14/2026

Jefferson County Zoning Commission 393 N. Lawrence Street Charles Town, WV
25414

**RE: Opposition to Conditional Use Permit and Variance Requests for Cedar Hill
Storage (File #26-1-CUP)**

Dear Members of the Jefferson County Zoning Commission,

I am writing to formally request the rejection of the proposed Conditional Use Permit and associated variances for Cedar Hill Storage (File #26-1-CUP). While the applicant seeks to develop a self-storage and rental facility on 8 acres of a Rural zoning district, the proposed intensity of use and the requests to bypass standard protections are incompatible with the character of our community.

My opposition is based on the following critical concerns:

1. Inadequate Buffering and Landscaping Variances

The applicant is requesting significant deviations from the Jefferson County Zoning Ordinance that would leave neighboring properties exposed. Specifically, they are asking for:

- **A variance from Section 4.11 and Appendix B** to use existing vegetation instead of a required landscape buffer along the western property line.
- **A reduction to a 10' wide unscreened buffer** in place of the mandatory 75-foot distance requirement and planted landscape buffer along the eastern and southern property lines.

These requests essentially ask the Commission to waive the very protections designed to shield residential areas from commercial blight. A 10-foot unscreened buffer is insufficient to mask an 8-acre facility filled with storage units, RVs, boats, and security fencing.

2. Operational Impacts and Traffic

The nature of the request includes not only self-storage but also U-Haul, camper, and boat rentals, operating 7 days a week. This will result in:

- **Increased Heavy Vehicle Traffic:** Frequent movement of large rental trucks and trailers on roads meant for rural or residential use.
- **Noise and Light Pollution:** With security cameras, fencing, and 7-day operations, the quiet enjoyment of the surrounding area will be compromised.
- **Environmental Concerns:** The inclusion of an outdoor wash and dumping area poses potential runoff risks to the local ecosystem.

3. Economic and Community Impact

Allowing a high-intensity commercial "Storage, Commercial and Mobile Home, Boat, and Trailer Sales" use in a Rural district threatens the stability of nearby housing communities.

- **Reduced Property Values:** The presence of a large, poorly screened commercial rental hub can significantly lower the market value of adjacent homes.
- **Lower Tax Revenue:** While the storage facility may provide some tax base, the cumulative loss in property value across the surrounding residential community could result in a net loss of property tax revenue for Jefferson County.

The requirements set forth in the Zoning Ordinance exist to maintain the integrity of our county. Granting these variances would set a dangerous precedent that developer convenience outweighs community protection. I urge the Commission to deny File #26-1-CUP and uphold the standards of our Rural zoning districts.

Thank you for your time and consideration of these concerns.

Sincerely,

Richard Kelsey

Richard & Beanna Kelsey
37a Moonstone Dr.
Kearneysville, WV 25430

9589 0710 5270 3123 1715 31



RDC 99



Retail

Jefferson County Office of Planning and Zoning
116 E. Washington Street, 2nd Floor
Charles Town, WV 25414

MAR 16 2026

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

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25414

Cyndi J. Rexroat
428 Moonstone Dr
Kearneysville, WV 25430

March 16, 2026

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

**Subject: Formal Response and Public Comment – Conditional Use Permit
Application File #26-1-CUP – Cedar Hill Storage – 500 Febrey Road, Kearneysville,
WV**

To the Jefferson County Planning Commission and Board Members,

I am writing as significantly impacted property owner and resident to express concerns regarding the Conditional Use Permit application (File #26-1-CUP) submitted by Cedar Hill Storage, LLC for a commercial self-storage facility on approximately eight acres of the Pine Run Ranch property at 500 Febrey Road in Kearneysville.

I chose to live in this area because of its rural character, quiet setting, and strong sense of community. Like many residents in this area, our home represents our most significant financial investment, and we value the stability and quality of life that Rural zoning is intended to preserve.

While I respect the rights of property owners to pursue development opportunities, the proposed project raises concerns about potential impacts on surrounding residential property values. Introducing a large commercial storage facility—with uses that include self-storage operations, U-Haul rentals, RV and boat storage and sales, and related commercial activity operating seven days a week—could change the character of the surrounding area in ways that may negatively affect nearby home values.

Residential property values are closely tied to neighborhood character, traffic conditions, noise levels, and overall land use compatibility. Increased commercial activity, larger vehicle traffic, outdoor storage, excessive noise, and security lighting associated with a commercial storage facility may reduce the desirability of nearby homes and negatively influence property values for surrounding residents.

The application also proposes a significant reduction in the required landscaped buffer—from seventy-five (75) feet to as little as ten (10) feet directly behind my home. Landscape buffers are intended to help protect neighboring properties by minimizing visual, lighting, and operational impacts from commercial uses. A reduction of this magnitude could increase the visibility of commercial operations and reduce the

protective separation between the facility and nearby homes. At the time of filing, the applicant accepted the terms for landscaping and buffering but is now requesting a waiver along the portion of the plan closest to the residents of Quail Ridge. Anything less than 75 feet is an unacceptable buffer and should be denied.

In the application for condition use, the applicant amended the application to add "Mobile Home, Boat, and Trailer Sales". This added use will significantly increase traffic not only from potential customers but also for those test-driving vehicles. Although Febrey Rd is only used for accessing the applicant's property, it directly connects to the main access road into Quail Ridge. The potential for test driving vehicles through the residential zone is also increased. This creates a hazard for children and residents who walk and run within the neighborhood due to its safe 25 mph speed limit.

This type of business requires a considerable amount of paved square footage. This forces water from rain and snow to drain outward from the site potentially allowing oils, petroleum, and other chemicals to flow into the nearby creek and impacting wildlife that relies on the grass and water in that area. Even a drainage system allows uncontrolled amounts of hazardous chemicals to flow into the water table.

The lighting plan is likewise unacceptable. Applicant states that all lighting will be building-mounted and down-facing. The location of the site is at a higher elevation than the houses in Quail Ridge so even down-facing lights will shine directly down into our property.

In addition, the long-term implications of approving this Conditional Use Permit should be carefully considered. Allowing this type of commercial development within an area designated as Rural could establish a precedent for additional commercial uses in the future, potentially leading to gradual changes in the character of the area and further impacts on surrounding residential property values.

For these reasons, we respectfully request that the Planning Commission carefully evaluate whether this proposal aligns with the intent of the Rural zoning district and the County's long-term planning goals. Protecting the stability of surrounding residential neighborhoods and the value of existing homes should be an important consideration in this decision.

Thank you for your time and consideration.

Respectfully,

Cyndi J. Rexroat



Re: Opposition letters for 26-1-CUP 26-6-ZV

From Zoning <zoning@jeffcowv.gov>

Date Wed 3/18/2026 2:41 PM

To Russ Rexroat <rexroatr@gmail.com>; Zoning <Zoning@jeffersoncountywv.org>

Good afternoon,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming March 26, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, March 20, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Thank you,

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Russ Rexroat <rexroatr@gmail.com>

Sent: Monday, March 16, 2026 10:17 PM

To: Edwina Benites County Administrator <Edwina.C.BenitesLM@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>; Planning Department <PlanningDepartment@jeffersoncountywv.org>

Subject: Opposition letters for 26-1-CUP 26-6-ZV

Please find attached letters opposing the approval of Conditional Use Permit Application File #26-1-CUP – Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV. Specifically of concern is the reduction in the landscaping buffer to less than 75 feet.

Thank you for your consideration

Russ



Re: Formal Response and Public Comment – Conditional Use Permit Application File #26-1-CUP - Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV

From Zoning <zoning@jeffcowv.gov>

Date Wed 3/18/2026 3:18 PM

To Julie Walberg <walberg75@gmail.com>; dzab1930@protonmail.com <dzab1930@protonmail.com>; jasonhowardburton@gmail.com <jasonhowardburton@gmail.com>; anymichellescott@hotmail.com <anymichellescott@hotmail.com>; troberts48@aol.com <troberts48@aol.com>; jpotocnak@earthlink.net <jpotocnak@earthlink.net>

Good afternoon,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming March 26, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, March 20, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Thank you,

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Julie Walberg <walberg75@gmail.com>

Sent: Monday, March 16, 2026 4:11 PM

To: Zoning <zoning@jeffcowv.gov>; Edwina Benites County Administrator <Edwina.C.BenitesLM@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>; Planning Department <PlanningDepartment@jeffersoncountywv.org>; dzab1930@protonmail.com <dzab1930@protonmail.com>; jasonhowardburton@gmail.com <jasonhowardburton@gmail.com>; anymichellescott@hotmail.com <anymichellescott@hotmail.com>; troberts48@aol.com <troberts48@aol.com>; jpotocnak@earthlink.net <jpotocnak@earthlink.net>

Subject: Formal Response and Public Comment – Conditional Use Permit Application File #26-1-CUP - Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV

Please find attached my Formal Response and Public Comment regarding the Conditional Use Permit Application for File #26-1-CUP - Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV.

This documentation has been sent via email, regular mail, and certified mail. Please respond to this email to confirm that you have received my correspondence.

Thank you for your assistance.

Best regards,

Julie Walberg

Julie Walberg
396 Moonstone
Kearneysville, WV 25430

Monday, March 16, 2026

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

Subject: Formal Response and Public Comment – Conditional Use Permit Application

File #26-1-CUP - Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV

To the Jefferson County Planning Commission and Board Members,

I am writing as a nearby property owner and resident of the surrounding rural community to express my concerns regarding the application for a Conditional Use Permit (File #26-1-CUP) submitted by Cedar Hill Storage, LLC for the development of a commercial self-storage facility on approximately eight acres of the Pine Run Ranch property located at 500 Febrey Road in Kearneysville.

I am resident and property owners of the surrounding community, respectfully **oppose** the **Conditional Use Permit Application (File #26-1-CUP)** submitted by Cedar Hill Storage, LLC for the development of a commercial self-storage facility on approximately eight acres of the Pine Run Ranch property located at **500 Febrey Road in Kearneysville, West Virginia.**

It is my understanding that **Jefferson County**, zoning ordinances help protect the public from adverse impacts of incompatible land uses and help implement the vision and intent of county comprehensive plans. Zoning is intended to ensure that communities grow and prosper in a safe and environmentally sustainable way. In addition, by law, any change in zoning must align with the comprehensive plan of the municipality. These principles highlight the importance of ensuring that any proposed conditional use is compatible with the surrounding land uses and supports the long-term vision for the community.

My concerns include but are not limited to:

- **Potential impacts on the safety and well-being of families and children living in the surrounding residential and rural areas.**

- **Increased commercial traffic and infrastructure demands on roads not designed for this level of activity.**
- **Negative impacts to property values and residential character in an area currently designated as rural.**
- The creation of a **precedent for further commercial development** within areas intended to maintain a rural character.
- Potential impacts to **wildlife, environmental resources, and the natural landscape** that currently define this community.
- **Reduction of Required Landscape Buffer** The requested reduction of the required landscape buffer appears to result from the applicant's chosen placement of development on the parcel rather than from any unique physical hardship of the property.
- Jefferson County zoning ordinances exist to **protect the public from incompatible land uses and ensure development aligns with the County's Comprehensive Plan**. We respectfully request careful consideration of these concerns when reviewing this application.
- There are areas within Jefferson County, West **Virginia already designated and zoned for commercial development that are better suited** for facilities such as self-storage and other planned activities. Approving this proposal in a rural area may undermine the intent of the County's Comprehensive Plan and set a precedent for further commercial development in areas intended to maintain rural character.
- The proposed project introduces a **significant commercial operation** within an area designated as Rural. The proposed activities—including self-storage operations, U-Haul rentals, camper and boat storage, and an RV wash and dumping area operating seven days a week—represent a level of commercial activity that may not be consistent with the intended character of the Rural zoning district. Many residents in the surrounding area chose to live here specifically because of its rural setting, open space, and limited commercial intensity. Introducing a large-scale commercial storage facility in this setting has the potential to alter the rural character that zoning protections are designed to preserve.
- Stormwater management and environmental impacts should also be carefully evaluated. The construction of multiple storage buildings, parking areas, and vehicle storage spaces will introduce significant impervious surfaces. Increased runoff has the potential to affect neighboring properties, drainage patterns, and nearby waterways if not properly managed.
- The scale and nature of the proposed operation may also introduce increased lighting and noise into an area that currently experiences limited commercial activity. Security lighting associated with a commercial facility operating seven days a week can significantly alter nighttime conditions in rural areas and may negatively affect nearby residents and the surrounding environment.

- While adjoining property owners were notified of the proposed Conditional Use Permit application, the scale and **potential impacts of the project extend beyond adjacent parcels** and may affect the entire Quail Ridge community, along with established public infrastructure and government resources in the surrounding area. Potential increases in traffic, operational intensity, stormwater runoff, and changes in land use warrant careful review to ensure that public infrastructure, services, and community resources are protected from adverse impacts.
- The Jefferson County Zoning and Land Development Ordinance establishes that zoning regulations are intended to “**protect and encourage the health, safety and general welfare of the present and future population of Jefferson County**” and to guide the future growth and development of the County **in accordance with the adopted Comprehensive Plan**. These regulations exist to ensure that development occurs in a manner that is compatible with surrounding land uses, protects environmental resources, and supports orderly and sustainable community growth. Consistent with both the Jefferson County Comprehensive Plan and the authority granted under **West Virginia Code §8A, land use decisions—including Conditional Use Permits—should carefully consider potential impacts on neighboring properties**, infrastructure, traffic, environmental resources, and the **overall rural character of the community**. For these reasons, it is important that the proposed Conditional Use Permit be evaluated carefully to ensure that it is consistent with the intent of the zoning ordinance and the long-term planning goals established for Jefferson County.

For these reasons, I respectfully request that the Planning Commission carefully evaluate whether the proposed Conditional Use Permit meets the intent of the Rural zoning district and aligns with the County’s comprehensive planning goals. I also ask that the Office of Planning and Zoning maintain established requirements for buffer zones. I strongly encourage the Commission to consider measures that maintain compatibility with surrounding properties and preserve the rural character of the area.

Thank you for your time and consideration, and for the opportunity to provide public comment on this matter.

Respectfully,
Julie Walberg

Julie Ann Walberg

walberg75@gmail.com
218.343.9897



Re: Formal Response and Public Comment – Conditional Use Permit Application File #26-1-CUP - Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV

From Zoning <zoning@jeffcowv.gov>

Date Wed 3/18/2026 3:15 PM

To John Walberg <jgwalberg@gmail.com>; Zoning <Zoning@jeffersoncountywv.org>; dzab1930@protonmail.com <dzab1930@protonmail.com>; jasonhowardburton@gmail.com <jasonhowardburton@gmail.com>; anymichellescott@hotmail.com <anymichellescott@hotmail.com>; troberts48@aol.com <troberts48@aol.com>; jpotocnak@earthlink.net <jpotocnak@earthlink.net>

Good afternoon,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming March 26, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, March 20, 2026.

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Thank you,

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: John Walberg <jgwalberg@gmail.com>

Sent: Monday, March 16, 2026 4:13 PM

To: Edwina Benites County Administrator <Edwina.C.BenitesLM@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>; Planning Department <PlanningDepartment@jeffersoncountywv.org>; dzab1930@protonmail.com <dzab1930@protonmail.com>; jasonhowardburton@gmail.com <jasonhowardburton@gmail.com>; anymichellescott@hotmail.com <anymichellescott@hotmail.com>; troberts48@aol.com <troberts48@aol.com>; jpotocnak@earthlink.net <jpotocnak@earthlink.net>

Subject: Formal Response and Public Comment – Conditional Use Permit Application File #26-1-CUP - Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV

Please find attached my Formal Response and Public Comment regarding the Conditional Use Permit Application for File #26-1-CUP - Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV.

This documentation has been sent via email, regular mail, and certified mail. Please respond to this email to confirm that you have received my correspondence.

Thank you for your assistance.

Best regards,

John G. W.

--

John G. Walberg
jgwalberg@gmail.com
218-349-9500

John G. Walberg
396 Moonstone
Kearneysville, WV 25430

Monday, March 16, 2026

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

Subject: Formal Response and Public Comment – Conditional Use Permit Application

File #26-1-CUP - Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV

I am writing as a nearby property owner and resident of the surrounding rural community to express my concerns regarding the application for a Conditional Use Permit (File #26-1-CUP) submitted by Cedar Hill Storage, LLC for the development of a commercial self-storage facility on approximately eight acres of the Pine Run Ranch property located at 500 Febrey Road in Kearneysville.

I am resident and property owners of the surrounding community, respectfully **oppose** the **Conditional Use Permit Application (File #26-1-CUP)** submitted by Cedar Hill Storage, LLC for the development of a commercial self-storage facility on approximately eight acres of the Pine Run Ranch property located at **500 Febrey Road in Kearneysville, West Virginia**.

It is my understanding that the zoning ordinances of Jefferson County are intended to protect the public from the adverse effects of incompatible land uses and to support the implementation of the County's Comprehensive Plan. Zoning regulations are designed to promote orderly development and to ensure that communities grow and prosper in a manner that is safe, consistent, and environmentally sustainable.

Furthermore, applicable law requires that any change in zoning classification including "CUP" be consistent with the goals and policies set forth in the governing comprehensive plan. These requirements underscore the importance of ensuring that any proposed conditional use is compatible with surrounding land uses and advances the long-term vision and planning objectives established for the community.

The proposed project introduces a **significant commercial operation** within an area designated as Rural. The proposed activities—including self-storage operations, U-Haul rentals, camper and boat storage, and an RV wash and dumping area operating seven days a week 365 days a year—represent a level of commercial activity that may not be consistent with the intended character

of the Rural zoning district. Many residents in the surrounding area **chose to live here specifically because of its rural setting**, open space, and limited commercial intensity. Introducing a large-scale commercial storage facility in this setting has the potential to alter the rural character that zoning protections are designed to preserve.

There are areas within Jefferson County, West Virginia that are already **designated and zoned for commercial development and are more appropriate locations for facilities such as self-storage and similar activities**. Approval of the proposed use in a rural area may be inconsistent with the intent of the County's Comprehensive Plan and could establish a precedent for additional commercial development in areas intended to preserve rural character.

The application also requests a **substantial variance** from the required landscape buffer standards. Variances are generally appropriate only where strict application of the ordinance creates a hardship arising from the unique physical characteristics of the property and where the relief requested is the minimum necessary to allow reasonable use of the land. Based on the submitted materials, the requested reduction appears to result from the applicant's chosen site layout rather than from any inherent limitation of the property. Such circumstances are commonly considered a self-created hardship and typically do not justify a variance where reasonable alternative configurations remain available.

Additionally, the proposed use raises concerns regarding traffic safety and increased vehicle activity on local rural roads. The inclusion of U-Haul rentals, recreational vehicle storage, and trailer traffic may substantially increase the number of larger vehicles entering and exiting the property. Rural roads in this area were not designed for frequent commercial vehicle traffic, and increased traffic could create **safety concerns for residents, pedestrians, cyclists, and equipment** that commonly use these roads.

Stormwater management and environmental impacts should also be carefully evaluated. The construction of multiple storage buildings, parking areas, and vehicle storage spaces will introduce significant impervious surfaces. Increased runoff has the potential to affect neighboring properties, drainage patterns, and nearby waterways if not properly managed.

The scale and nature of the proposed operation may also introduce increased lighting and noise into an area that currently experiences this type of commercial activity and a 24/7/365 days out of the year operation. Security lighting associated with a commercial facility operating seven days a week can significantly alter nighttime conditions in rural areas and may negatively affect nearby residents and the surrounding environment.

Although adjoining property owners were provided notice of the proposed Conditional Use Permit application, the scale and potential impacts of the project **extend beyond immediately adjacent parcels and may affect the broader Quail Ridge community**, as well as existing public

infrastructure and governmental resources in the surrounding area. Potential increases in traffic, operational intensity, stormwater runoff, and changes in land use warrant careful consideration to ensure that public infrastructure, services, and community resources are not adversely affected.

Finally, approval of this Conditional Use Permit could establish a **precedent for future commercial development within areas currently designated as Rural**. Decisions regarding conditional uses should carefully consider the long-term planning implications for the surrounding community and whether such development aligns with the County's broader goals of preserving rural character and promoting environmentally sustainable growth.

For these reasons, I respectfully request that the Jefferson Planning and zoning commission carefully evaluate whether the proposed Conditional Use Permit (CUP) meets the intent of the Rural zoning district and aligns with the County's comprehensive planning goals. I strongly encourage the county to consider measures that maintain compatibility with surrounding properties and preserve the rural character of the area.

Thank you for your time and consideration, and for the opportunity to provide public comment on this matter.

Respectfully,

John G. Walberg

jgwalberg@gmail.com

218.349.9500




Request for Traffic Impact Review, Cumulative Safety Assessment, and Stay R Recommendation for Proposed Conditional Use Permit (CUP) #26-1-CUP – Cedar Hill Storage, LLC at 500 Febrey Road, Kearneysville, WV 25430

From Wendy Couch <wcouch8@gmail.com>

Date Mon 3/16/2026 3:32 PM

To Ted.J.Whitmore@wv.gov <Ted.J.Whitmore@wv.gov>; lee.j.thorne@wv.gov <lee.j.thorne@wv.gov>

Cc John Walberg <jgwalberg@gmail.com>; Richard Kelsey <richkelsey91@gmail.com>; W Couch <wcouch8@yahoo.com>; msulsky@gmail.com <msulsky@gmail.com>; SkyKing6275@gmail.com <SkyKing6275@gmail.com>; chris.anders@wvhouse.gov <chris.anders@wvhouse.gov>; Michael Mood <michael.t.mood@jeffcowv.gov>; Edwina Benites County Administrator <Edwina.C.BenitesLM@jeffcowv.gov>; Roger Goodwin <roger.l.goodwin@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>

 1 attachment (49 KB)

Letter to WVDOT - Google Docs.pdf;

Please see the attached letter for description of the issue and due dates.

Due to the short notice provided by the Board of Zoning Appeals Jefferson County, this formal request is being both emailed to you and also will be sent via Certified Mail Return Receipt Requested.

Please feel free to reach out to the signatories for more information.

Sincerely,
Wendy Couch

March 16, 2026

Ted Whitmore, P.E.
Director, Traffic Engineering Division
West Virginia Department of Transportation
1900 Kanawha Boulevard East, Building 5
Charleston, WV 25305

J. Lee Thorne, P.E.
District Engineer/Manager, District 5
West Virginia Department of Transportation
1515 Broad Street
Moorefield, WV 26836

Re: Request for Traffic Impact Review, Cumulative Safety Assessment, and Stay
Recommendation for Proposed Conditional Use Permit (CUP) #26-1-CUP – Cedar Hill Storage,
LLC at 500 Febrey Road, Kearneysville, WV 25430

Dear Director Whitmore and District 5 Manager Thorne,

We are a group of esidents in Jefferson County, West Virginia, writing to request a formal traffic impact review, cumulative safety assessment, and related recommendations by the West Virginia Department of Transportation (WVDOT) for a proposed Conditional Use Permit (CUP) #26-1-CUP for Cedar Hill Storage, LLC.

The project involves an initial development of an 8-acre commercial self-storage facility with U-Haul rentals, RV/boat parking, an outdoor wash and dumping area. It is anticipated to expand commercialization with various projects on the 116-acre parcel in a rural zoning district. WVDOT needs to confirm whether zoning anticipates multiple commercial projects across the full 116 acres, as the cumulative impacts of phased or sequential developments would be far greater than those from commercial storage and sales alone. We urge WVDOT to evaluate the broader, long-term traffic effects accordingly.

The CUP is scheduled for a public hearing before the Jefferson County Board of Zoning Appeals on March 26, 2026. If you need to request a stay on the voting before the CUP is approved by the Jefferson County Board of Zoning Appeals, **it needs to be received by Jefferson County no later than March 19, 2026.** Adequate notification by the BZA was not provided and this was the timeline we need to work within.

Access crosses both Berkeley and Jefferson counties and connects to state-maintained corridors, including Charles Town Road (WV Route 115) and Coast Guard Drive (near the federal complex). As these are multi-jurisdictional state roads, we believe WVDOT has authority under Traffic Engineering Directive (TED) 106-2 to require and review a Traffic Impact Study (TIS) for developments generating significant additional trips (e.g., over 100 peak-hour vehicles from commercial/RV traffic).

Our concerns stem from the potential for increased congestion, safety hazards, and infrastructure strain in this rural area. Specifically, we urge WVDOT to evaluate:

- **Traffic Volume and Congestion:** The addition of large vehicles (RVs, boats, trailers) and 7-day operations could exceed current road capacity, leading to backups on WV Route 115 (Charles Town Road) and Coast Guard Drive.
- **Safety Improvements:** Need for additional stop signs, traffic signals, turn lanes, or speed reductions to prevent accidents, given the mix of commercial and residential traffic.
- **Street Lighting and Visibility:** Assessment for new or upgraded lighting at key intersections to address low-visibility risks during evening/night operations.
- **Maintenance and Infrastructure Needs:** Road widening and wider turning radius at Coast Guard and Febrey Road. Increased wear on roads from heavy vehicles, potential for higher maintenance costs (e.g., repaving, drainage improvements), and stormwater runoff impacts that could erode road bases or cause flooding.
- **Emergency Access and Response:** Proximity to the federal complex (<1/2 mile) could delay emergency vehicles; evaluate for dedicated access lanes or signage.
- **Traffic Redirection to Avoid Private Quail Ridge HOA Roads:** How best to design access and signage so that commercial traffic does not route through or burden nearby private Quail Ridge HOA roads (e.g., prohibiting through traffic, requiring dedicated entrances from Leetown Road, or other access management measures to protect residential areas).
- **Environmental and Health Impacts:** Air pollution and noise from idling trucks/RVs, which could affect nearby residents' health and quality of life—similar to successful community oppositions in West Virginia where traffic-related pollution was a key factor in project modifications.
- **Broader Operational Studies:** Pedestrian/bicycle safety (e.g., if the development discourages safe crossings), crash history analysis, and long-term economic costs to the state for unmitigated impacts.

In past West Virginia cases, such as resident-led oppositions to highway expansions (e.g., Corridor H) and data center developments, communities have successfully advocated for TIS requirements, leading to project redesigns that prioritized safety, reduced congestion, and minimized environmental harm. We request WVDOT conduct or mandate a comprehensive TIS (including cumulative/phased impacts), provide comments to the Jefferson County BZA, and recommend mitigations before zoning approval.

We further request that WVDOT formally recommend a stay on BZA voting no later than March 19, 2026, to allow time for this analysis, and send the stay request to those on the CC list (including the BZA Chairman and Zoning Administrator).

Please confirm receipt of this letter and let us know if additional details (e.g., site plans from the CUP application) are needed. We are available for discussion and can be reached at [Your Contact Email/Phone].

Thank you for protecting West Virginia's roadways and communities.

Sincerely,

John Walberg
396 Moonstone Drive
Kearneysville, WV
John Walberg

Richard Kelsey
372 Moonstone Drive
Kearneysville, WV 25430
richkelsey91@gmail.com

Wendy Couch
290 Moonstone Drive
Kearneysville, WV 25430
wcouch8@yahoo.com

Martin Sulsky
346 Moonstone Drive
Kearneysville, WV 25430
msulsky@gmail.com

Carl Maxwell
442 Moonstone Drive
Kearneysville, WV 25430
SkyKing6275@gmail.com

Russel Rexroat
428 Moonstone Drive
Kearneysville, WV 25430

Reference:

Online access to detailed CUP request:

<https://www.jeffersoncountywv.org/county-government/departments/planning-and-zoning-department/conditional-use-permits>

Elliott Kletter, Cedar Hill Storage, LLC; Pine Run Ranch, LLC, Property Owner, 500 Febrey Road, Kearneysville, WV 25430, Parcel ID: 07000200030000; Project Size 8 acres; Parcel Size 116.02 ac; Zoning District: Rural; Cedar Hill Storage (File #26-1-CUP)

CC:

Attn: The Honorable S. Chris Anders
Room 476M, Building 1
State Capitol Complex
Charleston, WV 25305
chris.anders@wvhouse.gov (mailto:chris.anders@wvhouse.gov)

Attn: The Honorable Riley Moore
739 Winchester Ave.
Martinsburg, WV 25401

Attn: Mike Mood, Middleway District
Jefferson County Commission
124 E. Washington Street, P.O. Box 250
Charles Town, WV 25414
Michael.t.mood@jeffcowv.gov

Attn: Edwina Benites-LM
Jefferson County Commissioner
124 E Washington St
Charles Town, WV 25414
edwina.c.beniteslm@jeffcowv.gov

Attn: Roger Goodwin
Deputy Jefferson County Commissioner
124 E Washington St
Charles Town, WV 25414
roger.l.goodwin@jeffcowv.gov

Attn: Matt McKinney, Chairman
Board of Zoning Appeals
116 East Washington St
Charles Town, WV 25414
zoning@jeffersoncountywv.org

Attn: Andy Beall, Zoning Administrator
Department of Engineering
Jefferson County Planning Division
P.O. Box 716
Charles Town, WV 25414
zoning@jeffersoncountywv.org




Notification of Proposed Commercial Development Near Federal Facilities in Kearneysville, WV (Jefferson County)

From Wendy Couch <wcouch8@gmail.com>

Date Mon 3/16/2026 3:10 PM

To meghan.spensky@gsa.gov <meghan.spensky@gsa.gov>; raymondj.porter@gsa.gov <raymondj.porter@gsa.gov>

Cc jgwalberg@gmail.com <jgwalberg@gmail.com>; Richard Kelsey <RichKelsey91@gmail.com>; W Couch <wcouch8@yahoo.com>; MSulsky@gmail.com <MSulsky@gmail.com>; SkyKing6275@gmail.com <SkyKing6275@gmail.com>; chris.anders@wvhouse.gov <chris.anders@wvhouse.gov>; jennifer.s.krouse@jeffcowv.gov <jennifer.s.krouse@jeffcowv.gov>; Edwina Benites County Administrator <Edwina.C.BenitesLM@jeffcowv.gov>; Roger Goodwin <roger.l.goodwin@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>

 1 attachment (3 MB)

Letter to Federal Protective Service - Mar 16 2026.pdf;

Dear Dear Occupant Emergency Coordinator (OEC) and General Services Administration (GSA),

Attached is a notification requesting a response no later than March 19, 2026.

I am writing on behalf of residents in Jefferson County, West Virginia, to notify you of a proposed Conditional Use Permit (CUP) for a commercial facility, including unmonitored storage units, moving vehicles, and vehicle storage and sales. The CUP is scheduled for review by the Jefferson County Board of Zoning Appeals on March 26, 2026. If you need time to evaluate the security impact to your facilities, your request for a stay is due to the Zoning Board no later than March 19, 2026.

The proposed site will be 816 feet from closest corner to corner from the federal complex in Kearneysville, WV, which includes the U.S. Coast Guard Operations Systems Center and IRS facilities (408 Coast Guard Dr, Kearneysville, WV 25430).

More information in the attached letter. The letter will also be sent certified mail/return receipt requested. Due to the short turnaround time, there is a chance the hard copy will be received after the March 19th deadline.

Please feel free to reach out to me if you have questions.

Wendy Couch

March 16, 2026

To:

GSA PBS West Virginia Point of Contact
100 South Independence Mall West
Philadelphia, PA 19106
meghan.spensky@gsa.gov
(215) 446-4400, Region 3

GSA Property/Contracting Officer
GSA Mid-Atlantic Region
100 South Independence Mall West
Philadelphia, PA 19106
raymondj.porter@gsa.gov
(215) 756-3439

Occupant Emergency Coordinator (OEC)
Occupant Emergency Organization (OEO)
408 Coast Guard Drive
Kearneysville, WV 25430

Subject: Notification of Proposed Commercial Development Near Federal Facilities in Kearneysville, WV (Jefferson County)

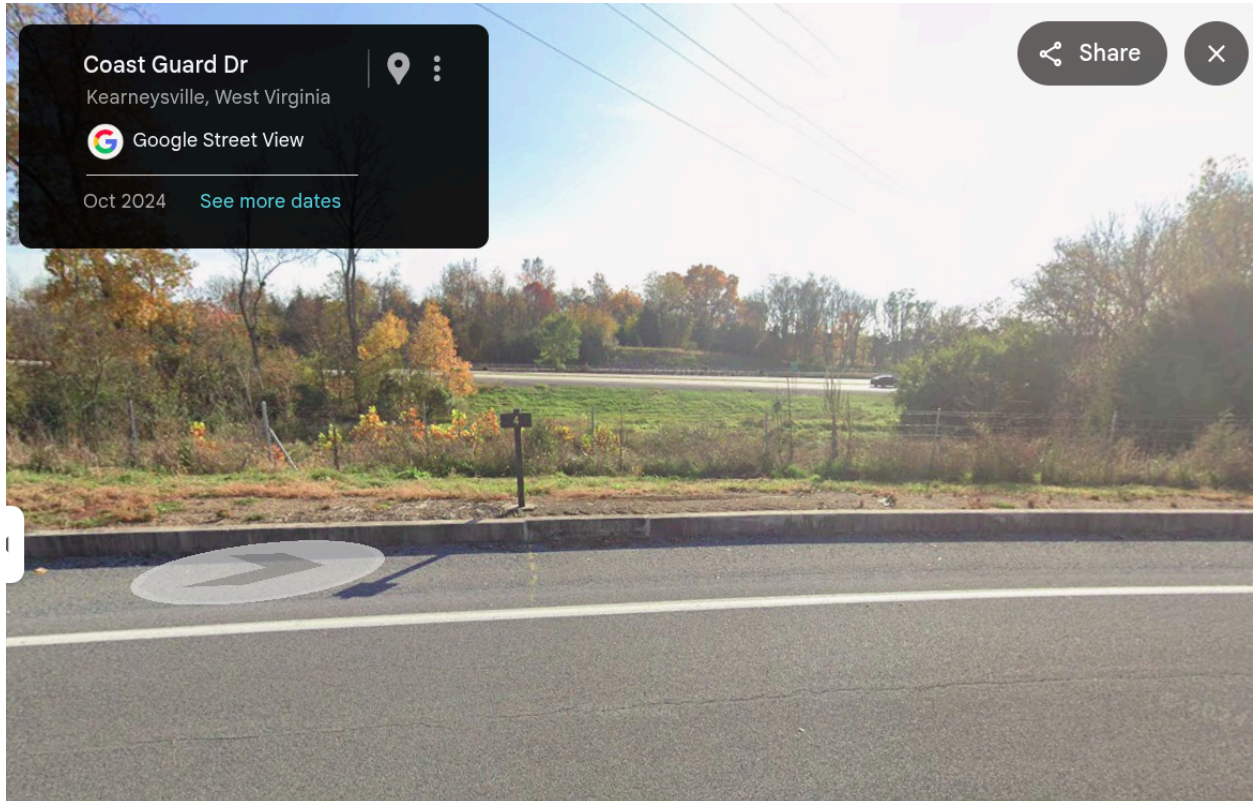
Dear Occupant Emergency Coordinator (OEC) and General Services Administration (GSA),

I am writing on behalf of residents in Jefferson County, West Virginia, to notify you of a proposed Conditional Use Permit (CUP) for a commercial facility, including unmonitored storage units, moving vehicles, and vehicle storage and sales. The CUP is scheduled for review by the Jefferson County Board of Zoning Appeals on March 26, 2026. **If you need time to evaluate the security impact to your facilities**, your request for a stay is due to the Zoning Board no later than **March 19, 2026**.

The proposed site will be 816 feet from closest corner to corner from the federal complex in Kearneysville, WV, which includes the U.S. Coast Guard Operations Systems Center and IRS facilities (408 Coast Guard Dr, Kearneysville, WV 25430).



A state highway (Route 9) and a bridge separate the sites, but the proximity is close enough that there is a direct line of sight from the proposed facility to your federal complex.



Key details of concern include:

- Significant increase in vehicle movements, rental moving trucks, RVs/boats, trailers and mobile homes on the local/cross-county road and entrance into your facility.
- Potential for heightened activity or loitering near federal boundaries.
- It interjects an 'unknown' if this proposed land use will degrade the FPS and the FSC approved risk environment, and thereby impact the funding for this federal site.

We encourage the Occupant Emergency Coordinator (OEC) to drive to Febrey Road to view the proximity. We encourage all the parties to read the materials in the link provided in the references below and coordinate a response.

Please contact the Jefferson County County Commissioner and Board of Zoning Appeals (BZA) NLT March 19, 2026 for a stay on approval to allow time for your security assessment, coordination with tenant agencies (Coast Guard, IRS), or input to the local planning process.

A reference link is provided below for additional details such as the exact parcel location, applicant information, and zoning CUP application materials. Please let us know if you require

further information or if this should be directed to a specific field office/inspector for the Kearneysville/Martinsburg area.

Thank you for your attention to this matter and for your service in protecting federal facilities.

Sincerely,

John Walberg
396 Moonstone Drive
Kearneysville, WV
jgwalberg@gmail.com

Richard Kelsey
372 Moonstone Drive
Kearneysville, WV 25430
RichKelsey91@gmail.com

Wendy Couch
290 Moonstone Drive
Kearneysville, WV 25430
wcouch8@yahoo.com

Martin Sulsky
346 Moonstone Drive
Kearneysville, WV 25430
MSulsky@gmail.com

Carl Maxwell
442 Moonstone Drive
Kearneysville, WV 25430
SkyKing6275@gmail.com

Russel Rexroat
428 Moonstone Drive
Kearneysville, WV 25430

Reference:

Online access to detailed CUP request at

<https://www.jeffersoncountywv.org/county-government/departments/planning-and-zoning-department/conditional-use-permits> Elliott Kletter, Cedar Hill Storage, LLC; Pine Run Ranch, LLC, Property Owner, 500 Febrey Road, Kearneysville, WV 25430, Parcel ID: 07000200030000; Project Size 8 acres; Parcel Size 116.02 ac; Zoning District: Rural; Cedar Hill Storage (File #26-1-CUP)

CC:

Attn: The Honorable S. Chris Anders
Room 476M, Building 1
State Capitol Complex
Charleston, WV 25305
chris.anders@wvhouse.gov

Attn: Jennifer Krouse, Middleway District
Jefferson County Commission
124 E. Washington Street, P.O. Box 250
Charles Town, WV 25414
jennifer.s.krouse@jeffcowv.gov

Attn: Edwina Benites-LM
Jefferson County Commissioner
124 E Washington St
Charles Town, WV 25414
edwina.c.beniteslm@jeffcowv.gov

Attn: Roger Goodwin
Deputy Jefferson County Commissioner
124 E Washington St
Charles Town, WV 25414
roger.l.goodwin@jeffcowv.gov

Attn: Matt McKinney, Chairman
Board of Zoning Appeals
116 East Washington St
Charles Town, WV 25414
zoning@jeffersoncountywv.org

Attn: Andy Beall, Zoning Administrator
Department of Engineering
Jefferson County Planning Division
P.O. Box 716
Charles Town, WV 25414
zoning@jeffersoncountywv.org



RE: Public comment re: Conditional Use Permit Application File #26-1-CUP-Cedar Hill Storage - 500 Febrey Road, Kearneysville, WV

From Zoning <Zoning@jeffersoncountywv.org>

Date Tue 3/24/2026 1:16 PM

To Sherry Hessler <sherry.hessler@yahoo.com>; dzab1930@protonmail.com <dzab1930@protonmail.com>; jasonhowardburton@gmail.com <jasonhowardburton@gmail.com>; anymichellescott@hotmail.com <anymichellescott@hotmail.com>; troberts48@aol.com <troberts48@aol.com>; jpotocnak@earthlink.net <jpotocnak@earthlink.net>

Cc Zoning <zoning@jeffcowv.gov>

Good afternoon,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming April 9, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, April 3, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Thank you,

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Sherry Hessler <sherry.hessler@yahoo.com>

Sent: Wednesday, March 18, 2026 5:42 PM

To: Edwina LM. Benites <edwina.c.benitesLM@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>; Planning Department <PlanningDepartment@jeffersoncountywv.org>; dzab1930@protonmail.com; jasonhowardburton@gmail.com; anymichellescott@hotmail.com; troberts48@aol.com; jpotocnak@earthlink.net

Subject: Public comment re: Conditional Use Permit Application File #26-1-CUP-Cedar Hill Storage - 500 Febrey Road, Kearneysville, WV

Public comment re: Conditional Use Permit Application File #26-1-CUP-Cedar Hill Storage - 500 Febrey Road, Kearneysville, WV

As a resident/homeowner residing in adjacent development Qualridge, please consider the concerns I have individually as well as collectively w/many of my neighbors re: the impact of the above on the environment, impacting wildlife and rural integrity of the area of topic.

Jefferson County has exploded over the years while the natural beauty, harmony and peace of open space/wildlife/trees is easily reinterpreted/devalued as inconsequential and exploitable.

Additionally, with all due respect, please consider the conflict of interest involving Mr. Elliott Kletter, who currently serves on the Board of Zoning Appeals and is also the applicant

for **Conditional Use Permit Application – File #26-1-CUP, Cedar Hill Storage – 500 Febrey Road, Kearneysville, West Virginia.**

I encourage planning to favor conservation and endeavors that focus on community outreach embedded with minimal environmental impact such as nature preserves, senior or youth outreach sites fostering connection/conservation.

Thank you for your consideration.

Best regards,

Sherry Hessler
182 Moonstone Dr.
Kearneysville, WV 25430




Request TVRA for Kearneysville WV Coast Guard-IRS Complex prior to Zoning CUP #26-1-CUP Change

From Wendy Couch <wcouch8@gmail.com>

Date Wed 3/18/2026 1:02 PM

To Region3@fps.dhs.gov <Region3@fps.dhs.gov>

Cc gwalberg@gmail.com <gwalberg@gmail.com>; Richard Kelsey <richkelsey91@gmail.com>; msulsky@gmail.com <msulsky@gmail.com>; SkyKing6275@gmail.com <SkyKing6275@gmail.com>; chris.anders@wvhouse.gov <chris.anders@wvhouse.gov>; Ted.J.Whitmore@wv.gov <Ted.J.Whitmore@wv.gov>; Michael Mood <michael.t.mood@jeffcowv.gov>; Edwina Benites County Administrator <Edwina.C.BenitesLM@jeffcowv.gov>; Roger Goodwin <roger.l.goodwin@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>

 1 attachment (5 MB)

Letter to DHS -Request TVRA for bridge and fed facilities - Mar 18 2026.pdf;

Federal Protective Service Region 3,

I am writing to request a TVRA using FHWA Bridge and Tunnel Security Guidance to assess increased risks to the Coast Guard-IRS Complex in Kearneysville, WV zip 25430. The changes are described in a local zoning appeal and will change the nature of the traffic to large trucks and be in line of sight for modern day risks such as drones, etc.. A change in risk may change funding needs to better protect the facilities.

Please see the attached correspondence for additional details, including a link for the Conditional Use Permit Application – File #26-1-CUP. This document has been transmitted to FPS via certified mail; and transmitted via email and standard mail to relevant parties.

I respectfully request that concerns be acknowledged or a request to stay discussions be requested **prior to the zoning meeting on March 26, 2026**, in order to give FPS an opportunity to assure your rights are protected.

Please acknowledge receipt of this email.

Sincerely,
Wendy Couch

Wendy Couch
290 Moonstone Drive
Kearneysville, WV 25430
On behalf of Quail Ridge Community

Tuesday March 17, 2026

To: Federal Protective Service
Attention: Director, Federal Protective Service
U.S. Department of Homeland Security
701 Market Street, Suite 4200
Philadelphia, PA 19106
Region3@fps.dhs.gov

Subject: Request for Immediate TVRA Using FHWA Bridge & Tunnel Security Guidance – Potential Staging & Drone Threat to Critical Overpass Serving Federal Complex (CUP #26-1-CUP)

Dear Director,

I am writing on behalf of residents of Jefferson County, West Virginia, to respectfully request that the Federal Protective Service conduct a formal Threat, Vulnerability, and Risk Assessment (TVRA) of the proposed Cedar Hill Storage facility (CUP #26-1-CUP) and its potential impact on critical highway infrastructure and the nearby federal complex. We ask that this assessment be shared with FPS Region 3 for appropriate action.

Key Details:

- Proposed site: 500 Febrey Road, Kearneysville, WV 25430 (Parcel ID: 19-07-0002-0003-0000).
- Facility entrance will be only **120 feet** from WV Route 9 (a four-lane divided state highway).
- The Coast Guard Drive overpass over WV Route 9 is only **532 feet** from the storage facility (no interchange at this location).
- The overpass itself is only **~400 feet** from a federal building on the Coast Guard Operations Systems Center / IRS complex.
- The facility will operate **24/7** with large vehicle traffic (RVs, boats, trailers)
- The unsecured facility will have **passive cameras only** (they record but do not provide real-time monitoring or alerts).

The 2003 FHWA Blue Ribbon Panel Report (“Recommendations for Bridge and Tunnel Security,” FHWA-IF-03-036), prepared for AASHTO and FHWA, provides methodologies for evaluating risks to highway infrastructure from staging areas, vehicle-borne threats, surveillance gaps, and disruption of emergency access routes.

In this case, the proposed 24/7 commercial storage facility could serve as a readily available staging area for threats against the overpass. In an emergency, loss or blockage of that overpass would directly impede emergency vehicle access to the federal complex located approximately 400 feet away.

We also ask that the assessment specifically evaluate drone-launch risk. Typical consumer drones available on Amazon (e.g., DJI Mini series) can reach the federal complex from the storage site in seconds and are already prohibited within 3,000 feet of DHS/USCG facilities under current FAA rules.

Our Requests:

1. FPS conducts a full TVRA using the methodologies in the FHWA 2003 Blue Ribbon Panel Report prior to any ground disturbance or work beginning on the commercial complex.
2. The assessment **must include the cumulative, multi-year development plan** for the entire 116-acre parcel (Parcel ID: 19-07-0002-0003-0000), not just the initial storage phase.
3. Specifically evaluate drone threats from the site as part of the analysis.
4. Request time to develop formal written comments and recommended mitigations to the Jefferson County Board of Zoning Appeals. The request for a stay on discussions and voting must be **submitted by March 19, 2026** in preparation for their March 26, 2026 public hearing and vote.

We have attached diagrams from the zoning site plan and an overview showing the estimated distances from the overpass and USCG Federal Complex to the proposed development for your reference.

Thank you for your continued protection of federal facilities and critical infrastructure. We respectfully request that this assessment and any findings be shared with FPS Region 3 for coordination and appropriate action.

Best regards,

Wendy Couch and Quail Ridge Community Including but not limited to:

John Walberg
396 Moonstone Drive
Kearneysville, WV
jgwalberg@gmail.com

Richard Kelsey
372 Moonstone Drive
Kearneysville, WV 25430
richkelsey91@gmail.com

Wendy Couch
290 Moonstone Drive
Kearneysville, WV 25430
wcouch8@yahoo.com

Martin Sulsky
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Kearneysville, WV 25430
msulsky@gmail.com

Carl Maxwell
442 Moonstone Drive
Kearneysville, WV 25430
SkyKing6275@gmail.com

Russel Rexroat
428 Moonstone Drive
Kearneysville, WV 25430

Attachment 1: Excerpt of diagrams from CUP File #26-1-CUP

Attachment 2: Diagram of distances of proposed development to critical infrastructure in feet

Reference:

Online access to detailed CUP request:

<https://www.jeffersoncountywv.org/county-government/departments/planning-and-zoning-department/conditional-use-permits>

Elliott Kletter, Cedar Hill Storage, LLC; Pine Run Ranch, LLC, Property Owner, 500 Febrey Road, Kearneysville, WV 25430, Parcel ID: 07000200030000; Project Size 8 acres; Parcel Size 116.02 ac; Zoning District: Rural; Cedar Hill Storage (File #26-1-CUP)

CC:

Attn: The Honorable Riley Moore
739 Winchester Ave.
Martinsburg, WV 25401

Attn: The Honorable S. Chris Anders
Room 476M, Building 1
State Capitol Complex
Charleston, WV 25305
chris.anders@wvhouse.gov

Ted Whitmore, P.E.
Director, Traffic Engineering Division
West Virginia Department of Transportation
1900 Kanawha Boulevard East, Building 5
Charleston, WV 25305
Ted.J.Whitmore@wv.gov

Attn: Mike Mood, Middleway District
Jefferson County Commission
124 E. Washington Street, P.O. Box 250
Charles Town, WV 25414
Michael.t.mood@jeffcowv.gov

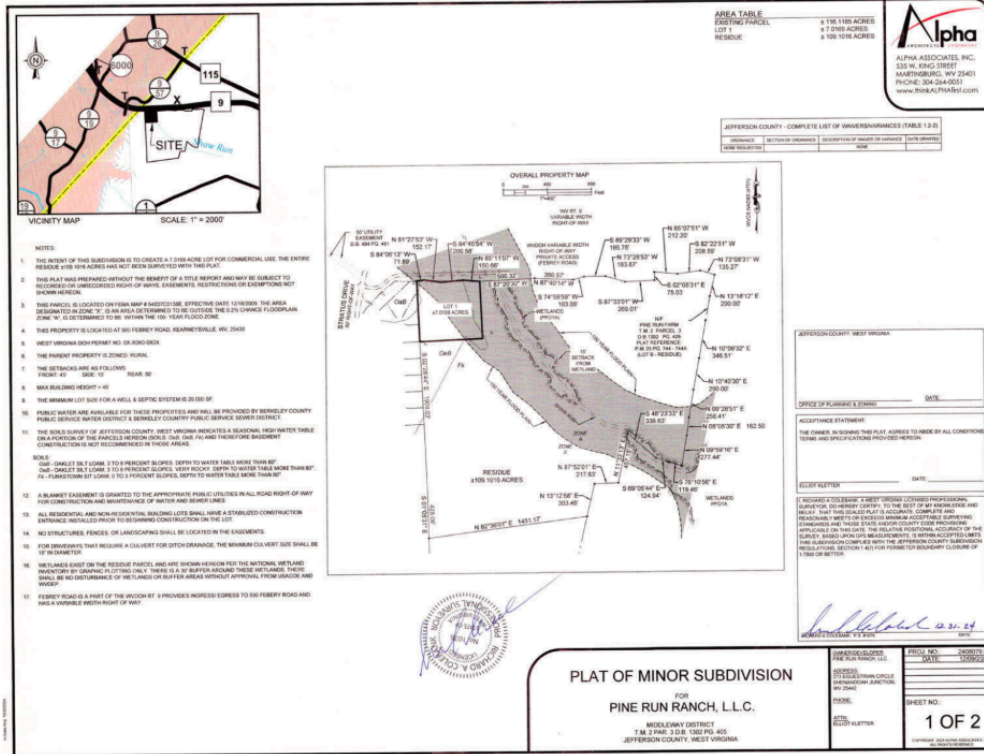
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124 E Washington St
Charles Town, WV 25414
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Attn: Roger Goodwin
Deputy Jefferson County Commissioner
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Attn: Matt McKinney, Chairman
Board of Zoning Appeals
116 East Washington St
Charles Town, WV 25414
zoning@jeffersoncountywv.org

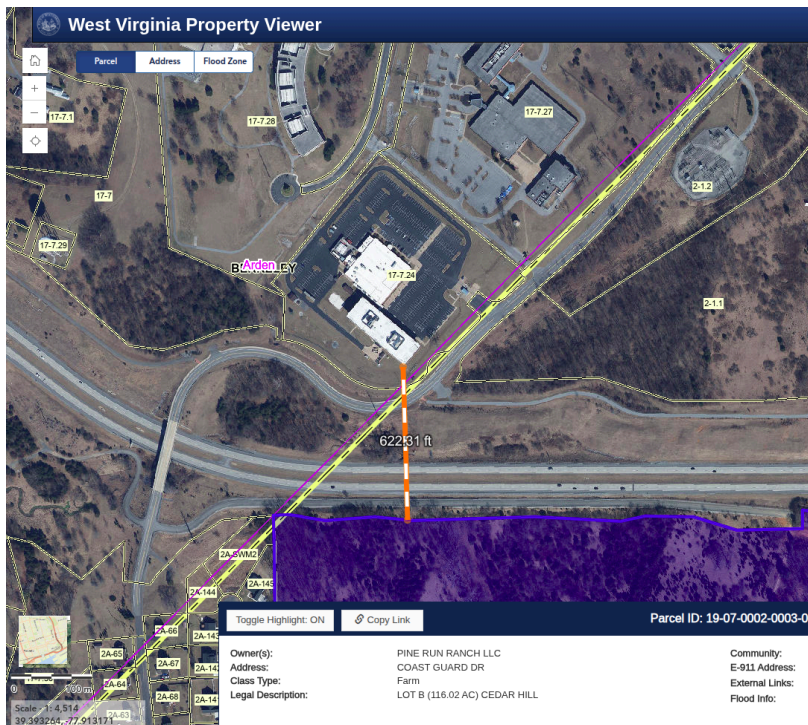
Attn: Andy Beall, Zoning Administrator
Department of Engineering
Jefferson County Planning Division
P.O. Box 716
Charles Town, WV 25414
zoning@jeffersoncountywv.org

Attachment 1: Excerpt of diagrams from CUP File #26-1-CUP

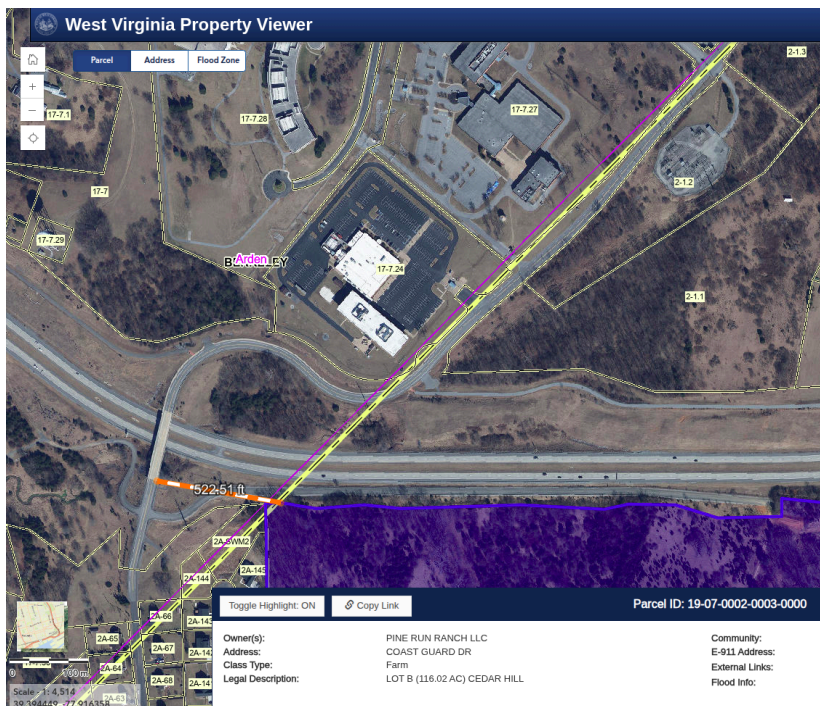


Attachment 2: Diagram of distances of proposed development to critical infrastructure in feet

623 feet and within sight of closest building in US Coast Guard federal complex:



523 feet from proposed entrance to overpass used by emergency vehicles in an emergency





Subject: Formal Complaint: Unpermitted NPDES Construction Stormwater Discharge and Potential Wetland Impacts – Cedar Hill Storage CUP #26-1-CUP, Kearneysville, WV

From Wendy Couch <wcouch8@gmail.com>

Date Wed 3/18/2026 1:48 PM

To Harold.D.Ward@wv.gov <Harold.D.Ward@wv.gov>

Cc John Walberg <jgwalberg@gmail.com>; Richard Kelsey <richkelsey91@gmail.com>; msulsky@gmail.com <msulsky@gmail.com>; SkyKing6275@gmail.com <SkyKing6275@gmail.com>; R3Press@epa.gov <R3Press@epa.gov>; chris.anders@wvhouse.gov <chris.anders@wvhouse.gov>; Michael Mood <michael.t.mood@jeffcowv.gov>; Edwina Benites County Administrator <Edwina.C.BenitesLM@jeffcowv.gov>; Roger Goodwin <roger.l.goodwin@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>

1 attachment (7 MB)

WV DEP Letter - Mar 18 2026.pdf;

I am writing on behalf of residents of Jefferson County to file a formal complaint regarding potential violations of the West Virginia NPDES Construction Stormwater General Permit and the Clean Water Act at the Cedar Hill Storage development site.

Please see the attached correspondence for additional details, including a link for the Conditional Use Permit Application – File #26-1-CUP. This document has been transmitted to FPS via certified mail; and transmitted via email and standard mail to relevant parties.

I respectfully request that concerns be acknowledged or a request to stay discussions be requested prior to the zoning meeting on March 26, 2026, in order to give WV DEP an opportunity to assure your rights in the proposed development are protected.

Please acknowledge receipt of this email.

Sincerely,
Wendy Couch

Wendy Couch
290 Moonstone Drive
Kearneysville, WV 25430

Wednesday March 18, 2026

To: Harold D. Ward
Cabinet Secretary
West Virginia Department of Environmental Protection
601 57th Street SE
Charleston, WV 25304
(304) 926-0440
Harold.D.Ward@wv.gov

Subject: Subject: Formal Complaint: Unpermitted NPDES Construction Stormwater Discharge and Potential Wetland Impacts – Cedar Hill Storage CUP #26-1-CUP, Kearneysville, WV

Dear Secretary Ward,

I am writing on behalf of residents of Jefferson County to file a formal complaint regarding potential violations of the West Virginia NPDES Construction Stormwater General Permit and the Clean Water Act at the Cedar Hill Storage development site.

Project Details:

- Site Address: 500 Febrey Road, Kearneysville, WV 25430
- Parcel ID: 07000200030000 (also referenced as 19-07-0002-0003-0000)
- Applicant: Cedar Hill Storage, LLC (Elliott Kletter) / Property Owner: Pine Run Ranch, LLC
- CUP File #: 26-1-CUP
- Proposed Development: 8-acre commercial self-storage facility including buildings, extensive asphalt/parking areas, RV/boat storage, outdoor wash and dumping facilities, and related infrastructure. We understand this to be a first phase to further develop the 116 acre parcel and the evaluation should consider plans for the entire 116 acres.
- Scheduled BZA Hearing: March 26, 2026

Specific Concerns:

The project disturbs well over one acre of land and therefore requires coverage under the WV NPDES Construction Stormwater General Permit, including preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP).

Recent observations show:

- Earth-moving equipment is already active on the site (grading, clearing, or other land disturbance) prior to final approval by the Jefferson County Board of Zoning Appeals on March 26, 2026; and
- The proposed development footprint (buildings, asphalt parking areas, and infrastructure) are placed directly over or immediately adjacent to mapped wetland features and the Shaw Run stream corridor (a known calcareous fen).

The site is located in karst terrain, where surface runoff can rapidly infiltrate through fractures and conduits into groundwater with minimal filtration. The proposed placement of impervious surfaces directly over or adjacent to Shaw Run wetlands significantly increases the risk of untreated stormwater and pollutants reaching the underlying karst aquifer.

Requested Actions:

1. Conduct an immediate site inspection to determine whether an NPDES Construction Stormwater permit (Notice of Intent) has been obtained and whether required erosion and sediment controls are in place.
2. If violations are confirmed, issue appropriate enforcement actions, including a stop-work order if necessary.
3. Notify the Jefferson County Board of Zoning Appeals and Zoning Administrator of your findings and any outstanding permit requirements prior to their scheduled public hearing and vote on March 26, 2026. **Comments are due to the BZA no later than March 19, 2026** for them to be included in the package that is being voted upon on the 26th.

We have attached a visual in Attachment 1 showing earth moving equipment and where the proposed development overlays the Shaw Run wetland and stream features.

The zoning site plan can be downloaded via the link in the References below. Attachment 1 are photos from March 16, 2026 showing earth moving equipment and proposed development overlay on wetland and stream features.

Please confirm receipt of this formal complaint and provide any assigned tracking or case number. Thank you for your prompt attention to this time-sensitive matter. Protection of West Virginia's waterways and wetlands from unpermitted construction stormwater discharges is critically important.

Best regards,

Quail Ridge Community Including but not limited to:

John Walberg
396 Moonstone Drive
Kearneysville, WV
jgwalberg@gmail.com

Richard Kelsey
372 Moonstone Drive
Kearneysville, WV 25430
richkelsey91@gmail.com

Wendy Couch
290 Moonstone Drive
Kearneysville, WV 25430
wcouch8@yahoo.com

Martin Sulsky
346 Moonstone Drive
Kearneysville, WV 25430
msulsky@gmail.com

Carl Maxwell
442 Moonstone Drive
Kearneysville, WV 25430
SkyKing6275@gmail.com

Russel Rexroat
428 Moonstone Drive
Kearneysville, WV 25430

Attachment 1: Photos and map overlay

Reference:

Online access to detailed CUP request:

<https://www.jeffersoncountywv.org/county-government/departments/planning-and-zoning-department/conditional-use-permits>

Elliott Kletter, Cedar Hill Storage, LLC; Pine Run Ranch, LLC, Property Owner, 500 Febrey Road, Kearneysville, WV 25430, Parcel ID: 07000200030000; Project Size 8 acres; Parcel Size 116.02 ac; Zoning District: Rural; Cedar Hill Storage (File #26-1-CUP)

CC:

Regional Administrator Amy Van
Blarcom-Lackey
U.S. Environmental Protection Agency,
Region 3
Four Penn Center
1600 John F. Kennedy Blvd.
Philadelphia, PA 19103-2029
R3Press@epa.gov

The Honorable S. Chris Anders
Room 476M, Building 1
State Capitol Complex
Charleston, WV 25305
chris.anders@wvhouse.gov

Mike Mood, Middleway District
Jefferson County Commission
124 E. Washington Street, P.O. Box 250
Charles Town, WV 25414
Michael.t.mood@jeffcowv.gov

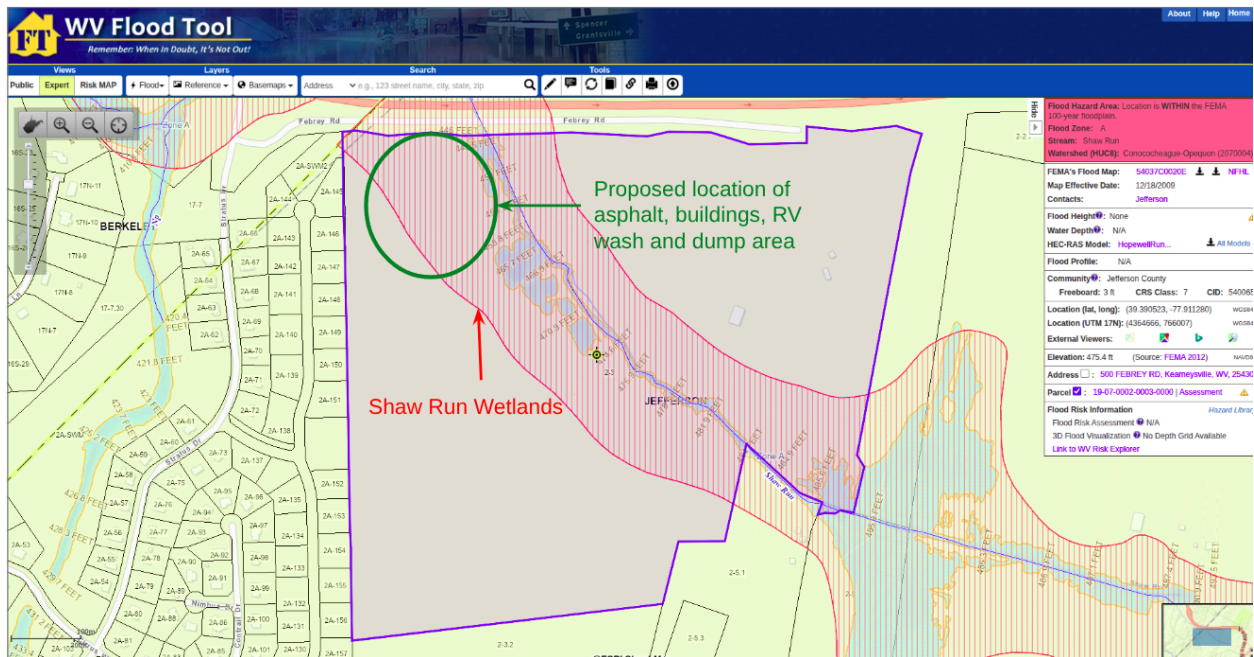
Edwina Benites-LM
Jefferson County Commissioner
124 E Washington St
Charles Town, WV 25414
edwina.c.beniteslm@jeffcowv.gov

Roger Goodwin
Deputy Jefferson County Commissioner
124 E Washington St
Charles Town, WV 25414
roger.l.goodwin@jeffcowv.gov

Matt McKinney, Chairman
Board of Zoning Appeals
116 East Washington St
Charles Town, WV 25414
zoning@jeffersoncountywv.org

Andy Beall, Zoning Administrator
Department of Engineering
Jefferson County Planning Division
P.O. Box 716
Charles Town, WV 25414
zoning@jeffersoncountywv.org

Attachment 1: Photos of earth moving equipment on site and diagram locating construction to wetland and flood zone



Drawings submitted with the application for Jefferson County Conditional Use Permit (CUP) can be found on the Jefferson County WV website at:

<https://www.jeffersoncountywv.org/county-government/departments/planning-and-zoning-department/conditional-use-permits>




Formal Complaint: Unpermitted NPDES Construction Stormwater Discharge and Potential Wetland Impacts – Cedar Hill Storage CUP #26-1-CUP, Kearneysville, WV

From Wendy Couch <wcouch8@gmail.com>

Date Wed 3/18/2026 1:54 PM

To R3Press@epa.gov <R3Press@epa.gov>

Cc John Walberg <jgwalberg@gmail.com>; Richard Kelsey <richkelsey91@gmail.com>; msulsky@gmail.com <msulsky@gmail.com>; SkyKing6275@gmail.com <SkyKing6275@gmail.com>; chris.anders@wvhouse.gov <chris.anders@wvhouse.gov>; Harold.D.Ward@wv.gov <Harold.D.Ward@wv.gov>; Michael Mood <michael.t.mood@jeffcowv.gov>; Edwina Benites County Administrator <Edwina.C.BenitesLM@jeffcowv.gov>; Roger Goodwin <roger.l.goodwin@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>

 1 attachment (7 MB)

Letter to EPA - Mar 18 2026.pdf;

Regional Administrator Amy Van Blarcom-Lackey ,

I am writing on behalf of residents of Jefferson County to file a formal complaint regarding potential violations of the National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit and the Clean Water Act at the proposed Cedar Hill Storage commercial development site.

Please see the attached correspondence for additional details, including a link for the Conditional Use Permit Application – File #26-1-CUP. This document has been transmitted to FPS via certified mail; and transmitted via email and standard mail to relevant parties.

I respectfully request that concerns be acknowledged or a request to stay discussions be requested prior to the zoning meeting on March 26, 2026, in order to give EPA an opportunity to assure your oversight is protected.

Please acknowledge receipt of this email.

Sincerely,

Wendy Couch

Wendy Couch
290 Moonstone Drive
Kearneysville, WV 25430

Wednesday March 18, 2026

To: Regional Administrator Amy Van Blarcom-Lackey
U.S. Environmental Protection Agency, Region 3
Four Penn Center
1600 John F. Kennedy Blvd.
Philadelphia, PA 19103-2029
R3Press@epa.gov

Subject: Formal Complaint: Unpermitted NPDES Construction Stormwater Discharge and Potential Wetland Impacts – Cedar Hill Storage CUP #26-1-CUP, Kearneysville, WV

Dear Regional Administrator Van Blarcom-Lackey,

I am writing on behalf of residents of Jefferson County to file a formal complaint regarding potential violations of the National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit and the Clean Water Act at the proposed Cedar Hill Storage commercial development site.

Project Details:

- Scheduled BZA Hearing: March 26, 2026
- Site Address: 500 Febrey Road, Kearneysville, WV 25430
- Parcel ID: 07000200030000
- Applicant: Cedar Hill Storage, LLC (Elliott Kletter) / Property Owner: Pine Run Ranch, LLC
- CUP File #: 26-1-CUP

Specific Concerns:

The project disturbs well over one acre of land and therefore requires coverage under the NPDES Construction Stormwater General Permit. Recent observations and the attached site plan show earth-moving equipment is already active on the site (grading, clearing, or other land disturbance) prior to final approval by the Jefferson County Board of Zoning Appeals on March 26, 2026.

The proposed development footprint (buildings, asphalt parking areas, and infrastructure) is placed directly over wetland features and the Shaw Run stream corridor (a known calcareous fen).

These activities create a high risk of sediment-laden runoff, pollutants, and increased stormwater volume discharging into Shaw Run and associated wetlands without adequate controls.

The site is **located in karst terrain**, where surface runoff can rapidly infiltrate through fractures and conduits into groundwater with minimal filtration. The proposed placement of buildings, asphalt, and other impervious surfaces directly over or adjacent to Shaw Run wetlands significantly increases the risk of untreated stormwater and pollutants reaching the underlying karst aquifer.

Requested Actions:

- Review this project for compliance with NPDES Construction Stormwater requirements and coordinate with WV DEP.
- Conduct or request an immediate site inspection to determine whether an NPDES permit (Notice of Intent) has been obtained and whether required erosion and sediment controls are in place.
- If violations are confirmed, issue appropriate enforcement actions, including a stop-work order if necessary.
- Notify the Jefferson County Board of Zoning Appeals of your findings and any outstanding NPDES requirements prior to their scheduled public hearing and vote on March 26, 2026.

The zoning site plan can be downloaded via the link in the References below. Attachment 1 are photos from March 16, 2026 showing earth moving equipment and proposed development overlay on wetland and stream features.

Please confirm receipt of this formal complaint and provide any assigned tracking or case number. Thank you for your prompt attention to this time-sensitive matter. Protection of West Virginia's waterways and wetlands from unpermitted construction stormwater discharges is critically important.

Best regards,

Quail Ridge Community Including but not limited to:

John Walberg
396 Moonstone Drive
Kearneysville, WV
jgwalberg@gmail.com

Richard Kelsey
372 Moonstone Drive
Kearneysville, WV 25430
richkelsey91@gmail.com

Wendy Couch
290 Moonstone Drive
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wcouch8@yahoo.com

Martin Sulsky
346 Moonstone Drive
Kearneysville, WV 25430
msulsky@gmail.com

Carl Maxwell
442 Moonstone Drive
Kearneysville, WV 25430
SkyKing6275@gmail.com

Russel Rexroat
428 Moonstone Drive
Kearneysville, WV 25430

Attachment 1: Photos and map overlay

Reference:

Online access to detailed CUP request:

<https://www.jeffersoncountywv.org/county-government/departments/planning-and-zoning-department/conditional-use-permits>

Elliott Kletter, Cedar Hill Storage, LLC; Pine Run Ranch, LLC, Property Owner, 500 Febrey Road, Kearneysville, WV 25430, Parcel ID: 07000200030000; Project Size 8 acres; Parcel Size 116.02 ac; Zoning District: Rural; Cedar Hill Storage (File #26-1-CUP)

CC:

The Honorable S. Chris Anders
Room 476M, Building 1
State Capitol Complex
Charleston, WV 25305
chris.anders@wvhouse.gov

Harold D. Ward
Cabinet Secretary
West Virginia Department of Environmental
Protection
601 57th Street SE
Charleston, WV 25304
(304) 926-0440
Harold.D.Ward@wv.gov

Mike Mood, Middleway District
Jefferson County Commission
124 E. Washington Street, P.O. Box 250
Charles Town, WV 25414
Michael.t.mood@jeffcowv.gov

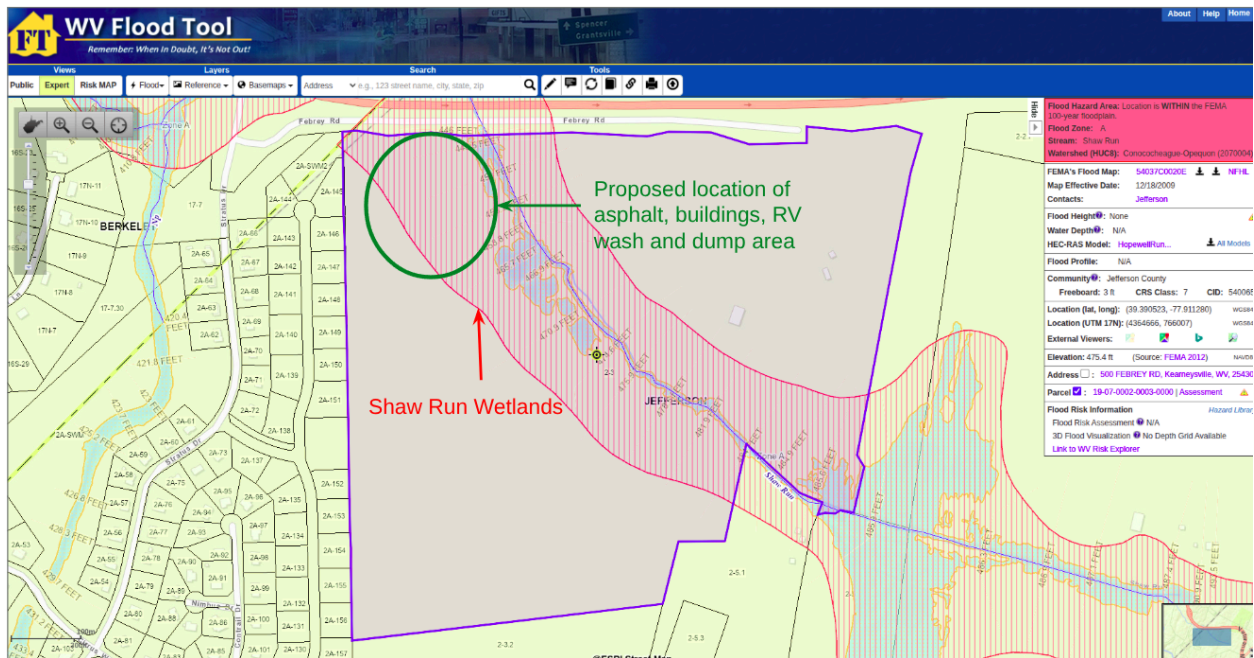
Edwina Benites-LM
Jefferson County Commissioner
124 E Washington St
Charles Town, WV 25414
edwina.c.beniteslm@jeffcowv.gov

Roger Goodwin
Deputy Jefferson County Commissioner
124 E Washington St
Charles Town, WV 25414
roger.l.goodwin@jeffcowv.gov

Matt McKinney, Chairman
Board of Zoning Appeals
116 East Washington St
Charles Town, WV 25414
zoning@jeffersoncountywv.org

Andy Beall, Zoning Administrator
Department of Engineering
Jefferson County Planning Division
P.O. Box 716
Charles Town, WV 25414
zoning@jeffersoncountywv.org

Attachment 1: Photos of earth moving equipment on site and diagram locating construction to wetland and flood zone



Drawings submitted with the application for Jefferson County Conditional Use Permit (CUP) can be found on the Jefferson County WV website at:

<https://www.jeffersoncountywv.org/county-government/departments/planning-and-zoning-department/conditional-use-permits>



Re: community petitions opposing Conditional Use Permit Application File #26-1-CUP – Cedar Hill Storage

From Zoning <zoning@jeffcowv.gov>

Date Thu 3/19/2026 9:37 AM

To John Walberg <jgwalberg@gmail.com>; dzab1930@protonmail.com <dzab1930@protonmail.com>; jasonhowardburton@gmail.com <jasonhowardburton@gmail.com>; anymichellescott@hotmail.com <anymichellescott@hotmail.com>; troberts48@aol.com <troberts48@aol.com>; jpotocnak@earthlink.net <jpotocnak@earthlink.net>

Cc Wendy Couch <wcouch8@gmail.com>; Martin Sulsky <msulsky@yahoo.com>; Richard Kelsey <richkelsey91@gmail.com>; Julie Walberg <walberg75@gmail.com>

Good morning,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming March 26, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, March 20, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Thank you,

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: John Walberg <jgwalberg@gmail.com>

Sent: Wednesday, March 18, 2026 9:38 PM

To: Edwina Benites County Administrator <Edwina.C.BenitesLM@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>; Planning Department <PlanningDepartment@jeffersoncountywv.org>; dzab1930@protonmail.com <dzab1930@protonmail.com>; jasonhowardburton@gmail.com <jasonhowardburton@gmail.com>; anymichellescott@hotmail.com <anymichellescott@hotmail.com>; troberts48@aol.com <troberts48@aol.com>; jpotocnak@earthlink.net <jpotocnak@earthlink.net>

Cc: Wendy Couch <wcouch8@gmail.com>; Martin Sulsky <msulsky@yahoo.com>; Richard Kelsey <richkelsey91@gmail.com>; Julie Walberg <walberg75@gmail.com>; John Walberg <jgwalberg@gmail.com>

Subject: community petitions opposing Conditional Use Permit Application File #26-1-CUP – Cedar Hill Storage

Dear Jefferson County Office of Planning and Zoning,

I am writing to formally submit **community petitions opposing Conditional Use Permit Application File #26-1-CUP – Cedar Hill Storage**, proposed for development at **Pine Run Ranch, 500 Febrey Road, Kearneysville, West Virginia**.

Attached to this correspondence are **two petitions representing residents and property owners from the Quail Ridge community**:

1. **Pen-and-Ink Petition** – Signatures collected directly from residents and property owners.
 - **Attached with ~92 signatures (10 pages total)**
 - **See Attached File "Petition Quail Ridge"**
2. **Online Petition** – Electronic signatures submitted by individuals who were unable to sign in person but wished to formally register their opposition.
 - **Attached with ~14 unique e-signatures.**
 - **See Attached File "Electronic Petition Form" and Petition of Opposition (responses)**

Together, these petitions represent **significant and organized community opposition (106 total Signatures)** to the proposed conditional use permit and reflect concerns from residents who believe the proposed commercial development is **inconsistent with the rural character and planning objectives of the area.**

Community members have raised a number of substantive concerns regarding the proposal that are outlined but not limited to items in the petition.

- As reflected in the attached petitions, residents respectfully request that the **Planning Commission and Board of Zoning Appeals give careful consideration to the scope of community opposition and the broader land-use implications associated with this proposal.**

We further request that these petitions be **formally entered into the official record for Conditional Use Permit Application File #26-1-CUP** and considered as part of the public review process for the **upcoming public hearing scheduled for March 26, 2026.**

Given the importance of maintaining transparency in the review process, we respectfully ask that **receipt of this email and the attached petitions be acknowledged**, and that confirmation be provided that these materials will be included in the administrative record associated with this application.

Thank you for your time and attention to this matter and for ensuring that the concerns of affected residents and property owners are properly documented and considered.

Respectfully,

John G. Walberg

John G. Walberg

On behalf of concerned residents and property owners

Quail Ridge Community

Kearneysville, West Virginia

jgwalberg@gmail.com

--

John G. Walberg

jgwalberg@gmail.com

218-349-9500

Prepared by John G. Walberg on behalf residents and property owners in and around the Quail Ridge Estates.

396 Moonstone Dr.
Kearneysville, WV 25430

JWalberg@gmail.com

Friday, March 13, 2026

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

Subject: Community Petition of Opposition Regarding Proposed Development adjacent Quail Ridge Estates, and **Conditional Use Permit Application File #26-1-CUP** - Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV

Dear Members of the Planning Commission,

We, the undersigned residents and property owners of the surrounding community, respectfully **oppose** the **Conditional Use Permit Application (File #26-1-CUP)** submitted by Cedar Hill Storage, LLC for the development of a commercial self-storage facility and RV parking on approximately eight acres of the Pine Run Ranch LLC property located at **500 Febrey Road in Kearneysville, West Virginia.**

Our community position is the proposed project will negatively impact the character, safety, and environmental quality of our rural area. Specifically, we request careful review of the proposal with consideration of the following concerns:

- **Potential impacts on the safety and well-being of families and children living in the surrounding residential and rural areas.**
- **The potential precedent created by approving commercial development on rural land when commercially zoned properties already exist within Jefferson County that are better suited for such uses.**
- **Potential stormwater runoff impacts and environmental concerns, including effects on Shaw Run and adjacent wetlands.**
- **Increased large truck traffic and infrastructure demands on rural roads not designed for this level of activity.**
- **Negative impacts to property values and residential character in an area currently designated as rural.**
- **The creation of a precedent for further commercial development within areas intended to maintain a rural character.**

- Potential impacts to **wildlife, environmental resources, and the natural landscape** that currently define this community.
- **Compatibility concerns with the County's Comprehensive Plan and Rural zoning district**, which are intended to protect communities from adverse impacts associated with incompatible land uses.
- **Reduction of Required Landscape Buffer** The requested reduction of the required landscape buffer appears to result from the applicant's chosen placement of development on the parcel rather than from any unique physical hardship of the property.

We respectfully request that the Jefferson County Planning Commission thoroughly evaluate the proposed development in light of these concerns and the **long-term interests of the surrounding community**.

We also request that **Quail ridge community input be fully considered** during all hearings and review processes related to this proposal not just the joining properties.

The undersigned residents and **property owners hereby express their opposition to Conditional Use Permit Application File #26-1-CUP** submitted by Cedar Hill Storage, LLC for the proposed commercial self-storage development located at 500 Febrey Road, Kearneysville, West Virginia.

By signing below, we respectfully request that the Jefferson County Board of Zoning Appeals and other appropriate county authorities carefully review this application and give full consideration to the concerns of the surrounding community, as outlined in this petition.


The signatures below represent individuals who reside in, own property in, or are otherwise directly affected by the proposed development and who request that these concerns be entered into the public record as part of the official review process.

Thank you for your time and attention to this matter and for ensuring that the concerns of affected residents and property owners are properly documented and considered.

Respectfully submitted,

Residents and Property Owners of the Quail Ridge estates.
Jefferson County, West Virginia

Sincerely,


John G. Walberg

On behalf of concerned residents of
Qual Ridge

Attachments: Community Petition Signatures

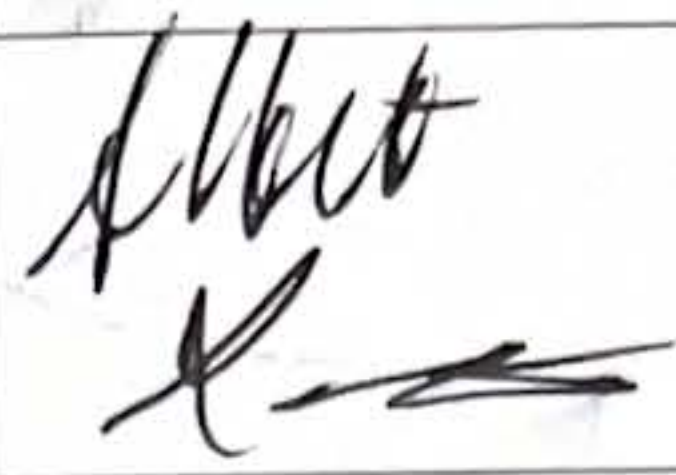
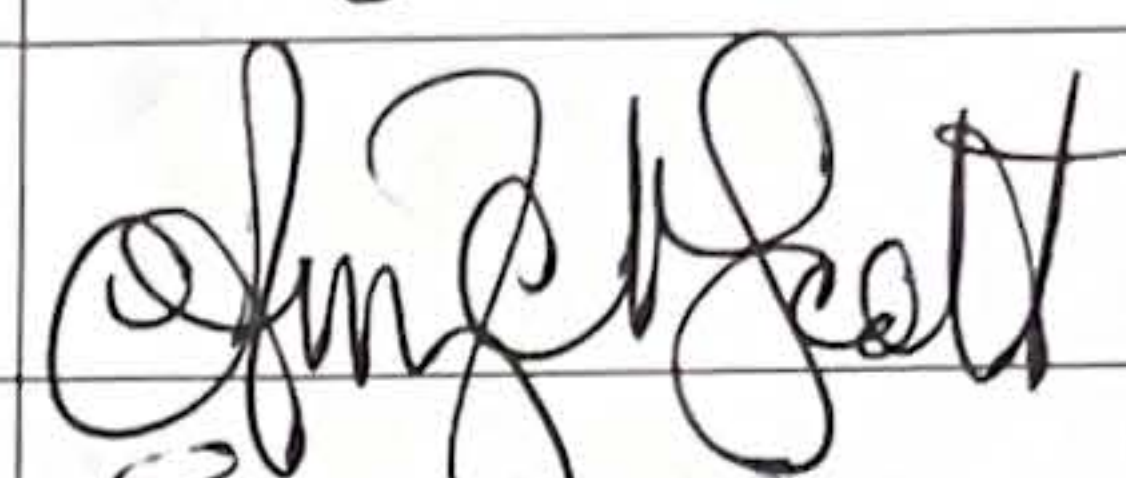
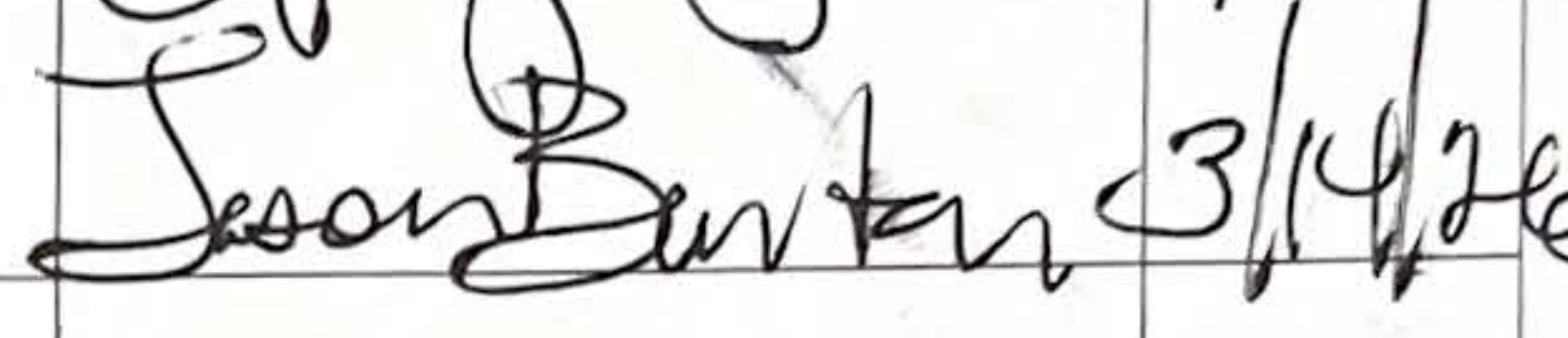

PETITION SIGNATURE SHEET




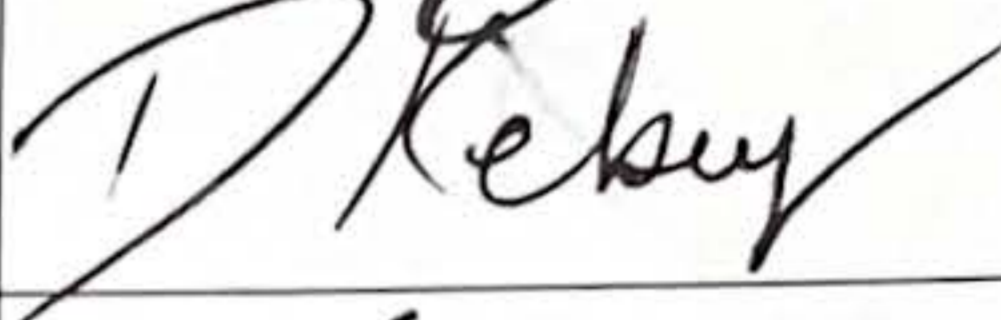


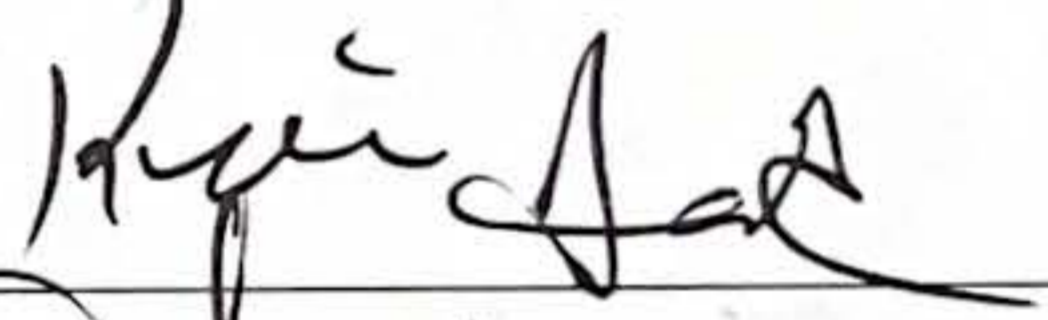


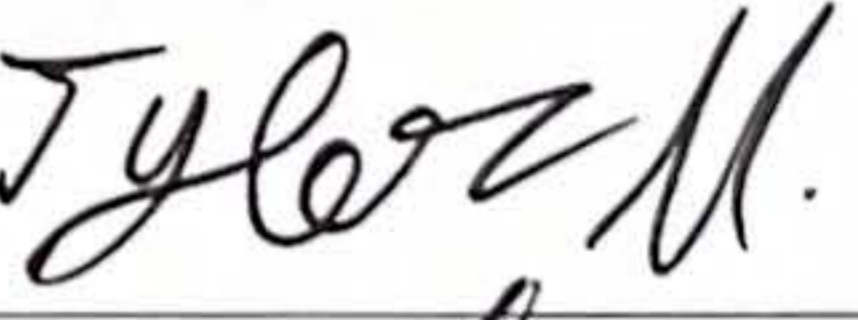

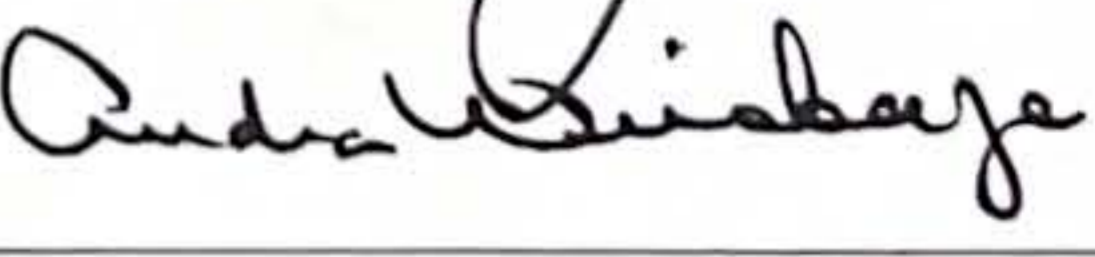
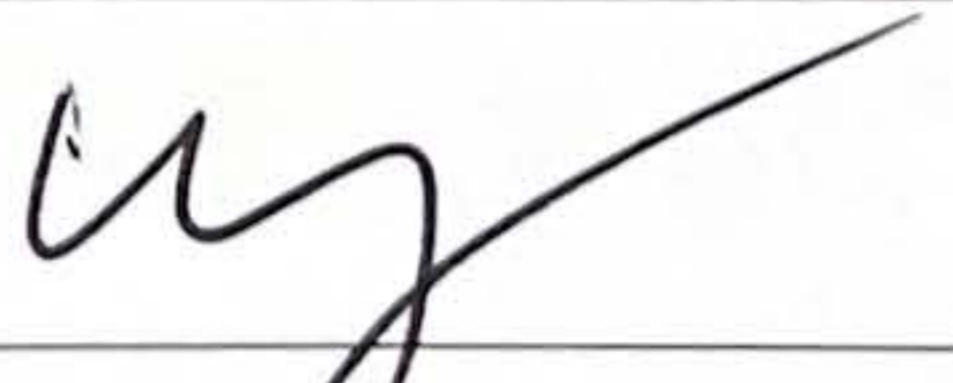
Proposed Development Concern – Jefferson County, WV

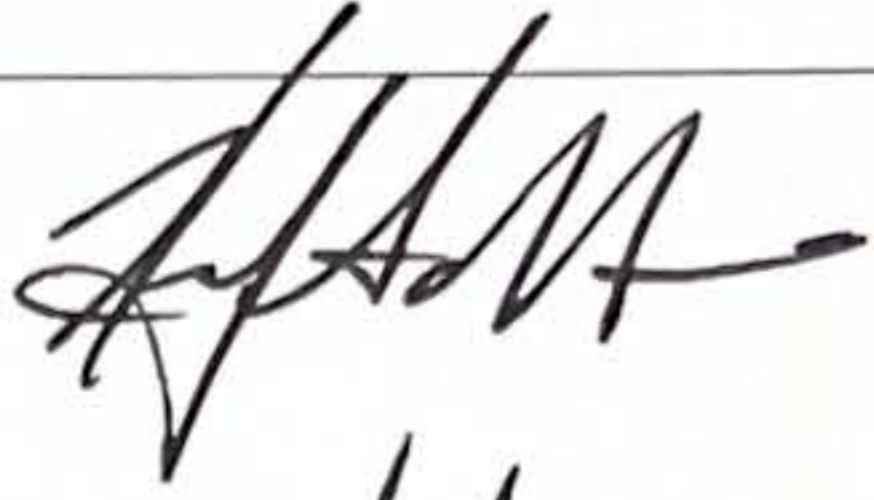
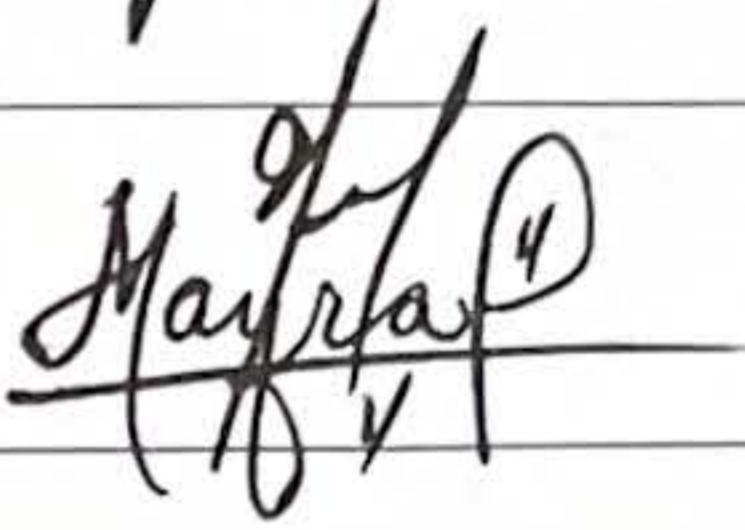

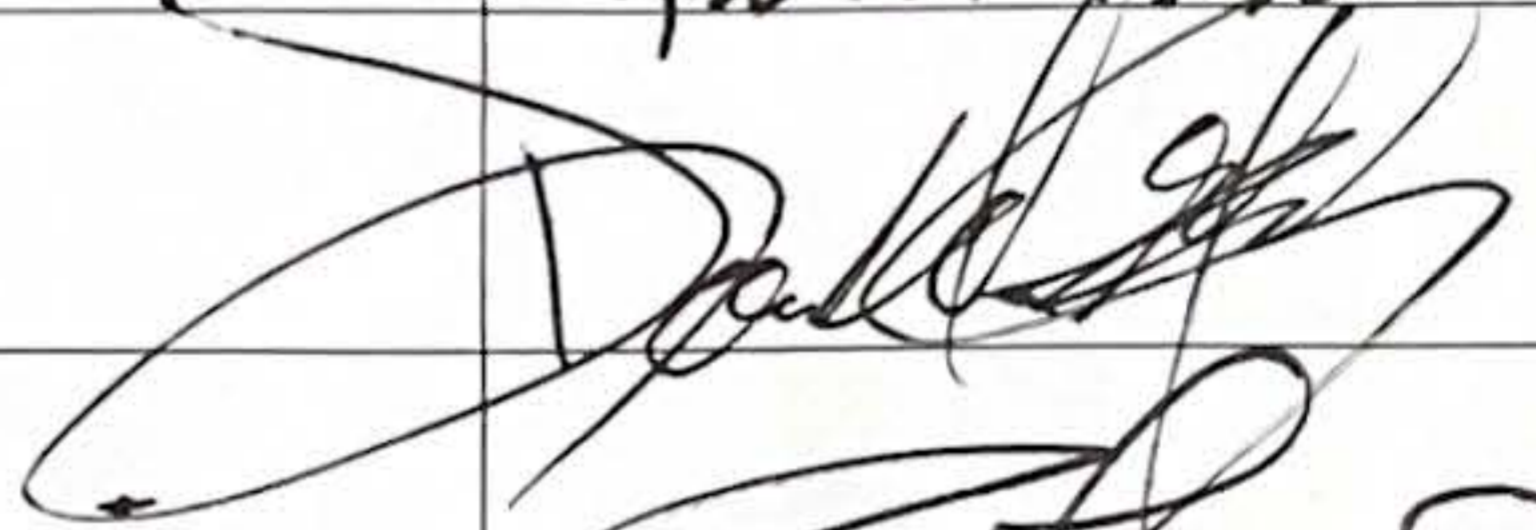
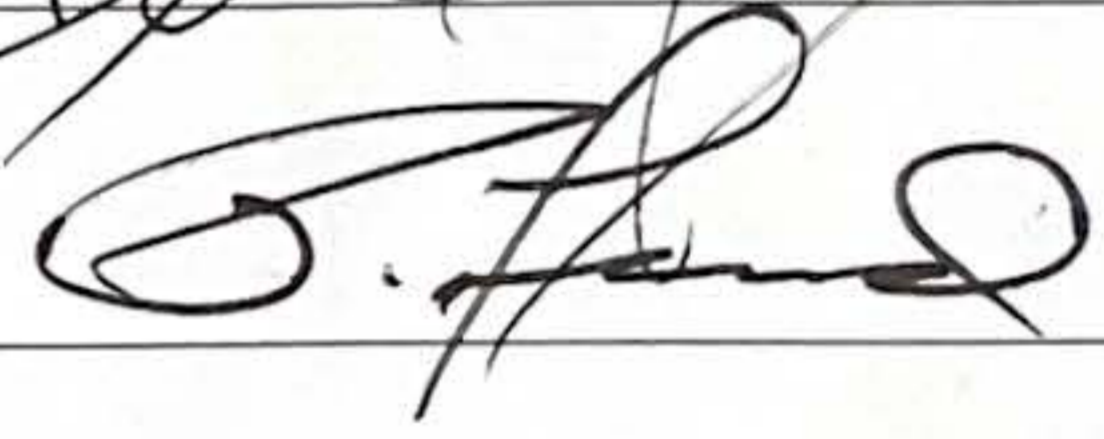





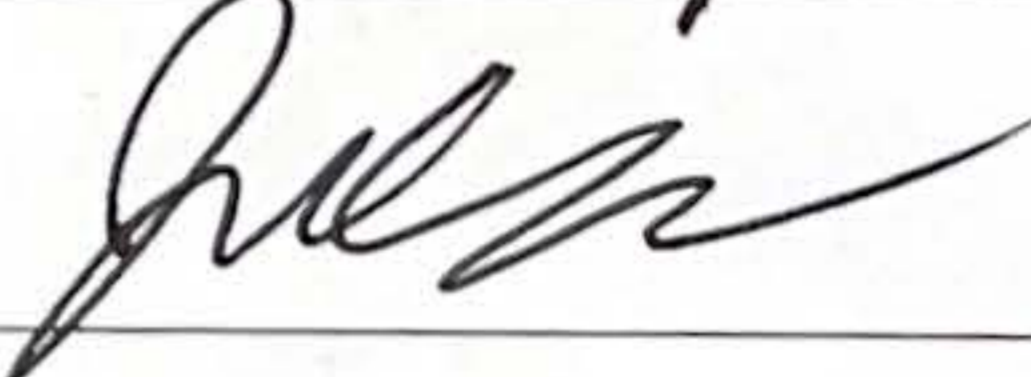


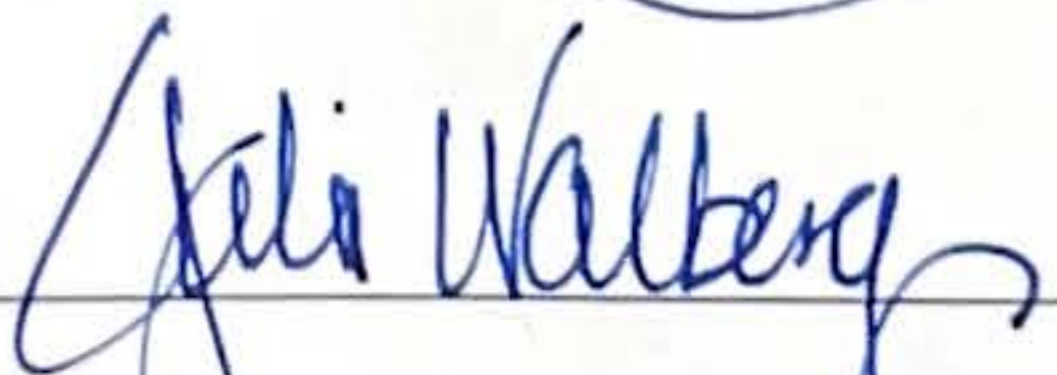
By signing below, I affirm that I support the petition requesting careful review of the proposed development adjacent Qual Ridge Estates who is Requesting a **Conditional Use Permit Application File #26-1-CUP** - Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV.

Name (Printed)	Address	Email/Phone (Optional)	Signature	Date
Bobbie Mercer	401 Moonstone Drive Kearneysville WV	cutinup4u@ yahoo.com		3/14/26
Mildred Schmidt	401 Moonstone Dr. Kearneysville			3/14/26
CARL MAXWELL	442 MOONSTONE DRIVE KEARNEYSVILLE	SKYKING8275@gmail.com		3/14/26
Dot Maxwell	442 moonstone Kearneysville WV	DotMaxwell53@gmail.com		3/14/26
Tenni Roberts-Myers	429 Moonstone Kearneysville	Troberts48@ AOL.com		3/14/26
Martin Sulsky	346 Moonstone Dr. Kearneysville, WV	msulsky@yahoo.com		3/14/26
Jennifer PotoCNAK	346 MOONSTONE DR. KEARNEYSVILLE, WV 25430	jpotoCNAK@ earthlink.net		3/14/26
JAMES KULHAS	319 MOONSTONE RD	Polishpop1@ earthlink.net		3/14/26
Wendy Couch	290 Moonstone Kearneysville, WV	wecouch8@ yahoo.com 301-466-9828		3/14/26
JEFF UGEI	347 MOONSTONE DR KEARNEYSVILLE, WV	(601)-513-2028		3/14/26
Brian Rayl	373 Moonstone Dr Kearneysville, WV	714 342 4583		3/14/26

Name (Printed)	Address	Email/Phone (Optional)	Signature	Date
Suzanne Marquez	373 Moonstone Dr. Kearneysville, WV	714 342 4587	S Marquez	3/14/26
Zack Roberts	85 Moonstone Dr Kearneysville, WV	zack.roberts @ gmail.com	ZR	3-14-26
Charley Roberts	85 Moonstone Dr Kearneysville, WV	CharRoberts@311 @gmail.com	[Signature]	3/14/26
STEVEN TRACY BRITO	8 Moonstone Dr Kearneysville, WV	412 849 0332	[Signature]	3/14/26
Brito	8 Moonstone Kearneysville	412 660 3793	[Signature]	14 MAR 26
Rachel Brown	143 Sundance Ln Kearneysville		[Signature]	3/14/26
Jessica Mapprey	102 Sundance Lane	706 639 5061	[Signature]	3/14/26
Jennifer Mandy	49 Sundance Ln	540-975- 6505	[Signature]	3/14/26
DANIEL MANLEY	49 Sundance Ln	202-912- 5918	[Signature]	3/14/26
STANLEY LOSIEWICZ	253 CIRRUS WAY	720-207-4406	[Signature]	3/14/26
Shirley Losiewicz	253 Cirrus Way	720-207-4405	Shirley Losiewicz	3/14/26
Richard Castellano	314 Cirrus Way	443-307 1143	[Signature]	3/14/26
Kathy Castellano	314 Cirrus Way	443-307 1143	[Signature]	3/14/26

Name (Printed)	Address	Email/Phone (Optional)	Signature	Date
Shawn Holt Samantha Holt	58 Rainbow Dr Kearneysville			3/14/26 3/14/26
Amy Srock	34 Rainbow Drive Kearneysville		Amy Srock	3/14/26
Amy Scott	210 Moonstone DR.			3/14/26
Jason Burton	210 Moonstone Dr.			3/14/26
Amy Whann	140 Moonstone Drive		A. Whann	3/14/26
Greg McCawby	64 Moonstone Dr		Greg McCawby	3/14/26
Sue + Jim Marcy	19 Moonstone Dr		Suzanne Marcy	3/14/26
Jeff Haddix	90 Quail Ridge			3/14/26
David Groom	294 Sundance Ln Kearneysville, WV			3/14/26
Marci Groom	294 Sundance Kearneysville		M Groom	3/14/26
Jim Lutz	172 Sundance Kearneysville			3/14/26
Jeffrey Bass	120 Sundance Ln Kearneysville			3/14/26
JACK HEFE STAY	46 SUNDANCE LN KEARNEYSVILLE	hefestay@ yahoo.com		14 MAR 2026
Thomas Schmidt	22 Sundance Lane Kearneysville	304 839 6168		3/14/26

Name (Printed)	Address	Email/Phone (Optional)	Signature	Date
Paul Abbott	246 Cirrus Way Kearneysville, WV	phinoykurrakos @gmail.com		3/14/ 2026
Frank Campbell	268 Cirrus Way Kearneysville	forow49@gmail.com		3/14
Richard Kelsey	372 Moonstone Kearneysville	Rich Kelsey 491 @gmail		3/15
Deanna Kelsey	372 Moonstone Dr Kearneysville			3/15/26
John Spearin	363 Stratus Dr Kearneysville WV			3/15/26
Mark Burkhardt	385 Stratus Dr. Kearneysville WV	imark7000@ yahoo.com		3/15/26
Evan Pratt	214 Stratus ^{DR} Kearneysville	916-903-9667	em pratt	3-15-26
DAVID JENNS Kevin	317 Stratu Dr	—		3-15-26
Jana Williams	5030 Thornton Way Broad Run	5405396262		3/15/26
Roy Williams	5030 Thornton Way Broad Run	703-405-2551		3/15/26
Tyler Morgenroth	211 Stratus Dr Kearneysville WV 25430	442-214-7775		3/13/26
Mike Weisberg	147 Stratus Dr Kearneysville WV	703-297-9332		3/15/26
Andrea Weisberg	147 Stratus Kearneysville	703-389-3257		3-15-26
William Brewster	127 Stratus Dr Kearneysville WV	571-271-5088		3-15-26

Name (Printed)	Address	Email/Phone (Optional)	Signature	Date
Henley Matias	99 Stratus Dr	240 398 7814		3-15-26
Mayra Monoz	99 Stratus Dr	240 330 2515		3-15-26
Paul Blank	44 Stratus			3-15-26
Donald Gatz	277 Cirrus Way			3-15-26
Paul C FRIEND	346 CIRRUS	(703) 217-2261		3/15/2026
Kyle Hill	23 Contrail	(856) 430-7893		3/15/2026
Casey Hill	23 Contrail	(571) 276-0267		3/15/2026
Michael Barrett	46 Contrail Dr.	304-512-9001		3/15/26
Kristen Barrett	46 Contrail Dr	240-319-0994		3/15/26
Veronica Mangum	70 Contrail Dr	304-261-3195		3/15/26
Jacobs Franklm	144 Contrail Dr.	703-217-2174		3/15/26
Prude O'Don	147 Contrail Dr	304-820-4068		3/15/26
John Walberg	396 Moonstone Dr	218-349-9500		3/17/26
Julie Walberg	396 Moonstone Dr	218-349-9597		3/17/26

Name (Printed)	Address	Email/Phone (Optional)	Signature	Date
Cyndi Rexroat	428 Moonstone Dr	Cyndi rexroat@gmail.com	Cyndi Rexroat	3/15/26
Russ Rexroat	428 Moonstone Dr	Rexroatr@gmail	Russ Rexroat	3/15/26
Raymond Alexander	324 Stratus Dr	Raymond.c.alexandr@gmail.com	Raymond Alexander	3/15
Cari Janewaske	324 Stratus Dr	↓	Cari Janewaske	3/15
Leslie Narramore	337 Stratus Dr.	L. Narramore@gmail.com	Leslie Narramore	3/15
Eric Reed	337 Stratus Dr.	↓	Eric Reed	3/15
Steven Edelblute	196 Stratus Dr	Evo8ur8@gmail.com	Steven Edelblute	3/15/26
Carlos Castellanos	176 Stratus Dr	Trojost.c@gmail.com	Carlos Castellanos	3/15/26
Josiah Meadows	163 Stratus Dr.	jocem2006@gmail.com	Josiah Meadows	3/15/26
Jody Meadows	163 Stratus Dr.	aljomeadows@yahoo.com	Jody M. Meadows	3/15/2026
Jeff Chumley	62 Stratus Dr	jchumley@icloud.com	Jeff Chumley	03.15.26
R. Gratz	277 Cirrus Way	NR	R. Gratz	3-15-26
Megan France	301 Cirrus Way	meganbfrance@gmail.com	Megan France	3/15/26
Chris France	301 Cirrus Way	drocfrance@gmail.com	Chris France	3/16/26

Name (Printed)	Address	Email/Phone (Optional)	Signature	Date
Reginald Loga	75 Contrail Dr Kearneysville 25430	Rlogan7575@gmail.com Rlogan7575@gmail.com Rlogan7575@gmail.com		March 15 2026
Irene Hess	38 Nimbus Dr. Kearneysville, WV 25430			3-15-26
Sherry Hessler	182 Moonstone Dr Kearneysville WV	Sherry.hessler @yahoo.com		3-17-26
Daniel Smith	30 Moonstone Dr Kearneysville WV 25430	25430 smithdc831@yahoo.com		3/17/26
Amber Smith	Amber Smith 30 moonstone Dr. Kearneysville, WV 25430	achaser27@aol.com		3/17/26
Amanda Cline	104 Quail Dr. Kearneysville WV 25430	agailcline@ yahoo.com		3/17/26
Craig Cline	104 Quail Dr Kearneysville, WV 25430	ccline@shepherd.org		3/17/26
Janya Miller	44 Moonstone	Janya Miller		3/17/26
Sherrill Miller	207 moonstone dr.	WSAMiller@aol.com		3/17/26
Wayne Miller	207 Moonstone	wsamiller99@ Gmail.com		3-17-26
Korinne Myers	429 moonstone	Korinnenoelma@ yahoo.com		3/18/26

Opposition to Conditional Use Permit Application File #26-1-CUP for the proposed Cedar Hill Storage development at 500 Febrey Road.

PETITION OF OPPOSITION: Conditional Use Permit Application – File #26-1-CUP Cedar Hill Storage – 500 Febrey Road, Kearneysville, West Virginia

To:

Jefferson County, West Virginia

Department of Engineering, Planning and Zoning

Office of Planning and Zoning

116 E. Washington, Street, 2nd Floor

Charles Town, West Virginia 25414



We, the undersigned residents and property owners of the surrounding community, respectfully **oppose** the **Conditional Use Permit Application (File #26-1-CUP)** submitted by Cedar Hill Storage, LLC for the development of a commercial self-storage facility on approximately eight acres of the Pine Run Ranch property located at **500 Febrey Road in Kearneysville, West Virginia.**

Our concerns include but are not limited to:

- **Potential impacts on the safety and well-being of families and children living in the surrounding residential and rural areas.**
- **Increased commercial traffic and infrastructure demands on rural roads not designed for this level of activity.**
- **Negative impacts to property values and residential character in an area currently designated as rural.**
- The creation of a **precedent for further commercial development** within areas intended to maintain a rural character.
- Potential impacts to **wildlife, environmental resources, and the natural landscape** that currently define this community.
- **Reduction of Required Landscape Buffer** The requested reduction of the required landscape buffer appears to result from the applicant's chosen placement of development on the parcel rather than from any unique physical hardship of the property.

Jefferson County zoning ordinances exist to **protect the public from incompatible land uses and ensure development aligns with the**



County's Comprehensive Plan. We respectfully request careful consideration of these concerns when reviewing this application.

There are areas within Jefferson County, West Virginia already designated and zoned for commercial development that are better suited for facilities such as self-storage. Approving this proposal in a rural area may undermine the intent of the County's Comprehensive Plan and set a precedent for further commercial development in areas intended to maintain rural character.

The signatures below represent residents and property owners who believe this proposed development is **not compatible with the surrounding rural community and respectfully request denial of Conditional Use Permit File #26-1-CUP.**

jgwalberg@gmail.com [Switch account](#)



Not shared

* Indicates required question

Full Name (First Last) *

Your answer

Street Address, City, State *

Your answer

Email

Your answer



Phone #

Your answer

Statement of support (Opposing Conditional use Permit) *

I oppose Conditional Use Permit Application File #26-1-CUP for the proposed Cedar Hill Storage development at 500 Febrey Road.

Other:

Have you already physical signed the paper petition *

Yes

No

By submitting this form, I confirm that the information provided is accurate and represents my opposition to Conditional Use Permit File #26-1-CUP.

Submit

Clear form

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Google Forms





Timestamp	Full Name (First Last)	Street Address, City, State	Email	Phone #	Statement of support (Opposing Conditional use Permit) Have you already physical signed the paper petition
3/16/2026 10:47:28	Wendy Couch	290 Moonstone Drive, Kearneysville, WV	wcouch8@yahoo.com	301-466-9828	I oppose Conditional Use Permit Application File #2
3/16/2026 12:40:41	Kimberly Consiglio	55 Stratus Dr, Kearneysville, WV	ktconsiglio@gmail.com	2403153460	I oppose Conditional Use Permit Application File #2 No
3/16/2026 12:43:03	Robert Consiglio	55 Stratus Dr, Kearneysville, WV	rob.consiglio@gmail.com	8134861530	I oppose Conditional Use Permit Application File #2 No
3/16/2026 12:50:32	Kristen Barrett	46 Conrail Drive	barrettk40@yahoo.com	240-319-0994	I oppose Conditional Use Permit Application File #2 Yes
3/16/2026 12:51:18	Michael Barrett	46 Conrail Drive	mapmakker51@gmail.cc	304-512-9001	I oppose Conditional Use Permit Application File #2 Yes
3/16/2026 13:21:29	Miguel Giron	63 Cumulus Drive Kearneysville,	mgiron1989@gmail.com	5406224296	I oppose Conditional Use Permit Application File #2 Yes
3/16/2026 13:26:35	Amy Dinges	35 Nimbus Drive, Kearneysville,			I oppose Conditional Use Permit Application File #2 No
3/16/2026 13:28:43	Rylie Ryder	322 Sundance Lane, Kearneysville,	rylieryder@icloud.com	681-247-9642	I oppose Conditional Use Permit Application File #2 No
3/16/2026 13:49:37	Laura Logreco	296 Stratus dr Kearneysville, WV	laura.logreco@yahoo.com	8304600909	I oppose Conditional Use Permit Application File #2 No
3/16/2026 14:16:00	Pereira	112 Pintail Ln Kearneysville, WV	tacomadad22@gmail.co	703-789-2851	I oppose Conditional Use Permit Application File #2 No
3/16/2026 14:19:36	Richard Logreco	296 Stratus Dr	ricklogreco@yahoo.com	830-460-0910	I oppose Conditional Use Permit Application File #2 No
3/16/2026 14:25:28	Mireya Salgado	176 Stratus Dr, Kearneysville, WV	mireyas41@gmail.com	3042700149	I oppose Conditional Use Permit Application File #2 No
3/16/2026 14:25:41	Lauren Lawson	88 Quail Dr, Kearneysville WV	lnl20180@gmail.com	571-442-1020	I oppose Conditional Use Permit Application File #2 No
3/16/2026 16:05:36	Talmdage sims	90 Sundance lane	daily_benefits@yahoo.cc	3047250422	I oppose Conditional Use Permit Application File #2 No
3/16/2026 16:32:19	Daniel Fitzgibbon	143 Conrail Dr. Kearneysville WV	dftzyss@gmail.com	717-729-8017	I oppose Conditional Use Permit Application File #2 No
3/16/2026 17:09:53	Jennifer Hardy	247 Pintail Lane Kearneysville WV	jenniferhardy5@gmail.co	304-886-3505	I oppose Conditional Use Permit Application File #2 No
3/16/2026 22:06:23	Russel Rexroat	428 Moonstone Dr, Kearneysville,	rexroat@gmail.com	7039997131	I oppose Conditional Use Permit Application File #2 Yes
3/17/2026 22:19:24	Autumn Perry	60 Cumulus Dr, Kearneysville, WV	wadnperry@gmail.com		I oppose Conditional Use Permit Application File #2 No
3/18/2026 11:55:39	Laurie Wear	18 Pintail Lane, Kearneysville, WV	wear4kids@comcast.net	(304) 279-3342	I oppose Conditional Use Permit Application File #2 No
3/18/2026 18:06:50	Korinne Myers	429 Moonstone Drive	kmyers2019@yahoo.com	3046764792	I oppose Conditional Use Permit Application File #2 Yes



Re: Letter opposing the approval of Conditional Use Permit Application File #26-1-CUP – Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV. Specifically of concern is the reduction in the landscaping buffer to less than 75 feet.

From Planning Department <planning@jeffcowv.gov>

Date Fri 3/20/2026 4:42 PM

To cyndi rexroat <cyndirexroat@gmail.com>

Good afternoon Cindi,

Yes, your email will be included in the packet.

Thank you for following up and have a nice weekend.

Jennilee Hartman, Zoning Clerk

Office of Planning and Zoning

304-728-3228

From: cyndi rexroat <cyndirexroat@gmail.com>

Sent: Friday, March 20, 2026 4:17 PM

To: Planning Department <planning@jeffcowv.gov>

Subject: Re: Letter opposing the approval of Conditional Use Permit Application File #26-1-CUP – Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV. Specifically of concern is the reduction in the landscaping buffer to less than 75 feet.

You don't often get email from cyndirexroat@gmail.com. [Learn why this is important](#)

Hi Ms Hartman,

With the change of date for the hearing, will my letter be able to be included?

Cyndi

On Fri, Mar 20, 2026 at 11:03 AM Planning Department <planning@jeffcowv.gov> wrote:

Good morning,

Please be advised that in accordance with the Board of Zoning Appeals'

[\[http://Jennilee%20Hartman,%20Zoning%20Clerk\]](http://Jennilee%20Hartman,%20Zoning%20Clerk)Submission Deadline Policy for Written Comment, our office cannot accept your comments for inclusion in the packet. As noted in the Policy, you are welcome to attend the March 26, 2026 meeting to provide verbal testimony.

A copy of your written comments will be retained for the project file.

Thank you,

Jennilee Hartman, Zoning Clerk

Office of Planning and Zoning

304-728-3228

From: cyndi rexroat <cyndirexroat@gmail.com>

Sent: Thursday, March 19, 2026 11:25 PM

To: Edwina Benites County Administrator <Edwina.C.BenitesLM@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>; Planning Department <PlanningDepartment@jeffersoncountywv.org>

Cc: Russ Rexroat <rexroatr@gmail.com>

Subject: Letter opposing the approval of Conditional Use Permit Application File #26-1-CUP – Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV. Specifically of concern is the reduction in the landscaping buffer to less than 75 feet.

You don't often get email from cyndirexroat@gmail.com. [Learn why this is important](#)

Cyndi J. Rexroat March 18, 2026

[428 Moonstone Dr](#)

[Kearneysville, WV 25430](#)

[Jefferson County, West Virginia](#)

Department of Engineering, Planning and Zoning

Office of Planning and Zoning

116 E. Washington Street, 2nd Floor

Charles Town, WV 25414

Subject: Formal Response and Public Comment – Conditional Use Permit Application File #26-1-CUP – Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV

To the Jefferson County Planning Commission and Board Members,

I am writing as a **significantly impacted property owner** and resident to express concerns regarding the Conditional Use Permit application (File #26-1-CUP) submitted by Cedar Hill Storage, LLC for a commercial self-storage facility on approximately seven acres of the Pine Run Ranch property at 500 Febrey Road in Kearneysville.

While I respect the rights of property owners to pursue development opportunities, the proposed project impacts surrounding residential property values, takes away privacy, and raises concerns about my safety and security in my own home.

Residential property values are closely tied to neighborhood character, traffic conditions, noise levels, and overall land use compatibility. Increased commercial activity, vehicle traffic, excessive noise, and security lighting associated with a commercial storage facility will reduce the desirability of nearby homes and negatively impact property values for surrounding residents.

My property is directly impacted by this development. Clearcutting the trees and pouring concrete over 7 acres directly behind my backyard would not only be an eyesore, but the environmental impact is significant. Where will the runoff from the washing stations be directed? How will the oils, petroleum, and other hazardous chemicals that will be flowing into the nearby creek be mitigated to keep it out of the water table? This will directly impact the wildlife and nature of the area.

This proposed project encompasses land at a higher elevation than my property, so the entire operation will be in full view, especially with the request to limit the landscape buffer to only the existing natural treeline, and then be allowed to reduce the setback to 10' in some areas. The public will have direct viewing access into my home. Anything less than the required 75 feet, **to include the fencing**, is not acceptable. I do not want the public from a commercial operation that close to my home.

The security lighting will be downward facing, but with the land elevation being higher than mine, that lighting will be directed into my home.

In addition, consideration for future commercial development and the long-term implications of approving this type of commercial development within an area designated as Rural will establish a precedent for commercial uses in the character of not just this property, but across the county. **Protecting the stability of surrounding residential neighborhoods and the value of existing homes should be an important consideration in this decision.**

Thank you for your time and consideration.

Respectfully,

Cyndi J. Rexroat

Zoning

From: Zoning
Sent: Friday, March 20, 2026 9:35 AM
To: 'Amy Srock'; dzab1930@protonmail.com; jasonhowardburton@gmail.com; anymichellescott@hotmail.com; troberts48@aol.com; jpotocnak@earthlink.net
Cc: Brian Srock; 'planning@jeffcowv.gov'
Subject: RE: Formal Response and Public Comment – Conditional Use Permit Application File # 26-1-CUP – Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV

Good morning,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming March 26, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, March 20, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Thank you,

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Amy Srock <amyszoo10@yahoo.com>
Sent: Monday, March 16, 2026 5:38 PM
To: Edwina LM. Benites <edwina.c.benitesLM@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>; Planning Department <PlanningDepartment@jeffersoncountywv.org>; dzab1930@protonmail.com; jasonhowardburton@gmail.com; anymichellescott@hotmail.com; troberts48@aol.com; jpotocnak@earthlink.net
Cc: Brian Srock <briansrock@gmail.com>; Amy Srock <amyszoo10@yahoo.com>
Subject: Formal Response and Public Comment – Conditional Use Permit Application File #26-1-CUP – Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV

Brian and Amy Srock

34 Rainbow Drive
Kearneysville, WV 25430

Monday, March 16, 2026

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

Subject: Formal Response and Public Comment – Conditional Use Permit Application File #26-1-CUP – Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV

To the Jefferson County Planning Commission and Board Members,

We are writing as nearby property owners and residents to express concerns regarding the Conditional Use Permit application (File #26-1-CUP) submitted by Cedar Hill Storage, LLC for a commercial self-storage facility on approximately eight acres of the Pine Run Ranch property at 500 Febrey Road in Kearneysville.

Our family chose to live in this area because of its rural setting, quiet environment, and safe conditions for families. Many residents in this community value the open space, limited traffic, and agricultural character that Rural zoning is intended to protect.

While we respect the rights of property owners to pursue development opportunities, the proposed project raises concerns about whether this type of commercial operation is compatible with the intent of the Rural zoning district. Uses such as self-storage operations, U-Haul rentals, RV and boat storage, and related commercial activity operating seven days a week represent a level of intensity that appears inconsistent with the surrounding rural landscape.

Traffic safety is also an important concern for families in the area. Increased commercial vehicle traffic, including rental trucks, trailers, and recreational vehicles, could place additional strain on rural roads that were not designed for frequent commercial use. These roads are regularly used by residents, children, cyclists, pedestrians, and farm equipment.

The application also proposes a substantial reduction in the required landscaped buffer—from seventy-five (75) feet to as little as ten (10) feet in some areas. Landscape buffers play an important role in protecting neighboring properties from visual impact, noise, and lighting associated with commercial operations. Reducing this buffer significantly weakens those protections for nearby homes.

Beyond the immediate impacts, this proposal raises a broader concern about precedent. Approval of a commercial storage facility of this scale within an area designated as Rural could open the door to similar commercial uses in the future. Over time, decisions like this can gradually erode the rural character that residents value and that the County's comprehensive planning efforts are intended to preserve.

For these reasons, we respectfully ask the Planning Commission to carefully consider whether this proposal aligns with the purpose of the Rural zoning district and the County's long-term planning goals. Protecting the rural character of this area and avoiding precedent for expanded commercial development is important to the families and residents who call this community home.

Thank you for your time and consideration.

Respectfully,

Brian and Amy Srock

Wendy Couch
290 Moonstone Drive
Kearneysville, WV 25430
wcouch8@gmail.com
(301) 466-9828

March 23, 2026

Board of Zoning Appeals
Jefferson County Office of Planning & Zoning
116 East Washington Street
Charles Town, WV 25414

Re: Conditional Use Permit (CUP) Elliott Kletter, Cedar Hill Storage, LLC, Parcel ID 07000200030000, Zoning District: Rural, Proposed self-storage and long-term RV/boat/recreational vehicle storage, cleaning, and dumping facility

Dear Members of the Board of Zoning Appeals,

I am writing as an adjacent property owner and concerned resident to provide comments and proposed conditions regarding the above-referenced Conditional Use Permit (CUP) application. The proposed commercial use on 116 acres of currently Rural-zoned farmland directly abuts high-to-moderate-end residential properties, including my own and those of many neighbors. These homes were constructed in reliance on the existing Rural zoning protections and the 2045 Jefferson County Comprehensive Plan's emphasis on preserving rural character, dark skies, and residential compatibility.

The proposed facility would operate 24/7/365 with customer access, motion-activated or user-controlled lighting, vehicle movement, and outdoor storage of RVs, boats, and recreational vehicles. Even with full-cutoff fixtures, artificial lighting from pole-mounted area lights (typical 25–40 feet tall, 4000–5000K LEDs) would introduce objectionable glare and light trespass into private backyards, patios, and bedrooms — areas where residents currently enjoy dark rural nighttime conditions with no street lighting.

The fact that the applicant/owner lacks a more suitable site for this 24/7 commercial storage and RV/boat cleaning/dumping facility is not a valid reason under the Jefferson County Zoning Ordinance or the 2045 Comprehensive Plan to infringe upon the private yards, bedrooms, and dark-sky rural character of existing high-to-moderate-end residential homes that were established long before this proposal. These residences are occupied, have no street lighting, and were built in reliance on the Rural zoning protections that explicitly seek to prevent objectionable glare and light trespass. The owner must fully accommodate the pre-existing residential community before any development may proceed — or the CUP must be denied. Accommodation is the easiest path.

To ensure zero adverse impact on adjacent residential properties and to exceed all requirements of the Jefferson County Zoning Ordinance (glare defined as “brightness sufficient to cause annoyance, discomfort, or lessen visual performance”) and Subdivision & Land Development Regulations (“Lighting shall be shielded and directed down to prevent glare and to minimize light trespass”), I respectfully request that the Board impose the following mandatory conditions as part of any CUP approval.

Exhibit A: Proposed Mandatory CUP Conditions – Zero-Tolerance Light Pollution and Glare Protection (attached hereto) details these conditions in full. They include:

- A 150-foot vegetated setback/buffer with 8-foot security fencing and dense evergreen screening (prepared by a licensed landscape architect, achieving 100% opacity at maturity).
- An independent photometric/glare study using AGI32 software demonstrating zero light trespass (0.0 foot-candles) at residential property lines.
- Professional design of the entire outdoor lighting system by a third-party licensed Professional Engineer or IES-certified lighting designer.
- A separate third-party comparative study on a **Night sky protection strategy** (Hawaii Revised Statutes § 201-8.5) and related standards.
- Annual third-party certifications verifying continued performance of the buffer and lighting.
- Explicit requirement that the Board address compliance risk and incorporate risk mitigation measures in its findings.

These conditions are the minimum necessary to protect the existing residential community and rural character. The Applicant’s failure or refusal to accept them in full shall constitute grounds for denial of the CUP.

I appreciate the Board’s careful consideration of this application and its responsibility to ensure compatibility with surrounding uses. I request that these comments and proposed conditions be made part of the official record and considered at the public hearing.

Thank you for your time and service to Jefferson County.

Sincerely,

Wendy Couch

cc:

John Walberg (Email)
396 Moonstone Drive
Kearneysville, WV
jgwalberg@gmail.com

Richard Kelsey (Email)
372 Moonstone Drive
Kearneysville, WV 25430
richkelsey91@gmail.com

Wendy Couch
290 Moonstone Drive
Kearneysville, WV 25430
wcouch8@yahoo.com

Martin Sulsky (Email)
346 Moonstone Drive
Kearneysville, WV 25430
msulsky@gmail.com

Carl Maxwell (Email)
442 Moonstone Drive
Kearneysville, WV 25430
SkyKing6275@gmail.com

Russel Rexroat (Google
Drive)
428 Moonstone Drive
Kearneysville, WV 25430

DarkSky Bolivar-Harpers
Ferry Chapter (Email)
(bhf@darksky.org)

Attachment: Exhibit A – Proposed Mandatory CUP Conditions – Zero-Tolerance Light Pollution and Glare Protection

Exhibit A (attach as separate page(s)):

Exhibit A: Proposed Mandatory CUP Conditions – Zero-Tolerance Light Pollution and Glare Protection

To ensure zero adverse impact on adjacent residential properties and to exceed all requirements of the Jefferson County Zoning Ordinance (glare defined as “brightness sufficient to cause annoyance, discomfort, or lessen visual performance”) and Subdivision & Land Development Regulations (“Lighting shall be shielded and directed down to prevent glare and to minimize light trespass”), the following conditions shall be imposed at the Applicant’s sole expense and risk:

A. 150-Foot Enhanced Vegetated Setback and Screening Buffer

A minimum 150-foot vegetated setback/buffer shall be maintained in perpetuity from all adjacent residential property lines. Within this buffer, the Applicant shall install and maintain: (1) an 8-foot-high galvanized chain-link security fence topped with continuous barbed wire and razor-wire spiral; and (2) dense vegetative screening prepared by a licensed landscape architect consisting of staggered double rows of evergreen trees (minimum 8–10 feet tall at planting, maturing to 25–35+ feet) and dense evergreen shrubs (maturing to 6–8 feet tall) across a minimum 50-foot width. The planting plan shall achieve and maintain 100% opacity at maturity to provide total blockage of direct light rays and glare into residential backyards and bedrooms.

B. Independent Photometric/Glare Analysis

The Applicant shall engage, at its sole cost, a third-party licensed Professional Engineer (PE) or IES-certified lighting designer who has no prior relationship with the Applicant or its agents. The study shall be prepared using industry-standard AGI32 photometric modeling software. The consultant shall submit the complete study, raw data files, all modeling outputs, and sky-glow calculations **directly** to the Jefferson County Office of Planning & Zoning (not through the Applicant) no later than 30 days prior to the BZA hearing. The study and all supporting materials shall be included in the full public application packet, all BZA hearing materials, and posted on the County website.

The study must demonstrate **zero measurable light trespass (0.0 foot-candles at every point)** along the residential property lines, including during motion-activated or user-controlled 24/7 operation.

C. Professional Design of Outdoor Lighting System

The entire outdoor lighting system for the facility (including all fixtures, poles, controls, and related components) shall be professionally designed by a third-party licensed Professional Engineer (PE) or IES-certified lighting designer (no prior relationship with the Applicant or its agents). The design shall incorporate full-cutoff fixtures, BUG-rated per IES TM-15, maximum 3000K correlated color temperature, and full compliance with DarkSky International guidelines and IES RP-20. The complete lighting design plans, specifications, and certifications shall be

submitted **directly** by the designer to the Jefferson County Office of Planning & Zoning and become part of the permanent public record prior to any installation or CUP issuance.

D. Night Sky Protection Strategy Comparative Study

The Applicant shall fund, at its sole cost, a separate third-party study prepared by an independent licensed Professional Engineer or IES-certified lighting designer (no prior relationship with the Applicant). The study shall compare the proposed lighting design to Hawaii's **Night sky protection strategy** (Hawaii Revised Statutes § 201-8.5) and related county standards (e.g., Maui County Code Chapter 20.35, "Outdoor Lighting"), which mandate fully shielded fixtures with all light projected downward below the horizontal plane of the fixture, correlated color temperature limits (typically 4000K or less), and additional glare/trespass controls. The study shall explain why these more protective standards are not being utilized in Jefferson County and shall include recommendations on whether adopting elements of Hawaii's standards would better achieve zero trespass. The consultant shall submit the complete study **directly** to the Jefferson County Office of Planning & Zoning and it shall become part of the permanent public record.

E. Annual Compliance Certification and Risk Mitigation

The Applicant shall fund annual third-party certifications prepared by an independent licensed landscape architect or IES-certified lighting designer verifying that the 150-foot buffer, security fence, vegetative screening (100% opacity), and all lighting systems continue to function exactly as approved and achieve zero light trespass. Certifications shall be submitted **directly** by the consultant to the Board of Zoning Appeals and Office of Planning & Zoning and posted publicly on the County website.

The Board of Zoning Appeals must explicitly evaluate and address in its findings of fact the compliance risk associated with this project and shall incorporate specific risk mitigation measures in the event that future redesign of the lighting system or the landscaping light buffer becomes necessary to maintain zero light trespass.

Any violation of these zero-tolerance standards shall result in immediate cessation of operations and revocation of the CUP.

F. Public Record Requirement

All studies, planting plans, lighting designs, certifications, and supporting materials shall be submitted directly by the respective third-party consultants and shall become permanent public records available to the Board, adjacent residents, and any potential lenders.

These conditions are the minimum necessary to protect the existing residential community and rural character. The Applicant's failure or refusal to accept them in full shall constitute grounds for denial of the CUP.

Zoning

From: Zoning
Sent: Thursday, April 2, 2026 1:20 PM
To: 'Wendy Couch'
Cc: John Walberg; Richard Kelsey; msulsky@gmail.com; SkyKing6275@gmail.com; bhf@darksky.org
Subject: RE: Conditional Use Permit (CUP) Elliott Kletter, Cedar Hill Storage, LLC, Parcel ID 07000200030000, Zoning District: Rural, Proposed self-storage and long-term RV/boat/recreational vehicle storage, cleaning, and dumping facility

Good afternoon,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming April 9, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, April 3, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Thank you,

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Wendy Couch <wcouch8@gmail.com>
Sent: Monday, March 23, 2026 11:54 AM
To: Zoning <Zoning@jeffersoncountywv.org>
Cc: Planning Department <PlanningDepartment@jeffersoncountywv.org>; Roger L. Goodwin <roger.l.goodwin@jeffcowv.gov>; Edwina LM. Benites <edwina.c.benitesLM@jeffcowv.gov>; Michael t. Mood <michael.t.mood@jeffcowv.gov>; John Walberg <jgwalberg@gmail.com>; Richard Kelsey <richkelsey91@gmail.com>; msulsky@gmail.com; SkyKing6275@gmail.com; bhf@darksky.org
Subject: Conditional Use Permit (CUP) Elliott Kletter, Cedar Hill Storage, LLC, Parcel ID 07000200030000, Zoning District: Rural, Proposed self-storage and long-term RV/boat/recreational vehicle storage, cleaning, and dumping facility

Mr McKinney and Board of Zoning Appeals,

I am writing as an adjacent property owner and concerned resident to provide comments and proposed conditions regarding the above-referenced Conditional Use Permit (CUP) application. The proposed commercial use on 116 acres of currently Rural-zoned farmland directly abuts high-to-moderate-end residential properties, including my own and those of many neighbors.

My letter requests addressing lighting pollution.

Please see the attached correspondence for additional details. This letter is being sent via email and will be followed up with a hard copy via USPS.

I respectfully request that concerns be acknowledged or a request to stay discussions be requested prior to the zoning meeting on April 9, 2026, in order to give the BZA an opportunity to assure residents and voter rights are protected.

Please acknowledge receipt of this email.

Sincerely,

Wendy Couch

Korinne Myers and Terri Roberts-Myers

429 Moon Stone Drive

Kearneysville, WV 25430

Monday, March 30, 2026

Jefferson County, West Virginia

Department of Engineering, Planning and Zoning

Office of Planning and Zoning

116 E. Washington Street, 2nd Floor

Charles Town, WV 25414

Subject: Formal Response and Public Comment – Conditional Use Permit Application File #26-1-CUP – Cedar Hill Storage – 500 Febrey Road, Kearneysville, WV

To the Jefferson County Planning Commission and Board Members,

We are writing as nearby property owners and residents to express concerns regarding the Conditional Use Permit application (File #26-1-CUP) submitted by Cedar Hill Storage, LLC for a commercial self-storage facility on approximately eight acres of the Pine Run Ranch property at 500 Febrey Road in Kearneysville.

My mother and I chose to live in this area because of its rural landscape, open space, quiet surroundings, and natural environment. One of the aspects we value most about this community is the presence of local wildlife and the relatively undisturbed habitat that supports deer, birds, pollinators, and other native species—features that are deeply connected to the area's peaceful character and residents' quality of life.

While we respect the rights of property owners to pursue development opportunities, the proposed project raises concerns about both environmental impacts and the resulting effects on the quality of life for nearby residents. The introduction of a significant commercial operation into an area designated as Rural represents a notable shift in land use. Proposed uses such as self-storage operations, U-Haul rentals, camper and boat storage, and an RV wash and dump station operating seven days a week would bring a level of intensity that appears inconsistent with the intended character of the Rural zoning district. Activity of this scale could alter not only the natural landscape, but also the quiet, low-impact environment that residents currently experience.

Development of this kind has the potential to disrupt wildlife corridors, reduce habitat for native species, and increase noise, lighting, and traffic. These changes would not only affect the ecological health of the area, but also diminish the sense of tranquility that defines daily life for

those living nearby. In particular, security lighting associated with a commercial facility operating seven days a week may contribute to light pollution, impacting nocturnal wildlife while also altering the natural nighttime environment for residents.

Stormwater management is another important consideration. The addition of large areas of impervious surface can change drainage patterns and increase runoff, potentially affecting surrounding properties, soils, and nearby waterways. These environmental changes can, in turn, create downstream impacts for residents, including concerns about flooding, erosion, and water quality.

The proposed reduction in the required landscaped buffer—from seventy-five (75) feet to as little as ten (10) feet in some areas—further underscores these concerns. A diminished buffer not only reduces natural screening between the development and neighboring properties, but also eliminates habitat that currently supports local wildlife and contributes to the area's rural character.

Beyond the immediate impacts, approval of this Conditional Use Permit could set a precedent for additional commercial development within areas currently designated as Rural. Over time, incremental changes of this kind may lead to continued habitat loss and a gradual erosion of the natural environment, with corresponding effects on the quality of life that residents moved here to preserve.

For these reasons, we respectfully request that the Planning Commission carefully evaluate both the environmental consequences and the quality of life implications of this proposal, and consider whether it aligns with the County's goals of responsible land use and environmental stewardship.

Thank you for your time and consideration.

Respectfully,

Korinne Myers and Terri Roberts-Myers

Zoning

From: Zoning
Sent: Tuesday, March 31, 2026 3:39 PM
To: 'korinnoelm@yahoo.com'
Subject: RE: Written Comment Regarding Agenda Item #1 File #: 26-1-CUP and #26-6-ZV for Zoning Meeting on April 9, 2026 at 2:00 pm

Good afternoon,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming April 9, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, April 3, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Thank you,

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: korinnoelm@yahoo.com <korinnoelm@yahoo.com>
Sent: Monday, March 30, 2026 12:46 PM
To: Edwina LM. Benites <edwina.c.benitesLM@jeffcowv.gov>; Zoning <Zoning@jeffersoncountywv.org>; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Written Comment Regarding Agenda Item #1 File #: 26-1-CUP and #26-6-ZV for Zoning Meeting on April 9, 2026 at 2:00 pm

Hello all,

Please see the attached pdf containing a written comment from Quail Ridge residents Korinne Myers and Terri Roberts-Myers regarding Agenda Item #1, #26-1-CUP and #26-6-ZV on the upcoming April 9 Zoning Meeting.

Thank you,
Korinne

Evan & Emilie Pratt

214 Stratus Dr

Kearneysville, WV 25430

Friday, March 27, 2026

Jefferson County, West Virginia

Department of Engineering, Planning and Zoning

Office of Planning and Zoning

116 E. Washington Street, 2nd Floor

Charles Town, WV 25414

RECEIVED

MAR 30 2026

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

**Subject: Formal Response and Public Comment – Conditional Use Permit Application
File #26-1-CUP – Cedar Hill Storage – 500 Febrey Road Kearneysville WV**

To the Jefferson County Planning Commission and Board Members,

We are writing as nearby property owners and residents to express our **opposition** to the Conditional Use Permit application File #26-1-CUP submitted by Cedar Hill Storage, LLC for a commercial self-storage facility on approximately eight acres of the Pine Run Ranch property at 500 Febrey Road in Kearneysville.

Traffic Safety and Impacts on Residential Property Values

Traffic safety is one of the most serious concerns for families in this neighborhood. The rural roads surrounding the proposed site are narrow, have limited shoulders, and were never designed to accommodate frequent commercial traffic or large vehicles such as rental trucks, RVs, trailers, and boats. These roads are used daily by children walking or biking to nearby homes, families out for evening walks, school buses, and residents traveling at low speeds appropriate for a rural setting.

Introducing a commercial storage facility with U-Haul rentals, RV and boat storage, and seven-day-a-week activity would dramatically increase the number of large, heavy, and unfamiliar drivers navigating these roads. **This raises significant safety risks for children, pedestrians, cyclists, and families who rely on these roads as part of their daily routines.** Even a modest increase in commercial traffic can change the safety profile of a rural neighborhood, especially when large vehicles have wider turning radii, longer stopping distances, and reduced visibility.

These safety concerns also directly affect residential property values. Neighborhoods perceived as less safe—particularly for children—tend to experience reduced desirability. Increased noise, traffic, and visibility of commercial operations can further diminish the appeal of nearby homes. Over time, these factors may negatively influence property values and undermine the stability and character that Rural zoning is intended to protect.

Rural Character and Wildlife Habitat

Our family chose to live in this area because of its rural landscape, quiet setting, and natural environment. The open space and relatively undisturbed habitat support deer, birds, pollinators, and other native species that contribute to the ecological health and character of the community.

The proposed development—multiple buildings, paved areas, and large vehicle storage—would introduce substantial impervious surface and significantly alter the natural landscape. This scale of construction risks disrupting wildlife corridors, reducing habitat, and increasing noise, lighting, and human activity in an area that is currently environmentally quiet. Security lighting operating seven days a week would further affect nocturnal wildlife and degrade the natural nighttime environment.

Environmental Concerns

Stormwater management is a critical concern. Increased impervious surfaces will alter drainage patterns and increase runoff, potentially affecting surrounding properties, soils, and nearby waterways.

We are **especially concerned about the risk of contamination from grey water waste** associated with vehicle washing, maintenance, or other on-site activities. Grey water can contain oils, detergents, heavy metals, and other pollutants that may infiltrate soils, contaminate groundwater, or enter nearby streams and wetlands. Such contamination threatens aquatic life, private wells, septic systems, and the broader watershed.

Given these risks, any approval must include enforceable prohibitions on grey water dumping, requirements for impermeable and lined containment areas, and routine monitoring to ensure compliance.

Landscape Buffer Reduction

The application proposes reducing the required landscape buffer **from seventy-five feet to as little as ten feet in some areas**. Landscape buffers are essential for protecting neighboring properties, preserving wildlife habitat, reducing noise and lighting impacts, and maintaining the rural character of the area. A reduction of this magnitude would significantly weaken these protections.

Precedent and Long-Term Planning

Approval of this Conditional Use Permit would set a precedent for additional commercial development within areas currently designated as Rural. Incremental commercial expansion could gradually erode the rural character that residents value and that the County's comprehensive planning efforts are intended to preserve.

Requested Actions and Conditions

If the Planning Commission considers approval, we respectfully request the inclusion of the following **specific, enforceable conditions**:

Traffic Safety and Family Protection Measures

- Require a comprehensive traffic impact study focused specifically on **family safety**, including pedestrian use, school bus routes, and child activity patterns.
- Mandate traffic calming measures such as reduced speed limits, signage, and roadway improvements before any operations begin.
- Restrict the size, frequency, and hours of large vehicle movements (U-Hauls, RVs, trailers) to minimize risks to children and families.
- Require safe ingress and egress designs that prevent large vehicles from obstructing or encroaching on residential travel paths.

Environmental and Water Quality Protections

- Prohibit all on-site grey water dumping.
- Require impermeable, lined containment areas for any vehicle washing or maintenance.
- Mandate proper off-site disposal or connection to an approved sanitary system.

- Implement routine monitoring and inspection for stormwater and wastewater management.

Landscape and Lighting Protections

- Maintain the full seventy-five-foot landscaped buffer along all residential property lines.
- Require native plantings to preserve habitat and visual screening.
- Adopt strict lighting controls, including down-shielded fixtures, motion activation, and limited nighttime operation.

Operational Limitations

- Limit hours of operation to reduce nighttime noise and traffic.
- Restrict outdoor storage visibility and require screening.
- Ensure that the intensity of commercial activity remains compatible with the Rural zoning district.

Conclusion

For all these reasons—significant family-safety hazards, environmental risks, grey water contamination concerns, threats to wildlife habitat, reduced buffers, and impacts on property values—we urge the Planning Commission to **deny** the Conditional Use Permit. If approval is considered, it must include the strict conditions outlined above to protect the health, safety, and character of this rural community.

Thank you for your time and consideration.

Respectfully,

Homeowners in the Quail Ridge Community



Evan Pratt



Emilie Pratt



Re: Public Comment – File #26-1-CUP / 26-6-ZV

From Zoning <zoning@jeffcowv.gov>
Date Thu 4/2/2026 1:15 PM
To Stan L <like2write@hotmail.com>

Good afternoon,

Please note that our office is in receipt of your email and your comments will be included in the Board's packet for the upcoming April 9, 2026 Board of Zoning Appeals meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, April 3, 2026.

The current Conditional Use Permit and related variance may be view on the county's [webpage](#) in the meantime.

Thank you,

Jennilee Hartman, Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Stan L <like2write@hotmail.com>
Sent: Thursday, April 2, 2026 11:02 AM
To: Zoning <Zoning@jeffersoncountywv.org>
Subject: Public Comment – File #26-1-CUP / 26-6-ZV

Subject: Comment on Conditional Use Permit – Cedar Hill Storage LLC (26-16 CUP)

To Whom It May Concern:

I am writing to provide comments regarding this application under the Conditional Use provisions of the Jefferson County Zoning Ordinance (Article 9).

While the proposal is presented as a storage use, the applicant's submitted materials outline a phased development plan that includes RV and trailer storage, installation of a dump station and vehicle wash, and future rental-related operations. These uses represent a materially greater intensity than standard enclosed storage and introduce additional environmental and operational impacts that are not fully addressed in the current submission.

The site is located adjacent to Shaw Run and includes mapped wetlands with required buffer protections. In addition, the property drains downhill toward Shaw Run, creating a direct pathway for potential surface runoff to enter a regulated stream corridor. Uses such as dump stations and vehicle wash areas inherently involve wastewater handling, spill risk, and surface contamination. While connection to public sewer may address final wastewater disposal, it does not eliminate the potential for

contaminated runoff under normal use conditions or during storm events—particularly in a site that is hydrologically connected to a stream and wetland system.

I would also note that residential properties on Moonstone Drive in the Quail Ridge subdivision are located directly adjacent to this site. Under the County's conditional use standards, compatibility with surrounding properties is a key consideration. While enclosed storage may be compatible, the planned expansion to RV storage, dump stations, vehicle washing, and rental operations represents a higher-intensity use that raises legitimate concerns regarding traffic, noise, lighting, and overall compatibility with nearby homes.

Given these factors, I respectfully request that the Planning Commission:

- Evaluate the full scope of proposed and planned uses, not solely the initial phase presented
- Limit any approval to clearly defined uses consistent with standard storage
- Require separate review and approval for any future expansion to higher-intensity uses, including RV storage, dump stations, vehicle wash, or rental operations
- Require detailed engineering demonstrating full containment of wastewater and complete separation from stormwater systems
- Consider whether the intensity of the proposed and planned uses is appropriate given the proximity to Shaw Run and adjacent residential properties

I also note that the applicant is a member of the zoning board and trust that appropriate recusal procedures and transparency will be followed to ensure public confidence in the decision-making process.

This application, as presented, appears to establish a framework for future expansion into more intensive uses without corresponding review of their environmental and compatibility impacts.

Thank you for your consideration.

Sincerely,
Stanley M. Losiewicz

Staff Report
 Jefferson County Board of Zoning Appeals Meeting
 April 9, 2026
(Postponed from March 26, 2026)

26-2-CUP Suttles LLC Conditional Use Permit Request

Item #2 Request for a Conditional Use Permit to establish a home-based federal firearms business for the purpose of firearms leasing, custom gunsmithing services, and occasional Federal Firearms License (FFL) transfers. The use will be conducted from within a single room in the existing dwelling unit on a by appointment basis only with no proposed exterior alteration to the property or signage. The applicant anticipates no more than five customer/delivery trips per month. The proposed land use designation as listed in Appendix C is Custom Manufacturing and Retail Sales and Service, General, as defined in Article 2.

Owner:	Gregory Suttles
Applicant:	Suttles LLC
Parcel Information & Zoning District:	<p style="text-align: center;">786 Best Road, Harpers Ferry, WV 25425 Parcel ID: 04000300090002; Parcel Size: 2.04 acres; Zoning District: Rural</p> 
History:	03/06/2009: Harry & Tina Martin Minor Subdivision (Plat Book 25 / Page 119)
Waivers/Variances:	None
Approved Activity:	Single family dwelling
Site Visit Conducted:	No

Staff Report
Jefferson County Board of Zoning Appeals Meeting
April 9, 2026
(Postponed from March 26, 2026)
26-2-CUP Suttles LLC Conditional Use Permit Request

Summary of Request and Purpose of Ordinance Requirements

This request is to establish a federal firearms business to include firearms leasing, custom gunsmithing, and occasional Federal Firearms License (FFL) transfers by appointment only. The land use will be conducted from inside the existing dwelling which is situated on a 2.04 acre parcel. The applicant anticipates no more than five (5) customer/delivery trips per month.

The two land use designations subject to this request are listed in Appendix C and are defined in Article 2 as Retail Sales and Service, General and Custom Manufacturing.

Article 2 defines Retail Sales and Service, General as, “A commercial facility engaged in the indoor sale or rental, with incidental service, of goods or merchandise to the general public for personal or household consumption, or providing retail services or entertainment to the general public. Typical retail sales uses include department stores, apparel stores, discount retail stores, furniture stores, or establishments providing the following products or services: household cleaning and maintenance products; food, pharmaceutical products, cards, books, tobacco products, cosmetics, and specialty items; flowers, plants, pets and pet supplies, hobby materials, toys, and handcrafted items; apparel, jewelry, fabrics and similar items; cameras, photography services, household electronic equipment, video and music products, sporting equipment, home furnishings and appliances, art supplies and framing, arts and antiques, paint and wallpaper, hardware, carpeting and floor covering; interior decorating services; office supplies; mail order or catalog sales; bicycles; and automotive parts and accessories (excluding service and installation). Typical service-related uses include eating and drinking establishments; finance, real estate and insurance; amusement and recreational services or establishments such as bowling alleys and miniature golf courses; health, educational and social services. This use does not include Retail Store, Large, and does not include any other use specifically classified in another definition herein.

Article 2 defines Custom Manufacturing as, “Use of a site for the manufacturing of products that are usually handmade and/or are made in small-scale enclosed workshops, involving the use of hand tools, the use of domestic mechanical equipment, or a kiln. This category also includes incidental direct sale to customers of those goods produced on the site. Examples include clay products, glass blowing, jewelry, leatherworking, custom bookbinding, metalworking, and woodworking.”

The applicant will be limited to the land uses specifically outlined within the conditional use permit application and the testimony provided during the Board of Zoning Appeals meeting.

The Home Occupation and Cottage Industry Standards in Section 4A of the Zoning Ordinance states, “Any business which involves the storage of weapons such as firearms (other than residents’ hunting, protection, and leisure weapons)” cannot be established as a Home Occupation or Cottage Industry (Section 4A.1.E.4). A previous determination, which was upheld by the Board of Zoning Appeals, stated that storage of firearms constitutes any length of time that a firearm is on premises (PC File AP12-02). Staff has been advising that in order to operate a home based federal firearms transfer and retail business, a Conditional Use Permit is required due to the fact that firearms will be stored on premises for one or more days until the transfer or sale is completed and the customer picks up the firearm(s).

Staff Report
Jefferson County Board of Zoning Appeals Meeting
April 9, 2026
(Postponed from March 26, 2026)
26-2-CUP Suttles LLC Conditional Use Permit Request

Conditional Use Permit Process

Section 6.3 of the Zoning Ordinance states:

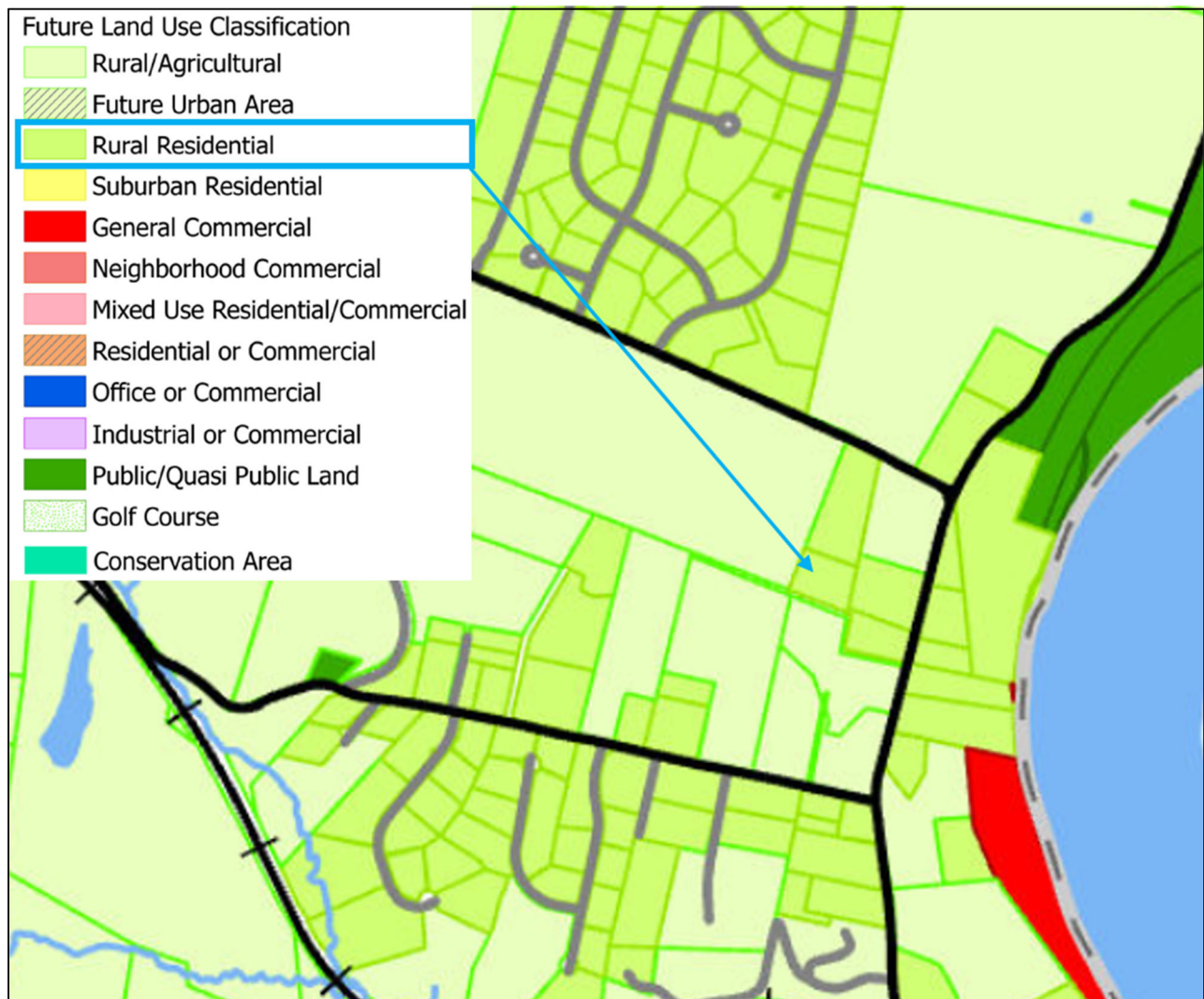
“The Board of Zoning Appeals shall have the authority over the issuance or denial of a conditional use permit for uses listed as “Conditional Uses (CU)” in each zoning district. The Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed conditional use permit:”

The following General Standards shall be considered in approving or denying the CUP:

1. The proposed use is compatible with the goals of the adopted Comprehensive Plan. (Sec. 6.3A.1)

The applicant addressed this criteria on Page 2 of their application.

The subject parcel is shown as “Rural Residential” on the Envision Jefferson 2045 Comprehensive Plan’s Future Land Use Guide and is located outside of the County’s urban growth boundary and preferred growth area.



Staff Report
Jefferson County Board of Zoning Appeals Meeting
April 9, 2026
(Postponed from March 26, 2026)

26-2-CUP Suttles LLC Conditional Use Permit Request

The Zoning Ordinance has historically included provisions to allow for a land use that is not listed as a Principal Permitted Use (i.e. by-right) in a zoning district to process as a Conditional Use using the Development Review System. In March 2017, in accordance with the goals and recommendations of the Comprehensive Plan, the County Commission amended the Conditional Use Permit requirements, which eliminated the Development Review System and the Land Evaluation Site Assessment (LESA) process and incorporated what was considered to be a more traditional process for evaluating a Conditional Use. As part of the text amendment, Appendix C was also amended to specifically identify which non-residential land uses could process under the Conditional Use Permit requirements (*as opposed to a blanket provision to allow any use that was not listed in Appendix C or any use that was listed as not permitted to process under the LESA system – the new provisions state that only uses identified as a “Conditional Use” can process under the Conditional Use Permit provisions in Section 6.3*).

Goal 12 of the adopted Comprehensive Plan is to *“Foster job development in Jefferson County by promoting diverse businesses; employment opportunities; local business entrepreneurship; and professional service jobs.”*

Objective 12.1 specifically is to *“Collaborate with stakeholders to build and expand existing local businesses, support the start-up of new businesses, and attract new businesses to Jefferson County”*.

- 2. The proposed use is compatible in intensity and scale with the existing and potential land uses on the adjoining and confronting properties, and poses no threat to public health, safety and welfare. (Sec. 6.3A.2)**

The applicant addressed this criteria on page 2 of their application.

The applicant is not proposing to construct any new buildings and will conduct the business from within the existing residential dwelling. No signs are proposed. The primary use of the property will remain residential. The business proposal includes operating on an appointment-only basis with low customer volume (≤ 5 customers per month*). The proposed business will include low-volume firearm leasing, custom gunsmithing and FFL transfers. All firearms will be securely stored in compliance with all federal and state regulations

** While the proposed land use does not comply with the home occupation or cottage industry provisions as noted on Page 2 of this report, it is worth noting that the Cottage Industry provisions allow up to 60 trips per week, with a maximum of 15 business related visits per day. A Cottage Industry land use would process administratively via a Zoning Certificate Application.*

- 3. The proposed site development shall be such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings. (Sec. 6.3A.3)**

The applicant addressed this criteria on page 2 of their application. The business will be conducted entirely within the existing residential dwelling.

- 4. Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements found in Appendix B and Section 4.11 of the Zoning Ordinance. (Sec. 6.3A.4)**

The applicant stated that they will implement any required buffers, setbacks, and landscaping measures necessary to preserve the integrity of adjacent properties.

Staff Report
Jefferson County Board of Zoning Appeals Meeting
April 9, 2026
(Postponed from March 26, 2026)
26-2-CUP Suttles LLC Conditional Use Permit Request

Based on the information presented, the proposed business will be contained within the existing residential structure with the primary use being residential. Since no new structures are proposed and additional parking does not appear to be required at this time, the applicant will not be required to process a site plan. As such, the Ordinance will not require additional buffers, setbacks, and landscaping to be installed at this time.

As with other applications, should the Board grant the request, the Board has the authority to impose conditions of approval, including the requirement to install landscaping or fencing.



5. Commercial and Industrial Uses shall be in conformance with Section 8.9 of the Zoning Ordinance. (Sec. 6.3A.5)

As part of the Conditional Use Permit application, the applicant was informed of this criteria and shall comply with this standard. Section 8.9 of the Zoning Ordinance is attached to the staff report for reference.

Section 8.9 regulates noise, odor, smoke, ambient air quality, vibration, glare and heat, toxic matter, and fire hazards related to commercial and industrial land uses.

Staff Report
Jefferson County Board of Zoning Appeals Meeting
April 9, 2026
(Postponed from March 26, 2026)

26-2-CUP Suttles LLC Conditional Use Permit Request

6. For properties in the Rural zoning district, roadway adequacy shall be assessed by the Comprehensive Plan’s Highway Road Classification Map. (Sec. 6.3A.6)

The subject property is zoned Rural; therefore, this criteria is applicable.

Best Road is neither a Principal Arterial, Minor Arterial, nor Major Collector Road thus facilitating the need for trip generation data from the applicant.

The applicant has represented that the proposed business will average a maximum of five (5) customer transaction per month ensuring customer visits are infrequent and no significant increase in traffic as a result.

7. Historic Landmarks Commission’s Findings related to the proposed land use. (Sec. 6.3A.7)

The subject property does not contain any Category I or II historic sites as defined by the Zoning Ordinance; therefore, this criteria is not applicable.

8. Any signs associated with the proposed Conditional Use shall be reviewed by the Board in accordance with Section 10.6. (Sec. 6.3A.8)

No additional signs are proposed as part of the request; therefore, this criteria is not applicable.

Staff Report Attachments:

- Section 8.9 of the Zoning Ordinance

B. Standards for Hunting, Shooting and Fishing Clubs²⁰

1. 75 foot setback for all structures and parking.
2. 150 yard setback for all shooting facilities.
3. Height
 - a. As is for conversion or reconstruction that does not exceed 135 percent of the original footprint of existing structures
 - b. 35 feet for new structures
4. Landscaping requirements of this Ordinance apply, with the following exception:
 - a. Perimeter landscaping shall be as approved by staff in order to preserve existing vegetation.
5. Minimum of 150 acres under common ownership.

C. Special Exceptions for Hunting, Shooting and Fishing Clubs²⁰

1. Limits exceeding requirements outlined above can be increased with Board of Zoning Appeals approval provided that the Board of Zoning Appeals find that the increase is compatible with the neighborhood after taking into consideration neighborhood character, traffic, and buffering. Such decision shall be rendered after a public hearing as outlined in the Board of Zoning Appeals Rules of Procedure.

Section 8.9 Industrial and Commercial Uses²³

A. Industrial and commercial uses in all districts shall comply with the following standards:

1. Noise

All noise shall be muffled so as not to be objectionable due to intermitting, beat frequency, or shrillness. Noise levels shall not exceed the following sound levels dB(A). The sound-pressure level shall be measured at the property line with a sound level meter.

<u>Sound Measured In</u>	<u>DAY</u>	<u>NIGHT</u>
	<u>7 AM - 6 PM</u>	<u>6 PM - 7 AM</u>
Adjoining Agricultural or Residential Growth District	60 dB(A)	50 dB(A)
Residential Uses in R-LI-C District	65 dB(A)	55 dB(A)
Commercial Uses	70 dB(A)	60 dB(A)
Light Industrial Uses adjacent to noise source	85 dB(A)	80 dB(A)

The following sources of noise are exempt:

- a. Transportation vehicles not under the control of the industrial use.
 - b. Occasionally used safety signals, warning devices and emergency pressure relief valves.
 - c. Temporary construction activity between 7:00 a.m. and 7:00 p.m.
2. Odor

No operation shall result in the creation of odors of such intensity and character as to be detrimental to the health and welfare or the public or which interferes with the comfort of the public. Odor thresholds shall be in accordance with ASTM d139-57 “Standard Method for Measurement of Odor in Atmospheres (Dilution Method)” or its equivalent.

Odorous material released from any operation or activity shall not exceed the odor threshold concentration beyond the state line, measured either at ground level or habitable elevation.

3. Smoke

No smoke, dust, fumes, or particulate matter shall be perceptible at any lot line. Further, the regulations and standards governing the control of air pollution shall be the same as those adopted by the State of West Virginia.

For the purpose of grading the density or equivalent capacity of smoke, the Ringelmann Chart as published by the United States Bureau of Mines shall be used.

The emission of smoke darker than Ringelmann No. 1 from any chimney, stack, vent, opening, or combustion process is prohibited.

The total emission rate of dust and particulate matter from all vents, stacks, chimneys, flues or other opening or any process, operation, or activity except solid waste incinerators within the boundaries of any lot, will not exceed the levels set forth below.

Particulate matter emission from materials or products subject to becoming wind borne will be kept to a minimum by paving, sodding, oiling, wetting, covering or other means, such as to render the surface wind resistant. Such sources include vacant lots, unpaved roads, yards and storage piles or bulk material such as coal, sand, cinders, slag, sulfur, etc.

4. Ambient Air Quality Standard

Particulate Matter

Suspended

Annual Arithmetic Mean ug/m	65
24-hour Maximum b, ug/m	140

Settleable

Annual Arithmetic Average, mg/cm/	/month 0.35
Monthly Maximum	0.7

5. Vibration

No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at any point beyond the lot line nor shall any vibration produced exceed 0.002g peak measured at or beyond the lot line using either seismic or electronic vibration-measuring equipment.

6. Glare and Heat

No direct or sky-reflected glare, whether from floodlights or from high temperature processes, such as combustion or welding or otherwise, so as to be visible at the lot line, shall be permitted. There shall be no emission or transmission of heat or heated air so as to be discernable at the lot line.

7. Toxic Matter

The ambient air quality standards for the State of West Virginia shall be the guide to the release of airborne toxic materials across lot lines. Where toxic materials are not listed in the ambient air quality standards of the State, the release of such materials shall be in accordance with the fractional quantities permitted below, of those toxic materials currently listed in the threshold limit values adopted by the American Conference of Governmental Industrial Hygienists.

Unless otherwise stated, the measurement of toxic matter shall be at ground level or habitable elevation, and shall be the average of any twenty-four (24) hours sampling period.

The release of airborne toxic matter will not exceed one-thirteenth of the threshold limit value across lot lines.

Such materials shall include but are not limited to: all primary explosives such as lead azide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, RDX, HMX, PETN, and picric acid; propellants and components thereof, such as dry derivatives; pyrotechnics and fireworks such as acetylates, tetrazoles, and ozonides; unstable oxidizing agents such as perchloric acid, perchlorates, and hydrogen peroxide in concentration greater than thirty-five (35) per cent; and nuclear fuels, fissionable materials and products, and reactor elements such as Uranium 235 and Plutonium 239.

The storage, utilization or manufacture of materials or products which decompose by detonation is prohibited.

8. Fire Hazards

The storage, utilization or manufacture of solid materials which are active to intense burning shall be conducted within spaces having fire resistive construction of no less than two (2) hours and protected with an automatic fire extinguishing system.

The total capacity of flammable liquids and gasses shall not exceed those quantities permitted in the following Table for each of the industrial districts:

<u>CAPACITY</u>	<u>STORAGE</u>
Liquids	60,000 gallons
Gasses	
- Above ground	150,000 SCF
- Below ground	300,000 SCF

SCF - Standard Cubic Feet at sixty (60) degrees Fahrenheit and 29.92 inches Mercury.¹

The following setback requirements will apply to the location of any container which holds flammable liquids or gasses:

Container Setback from Lot Lines

Water Capacity per Container (Gallons)	Containers		Between Above Ground Containers (Feet)
	Underground (Feet)	Above Ground Containers (Feet)	
0 to 2,000	25	25	3
2,000 to 30,000	50	50	5
30,000 to 60,000	50	75	
In excess of 60,000	75	100	¼ the sum of diameters of adjacent containers

9. Frontage Road

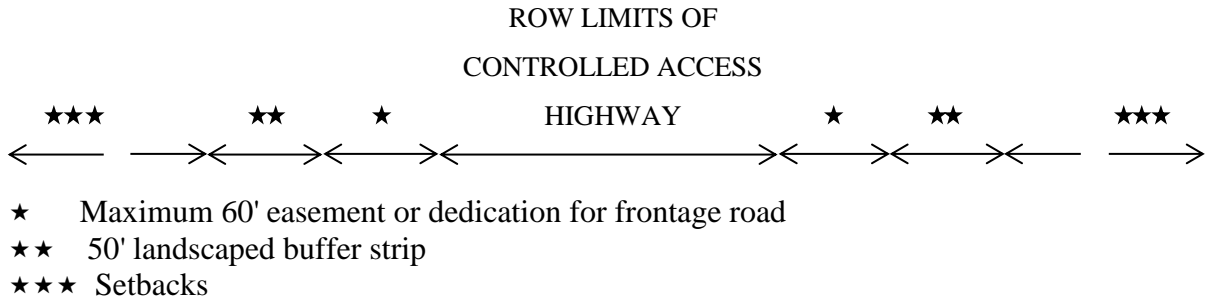
Easements or fee simple dedications will be provided along all limited access highways at the site plan or subdivision phases. Said easement/dedication shall not exceed 60 feet in width. The width may vary but must be adequate for extension, continuation or establishment of a minimum 20' wide paved frontage road.

10. Landscape Buffer

All commercial and industrial developments shall comply with Section 4.11 unless otherwise specified in this Ordinance.²⁷

A fifty (50) foot wide landscape buffer strip will be provided along all limited access highways. Said buffer shall be adjacent to the frontage road. In the case where existing roads not adjacent to controlled access highway serve as frontage road the landscape buffer may be placed against the highway right-of-way.

All front setbacks (building and parking lot) are to be measured from the landscape buffer. (See diagram)



This provision shall also apply to any ramps or access roads connecting to a controlled access highway within ½ mile of a controlled access highway.⁵

Section 8.10 Model Homes/Sales Offices²³

Model homes with a staffed sales office for sales exclusively within the residential subdivision in which they are located are permitted provided that they are contained on the first lot on either or both sides of any road/right-of-way that enters the subdivision; provided also that they are so designated on the preliminary and final plats during the subdivision process.

Model homes with a staffed sales office in any other location within the subdivision must be approved or denied by the Board of Zoning Appeals after a public hearing advertised for 15 days.^{17, 21}

Model homes without staffed sales offices are permitted internally within the subdivision.¹²

Section 8.11 Petroleum Products Refining or Storage²³

Petroleum refining or storage (above ground in tanks) requires adherence to all state and federal laws, as well as National Fire Underwriters Codes.

Section 8.12 West Virginia Legal Fireworks²³

Sales of fireworks are permitted in the Industrial-Commercial, Residential-Light Industrial-Commercial, General Commercial, Highway Commercial, Highway Commercial, Light Industrial, and Major Industrial zoning districts provided all other restrictions such as setbacks and the requirements of the Jefferson County Subdivision and Land Development Regulations are met.^{8, 27}

Section 8.13 Dormitory²³

A dormitory shall be located on the same property or campus as the use it is intended to serve. A dormitory shall not offer accommodations to the general public or to persons who are visiting the property or campus primarily for the purpose of being a spectator at a sporting event or other gathering held at the facility. A dormitory may include one common kitchen or dining facility and common gathering rooms for social purposes for use only by its temporary occupants.

Section 8.14 Special Event Facilities³⁹

The purpose of this sections is to create a process by which a property owner in the Rural, Residential Growth, and Village zoning districts may establish a Special Event Facility. A Special Event Facility in any other zoning district may process in accordance with Appendix C.



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

File #: 26-2-CUP
 Mtg. Date: 3/26/26
 Fee Paid: \$ 375.

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Application for a Conditional Use Permit

Project Name

SUTTLES LLC

Property Owner Information

Name: GREGORY SUTTLES JR
 Business Name: SUTTLES LLC
 Mailing Address: 786 BEST RD, HARPERS FERRY, WV 25425
 Phone Number: 904-208-1789 Email: [REDACTED]

Applicant Information

Name: GREGORY SUTTLES JR
 Business Name: SUTTLES LLC
 Mailing Address: 786 BEST RD, HARPERS FERRY, WV 25425
 Phone Number: 904-208-1789 Email: [REDACTED]

Consultant Information

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

Physical Property Details

Physical Address: 786 BEST RD
 Parcel ID: (Tax District / Map No. / Parcel No.) 04000300090002
 Parcel Size: 2.04 ACRES Project Size 1 ACRE Deed Book: 1276 Page No: 430

Zoning District (please check one)

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

Provide the Land Use Designation (see Appendix C of the Zoning Ordinance).

CUSTOM MANUFACTURING / RETAIL SALES + SERVICES, GENERAL

For properties in the Rural Zoning District:

Is property located on a primary or secondary road?

Yes No * ACCESS TO DRIVEWAY FROM BEST RD, PROPERTY IS NOT LOCATED ON BEST RD.

Name of Road/Route Number: BEST RD

**The email address has been redacted to protect the privacy of the applicant.

Provide a detailed description of the proposed business (include information such as hours of operation, anticipated employee and/or customer visits, etc. A site sketch is required to be included with the application, delineating existing and proposed structures and parking areas, proposed signs, proposed landscaping, etc.

SEE ATTACHED "PROPOSED LAND USE DESCRIPTION" AND MAP.

Provide a detailed response to the following questions to show how the proposed business complies with the criteria in Section 6.3 of the Zoning Ordinance. Feel free to attach a separate sheet with responses.

1. How is the proposed use compatible with the goals of the adopted Comprehensive Plan (Section 6.3A.1)?

SUTTLES WC is a small-scale, low-impact commercial use, located off of a secondary road, designed to preserve rural character, minimize traffic, noise and visual impacts, and operate by appt. only.

2. How is the proposed use compatible in intensity and scale with the existing and potential land uses on surrounding properties? How will the proposed project mitigate potential threat to public health, safety, and welfare (Section 6.3A.2)?

LOW-VOLUME, appt only w/ minimal traffic. Public health and safety risks are mitigated by limited hours, secure storage in compliance with all Federal and state regulations, as well as negligible noise or activity affecting neighboring properties.

3. Describe how the proposed site development will be designed such that the use will not hinder nor discourage the appropriate development and use of adjacent land and buildings (Section 6.3A.3).

The proposed use will utilize existing structures w/ no exterior alterations. The use will not discourage development of adjacent properties as it maintains the existing residential and rural character, adding no new conditions for noise or traffic.

4. Neighborhood character and surrounding property values shall be safeguarded by requiring implementation of the landscaping buffer requirements found in Appendix B and Section 4.11 of this Ordinance (Section 6.3A.4).

I am aware of the landscaping buffer requirements and will adhere to them.

I am aware of the landscaping buffer requirements; however, I may seek a variance to modify them.

5. Commercial and Industrial Uses shall be in conformance with Section 8.9 of the Zoning Ordinance.

I am aware of the standards outlined in Section 8.9 of the Zoning Ordinance and will be in compliance.

6. For properties in the Rural zoning district, roadway adequacy shall be assessed by the Comprehensive Plan's Highway Road Classification Map. If a rural parcel is not shown as commercial on the Future Land Use Guide or does not front on a primary or secondary road (as identified in the Comprehensive Plan), the applicant shall submit trip generation data, including Average Daily and Peak Hour trips, for the Board of Zoning Appeals to review in conjunction with the Highway Problem Areas Map when determining roadway adequacy for the proposed use (Section 6.3A.6).

Trip Generation Data Attached

Not Applicable

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

By signing this application, I grant permission for County staff to walk onto the subject property to take photos for the Board of Zoning Appeals staff reports.


Property Owner Signature

2/19/26
Date

 2/19/2026
Property Owner Signature Date

Proposed Land Use Description

Applicant / Business Owner:

Gregory Suttles

Business Name:

Suttles LLC

Business Address:

786 Best Road
Harpers Ferry, WV 25425

Description of Proposed Use

Suttles LLC will be owned and operated by Gregory Suttles at the above residential address. The business is proposed as a home-based operation and has been formed for the limited purposes of firearms leasing, custom gunsmithing services, and occasional Federal Firearms License (FFL) transfers.

All business activities will be conducted entirely within the existing residence. Business use will be confined to a single interior room, which will house all gun safes, secure storage, tools, and related business equipment. No other areas of the residence or property will be used for business purposes.

The primary use of the property will remain owner-occupied residential, with business activities conducted on a limited and incidental basis.

Traffic Characteristics

Current traffic to the property consists solely of normal residential activity, including the homeowner and resident occupants, as well as occasional mail delivery and county or utility service vehicles.

The proposed business use is not expected to materially alter traffic patterns. Logistics associated with the primary business activity (firearms leasing) will be handled exclusively by the owner using a personal vehicle. The only additional traffic generated by the business would be limited to occasional firearms transfers or gunsmithing deliveries, estimated at one to two deliveries per month at most.

No customer congregation, regular retail hours, or walk-in traffic is anticipated.

Additional Notes

- No exterior business signage will be installed unless expressly required by Jefferson County or another governing authority.
- No modifications to existing structures are proposed.
- No changes to landscaping, grading, vegetation, parking areas, or access points will be made.
- The residential appearance and character of the property will remain unchanged.

Trip Generation Data Estimate

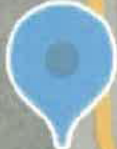
Conditional Use Permit Application | Jefferson County, WV

Applicant / Property Information

Applicant / Business Owner	Gregory Suttles
Business Name	Suttles LLC
Property Address	786 Best Road, Harpers Ferry, WV 25425
Proposed Use	Home-based FFL – Firearms leasing, custom gunsmithing, and occasional FFL transfers
Zoning District	Rural
Road Frontage / Access	Best Road (rural secondary road)

Projected Trip Generation – Proposed Business Use

Trip Type	Frequency	Vehicle Trips (In + Out)	Estimated ADT Added
Owner travel for firearms leasing logistics	Owner's personal vehicle, existing trips	0 additional	0
FFL transfer customers / gunsmithing pickups	1–2 per month (by appointment only)	2 trips per visit (in/out)	< 0.1
Deliveries (UPS/FedEx/carrier)	1–2 per month	2 trips per delivery	< 0.1
Estimated Total Average Daily Trips (ADT) Added			< 1 trip/day



Access Point (to Best Rd)



Parking Area



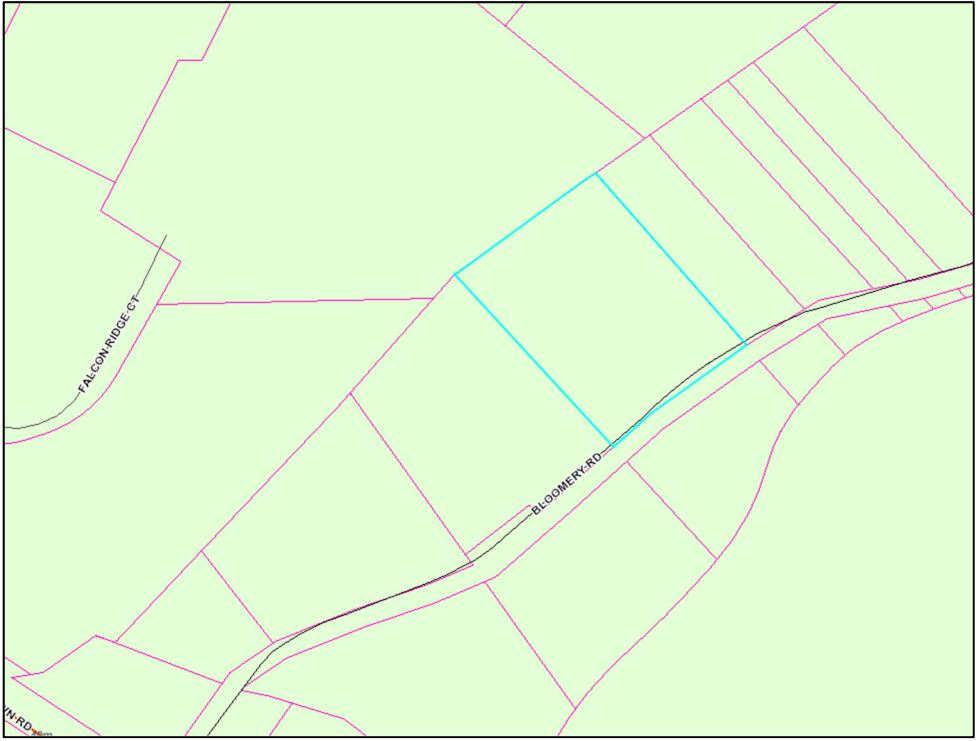
Suttles LLC



786

Staff Report
 Jefferson County Board of Zoning Appeals
 April 9, 2026
(Postponed from March 26, 2026)
26-7-ZV Gonano Campground Variance Request

Item #3 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.

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> 
History:	10/19/57: Property created and designated as “Pittman Tract”, Recorded in DB220/PG358
Waivers/Variations:	03/10/26: PC approved a waiver from Section 8.1B of the Subdivision Regulations to waive the requirement of a site plan for a four-unit campground.
Approved Activity:	Residential
Site Visit Conducted:	No

Staff Overview

The subject parcel was created and designated as the Pittman Tract on 10/19/1957. The lot is 1.92 acres in size and bordered by residential lots on three sides and Bloomery Road and the Shenandoah River on the other. The applicant is requesting a variance from Section 8.17B.1 to reduce the required acreage for a four (4) site campground from ten acres to 1.92 acres.

Staff Report
Jefferson County Board of Zoning Appeals
April 9, 2026
(Postponed from March 26, 2026)
26-7-ZV Gonano Campground Variance Request



The purpose of a minimum acreage requirement is typically to ensure that adequate buffering between uses can be provided and that sufficient space exists to accommodate infrastructure and amenities related to the land use. As part of the design standards for campgrounds, the Ordinance requires a minimum setback of 50-feet from existing property lines and a ten foot vegetative buffer (existing or planted) be provided.

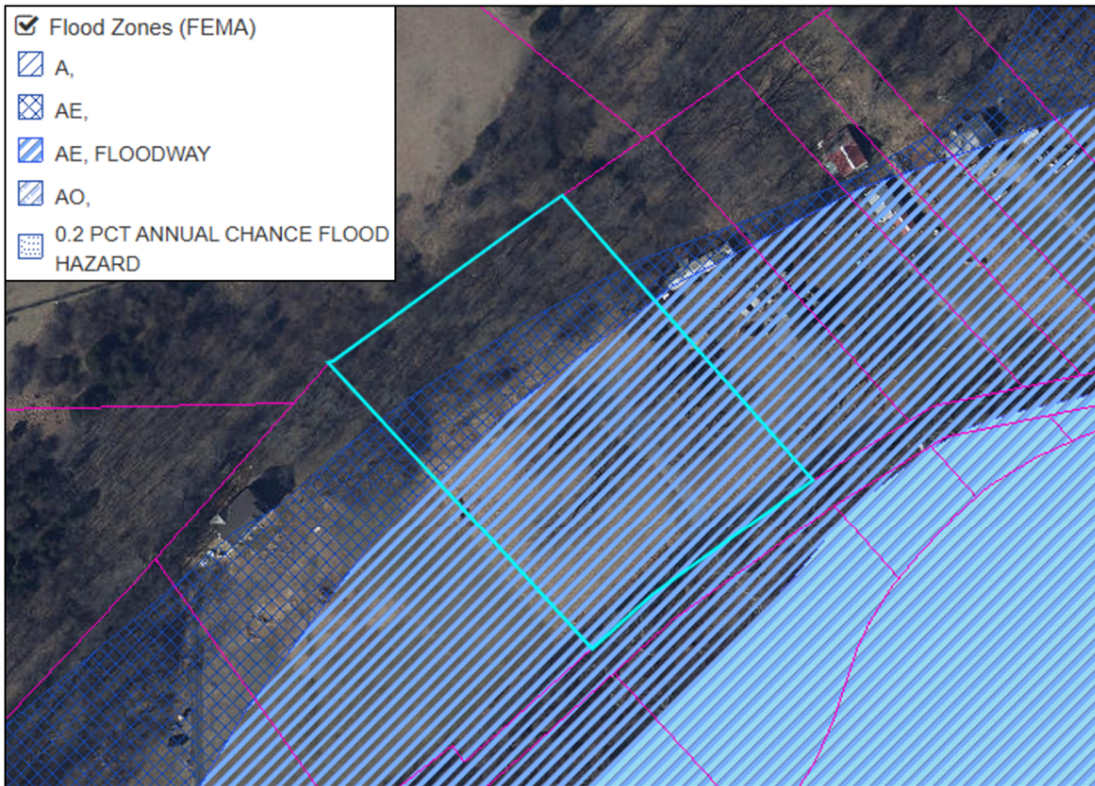
Pursuant to Appendix C of the Zoning Ordinance, a Campground is a Principal Permitted Use (the use is allowed by right) in the Rural Zoning District.

Section 8.17 of the Zoning Ordinance states that campground facilities provide tourism related accommodations for visitors to Jefferson County. The campground provisions include design guidelines that protect adjacent property owners while allowing the property owner to develop their land.

Note: In 2016 when the campground regulations were being drafted, both the Planning Commission and the County Commission intended to include a provision stating that a variance to the minimum acreage requirement for a campground could be granted by the Board of Zoning Appeals (see exhibit A). The provision was removed at Staff's recommendation due to the fact that any standard in the Zoning Ordinance may be modified by the Board of Zoning Appeals via the variance process.

Staff Report
Jefferson County Board of Zoning Appeals
April 9, 2026
(Postponed from March 26, 2026)
26-7-ZV Gonano Campground Variance Request

Pursuant to Appendix B, Division 8 of the Subdivision Regulations, “no more than 15 campsites per acre are permitted”. As such, a ten acre lot could have up to 150 campsites. The subject request is to reduce the minimum acreage requirement from ten acres to 1.92 acres to allow a four (4) site campground to be established. It appears that a four (4) site campground on 1.92 acres would accommodate the Development Guidelines listed in Section 8.17B of the Zoning Ordinance and the Dimensional Requirements listed in Appendix B, Division 8, Section 8.2B of the Subdivision Regulations.



Pursuant to [WV Code Chapter §8A-7-11](#) and Article 2 of the [Jefferson County Zoning Ordinance](#), a variance is defined as “...a deviation from the minimum standards of the zoning ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district nor shall it involve changing the zoning classifications of a parcel of land.”

Pursuant to [WV Code Chapter §8A-7-11](#) and Article 6, Section 6.2 of the [Zoning Ordinance](#), the Board shall consider the following criteria and shall grant a variance if it finds that the variance:

1. Will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
2. Arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance;
3. Would eliminate an unnecessary hardship and permit a reasonable use of the land; and
4. Will allow the intent of the Zoning and Land Development Ordinance to be observed and substantial justice done.

Staff Report
Jefferson County Board of Zoning Appeals
April 9, 2026
(Postponed from March 26, 2026)
26-7-ZV Gonano Campground Variance Request

Conditions of Approval

Should the Board choose to approve this request, possible conditions of approval include:

1. The applicant shall submit documentation reflecting compliance with Section 8.17B of the Zoning Ordinance and Appendix B, Division 2, Section 8.2B of the Subdivision Regulations to ensure adequate buffering from adjacent properties is provided in order to protect and encourage the health, safety, and general welfare of the neighbors.

Section of Ordinance to be Considered:

Section 8.17 Campgrounds³¹

Campground facilities provide tourism related accommodations for visitors of Jefferson County. The level of amenities at these facilities can vary greatly in relation to the type of camping facility proposed. Campground facilities may include both commercial and non-profit operations. Campgrounds are identified as Principal Permitted Uses in Appendix C in the General Commercial (GC), Residential-Light Industrial-Commercial (RLIC), Industrial-Commercial (IC), and Rural (R) zoning districts.

A. The following uses are identified as permitted uses within a campground:

1. Campsites, cabins, campers, and recreational vehicle sites, which shall not be divided into individual lots for sale.
2. Campground residency shall be temporary, limited to 180 days per calendar year.
3. Caretaker residence.
4. Shelters, gathering halls, bathhouses, pools, recreational areas, and other amenities related to the campground.
5. Such campground amenities may be rented out to the general public without the rental of a campsite; however, the primary use of the amenity must be for the use and enjoyment of campers. River access shall be restricted to use by the campers and their guests unless otherwise authorized by the campground management.

Any campground wishing to host an event or activity open to the public at the campground shall process a Zoning Certificate application prior to commencement. If the facility and parking for such event was included on the Site Plan and previously included in the Zoning Certificate, such separate Zoning Certificate shall not be required.

6. A campground shall not be used as a primary residence on either a temporary or permanent basis, except as provided for a caretaker residence.

B. Development Guidelines

1. Campgrounds shall be located on properties a minimum of ten acres in size and shall meet all of the following setbacks.
2. When campsites or amenities are within 1,000 feet of private property, the perimeter of all campgrounds must be defined by fencing, posting, natural barriers, or other methods to prevent unintentional trespass.
3. All campgrounds shall have direct access from WV state roads or roads that meet the Jefferson County Subdivision Regulations standards.

Staff Report
Jefferson County Board of Zoning Appeals
April 9, 2026
(Postponed from March 26, 2026)
26-7-ZV Gonano Campground Variance Request

4. All campsites shall be located a minimum setback of 50 feet from existing property lines.
5. All campsites and amenities shall be screened by a ten foot vegetative buffer utilizing the Narrow Standard Detail; provided that if the campground abuts the river or has a mountain view, no vegetative screen is required in this area. A ten foot buffer of natural vegetation (evergreen or hardwood) may be administratively approved in place of a planted buffer.
6. Section 4.13 does not apply to campgrounds, which may be located within 500 feet of the Potomac and Shenandoah Rivers.
7. Campsites may be located within floodplain areas, provided all regulations applying to permanent structures are followed.
8. Campgrounds may be served by well and drain fields.

C. Regulatory Approval

1. Campground uses must submit a Concept Plan and be approved by the Planning Commission pursuant to a public hearing in accordance with the Jefferson County Subdivision Regulations.
2. Upon approval of the Concept Plan, if required, a Site Plan must be processed in accordance with the Jefferson County Subdivision Regulations.
3. All state regulations pertaining to the operation and licensing of a campground must be followed.

Additional Information Relevant to the Request

Article 2 of the Zoning Ordinance includes the following definitions:

Campground: An area or premises located on a single lot, operated as a commercial enterprise, generally providing space in the form of campsite pads for seasonal accommodations for transient occupancy or use by customers occupying camping units. A campground shall be designed for seasonal occupancy, as opposed to permanent year-round occupancy, and shall not be construed to mean a Mobile Home Park (as defined in this Ordinance). All campgrounds shall comply with the defined uses and regulations in Section 8.17 of this Ordinance and relevant sections of the Subdivision Regulations.

Camping Units: Individual units designed for temporary occupancy within an approved campground and may include shelters, pavilions, gathering halls, bathhouses, pools, recreation areas, trails, fire pits, retail stores, laundry facilities, food service, amphitheaters, ponds, lakes, and other uses related to the needs of the campers.

Campsite: Generally means an area where an individual, family, or group can pitch or place a camping unit; a campground may contain many campsites.



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

File #: 26-7-ZV
 Mtg. Date: 03/26/26
 Fee Paid: \$ \$150

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Zoning Variance Application

Variances from the Zoning and Land Development Ordinance must comply with Article 8A-7-11 of the WV State Code. A variance is a deviation from the minimum standards of the Ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district, nor shall it involve changing the parcel's zoning classification.

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

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

Physical Property Details

Physical Address: 199 Bloomery Road, Charles Town Vacant Lot:
 Parcel ID: (Tax District / Map No. / Parcel No.) Charles Town District, Map 19, Parcel 19
 Parcel Size: 1.92 +- Acres Deed Book: 989 Page No: 356

Zoning District (please check one)

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

Is there a Code Enforcement action pending in relation to this property? Yes No

Date Received: Received via email 02/20/2026 (jth)

Briefly describe the nature of the request (include the dimensions of the proposed structure, if applicable):

Section of the Zoning Ordinance pertaining to this request: Section 8.17.B.1. Size
See Attached

If this request is for a setback variance, please check the following:

Front Setback Side Setback Rear Setback Reduction from _____ to _____

Required Sketch: Provide a sketch showing the shape and location of the lot indicating all roads, rights of way, and easements. Show the location of the intended construction or land use indicating building setbacks (i.e. the distance of the structure from all property lines), size, and height. Identify all existing buildings, structures, or land uses on the property. The sketch should show the full extent of the property.

Required Responses: Each of the following questions must be answered in detail. The Board will evaluate your request based on the answers provided (attach a separate sheet of paper if necessary).

Explain why granting the variance will NOT adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents.

See Attached

In what way does this request arise from special conditions or attributes, which pertain to the property for which a variance is sought and which were not created by the person seeking the variance?

See Attached

How will granting this variance eliminate an unnecessary hardship and permit a reasonable use of the land?

See Attached

How will granting this variance allow the intent of the Zoning Ordinance to be observed and substantial justice done?

See Attached

I authorize the Planning and Zoning staff to revise the application/sketch on my behalf. I understand that said revisions will be discussed with me prior to revising the application/sketch.

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

By signing this application, I grant permission to County staff to walk onto the subject property to take photos for the Board of Zoning Appeals staff reports.

AuthentiSIGN
Pamela B Wagoner

02/11/26

Property Owner Signature

Date

AuthentiSIGN
Shannon R Lepsie

02/11/26

Property Owner Signature

Date

Owner: Pamela Wagoner and Shannon Lepsic
Applicant: River and Trail Outfitters, Inc
199 Bloomery Road
Request for Variance
Jefferson County Zoning Ordinance
Section 8.17.B.1 Size
February 18, 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 riverfront 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 a proposed large campground by 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 campsites/RV sites. For sites over 10 units, a Concept Plan is required, along with a limited site plan is needed. 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.

In 2015, the County appointed a Committee of Stakeholders to draft Campground regulations as the 2015 Comprehensive Plan recommended. These regulations were presented to the County Commission and ultimately approved in September 2016. The existing Ordinance at the time already allowed campgrounds in the Commercial Zones and Industrial Zones, which did not help with tourism since most folks visiting the County to stay overnight in campgrounds did not want to stay in a campground located in the Commercial or Industrial Zones. That left the possibilities of camping and RV usage to existing areas along the river and the KOA Campground that existed before zoning. The new ordinance allowed campgrounds in the Rural District, which really is the only district that makes sense for campgrounds. The provisions as dictated by the 2015 Comprehensive Plan were intended to 'streamline' the process and allow more flexible standards based on size of the proposed campgrounds. The ordinance did put a minimum lot size in the ordinance of 10 acres, but both the Planning Commission and County Commission made it clear at the time that minimum size was flexible and built in a specific statement in the ordinance that the size could be varied by the BZA based on size and scale being commensurate with the overall standard of 15 units per acre and prorated down on properties less than 10 acres. The goal being that the smaller lots should be allowed, provided they would be able to meet the intent of the buffer and setback standards and not exceed 15 units per acre. The provision was removed at the end of the process based on the Staff saying that it was a redundant provision since all ordinance standards could be varied.

Here is an excerpt from a previous Staff Report for a similar request for a Zoning Variance from the minimum campground provision size provision:

"Note: In 2016 when the campground regulations were being drafted, both the Planning Commission and the County Commission intended to include a provision stating that a

variance to the minimum acreage requirement for a campground could be granted by the Board of Zoning Appeals (see exhibit A). The provision was removed at Staff's recommendation due to the fact that any standard in the Zoning Ordinance may be modified by the Board of Zoning Appeals via the variance process."

The appropriate excerpt from the original exhibit A mentioned above is attached.

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. This proposal is to only provide for Four (4) sites. 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 Variance from the minimum lot size to the existing 1.9 acre parcel which is much less than the prorated approximately 30 units. The four units on this size of lot is the type of variance that the Planning Commission and County Commission anticipated for properties less than the 10 acres. 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.

Additionally, regarding the other zoning provisions such as buffering and setbacks, the Applicant will provide a sketch plat to the Zoning Administrator showing that it will meet all of the Zoning requirements. Providing for the setbacks and other buffering for the four units are the other items that the Commissions deemed important when they initially added the provision to allow variances from the minimum lot size. 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 this small Campground is to be complimentary with the County's existing and proposed campgrounds 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 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 with minimal disruption of the ground. However, the Applicant will comply with the typical 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 Board of Zoning Appeals to grant the Variance to allow a 4 unit campground on the existing property consistent with the required setbacks and buffer provisions. Thank you.

Owner: Pamela Wagoner and Shannon Lepsic
Applicant: River and Trail Outfitters, Inc
199 Bloomery Road
Request for Variance
Jefferson County Zoning Ordinance
Section 8.17.B.1 Size
February 18, 2026

Four Criteria

1. Granting the variances will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents.

The variance application does not adversely affect the public health safety or welfare of the neighborhood. If approved, the Applicant is going to bring up the existing septic to all current standards. This septic was installed many years ago and the Applicant intends to work with the Health Department to ensure compliance with current regulations. The four units will utilize the existing entrance that is a well built access drive. All of the adjoining properties are located in the Rural District and would be entitled to process similar requests, so no zoning rights of the neighbors are impacted by the campground. The same setback and buffering requirements will be met as if it were a 10 acre parcel. While a 10 acre parcel could add 150 Camping Units along with other amenities such as an amphitheater and event center, this proposal will have 4 camping units and have the same buffer and setbacks of a larger proposal. Proportionally, the 4 units are much less than the commensurate 30 units that would be prorated for a 2 acre parcel.

Meeting the buffering, prorated number of units, and the setbacks were the key considerations when the County Planning Commission and County Commission proposed to allow Variances from the size provision. These considerations are proposed to be more than met by the number of units only being 4 and providing the setbacks and buffering as if it were a 10 acre parcel.

2. In what way does this request arise from special conditions or attributes which pertain to the property for which a variance is sought, and which were not created by the person seeking the variance?

Campgrounds are a permitted use in the Rural District. The Commission anticipated smaller sites being allowed provided that the number of units made sense for the property and that the buffering and setbacks were met. In this case, the size of the property is just under 2 acres and is only proposing the 4 units. When the ordinance was proposed in 2015 and 2016, everyone associated with the process understood that variances from the minimum size provisions were expected and even encouraged with specific language. The owners owned the property before the provisions were written and could have reasonably believed that the variance was an option at the time of the public discussions with both Commissions.

The property has been for sale, and there has only been interest from purchasers for a small campground. The size of the property should not be an impediment to sell the property since the buffering and setbacks will hold to the zoning standard for campgrounds. Furthermore, the

Ordinance was written in 2015 and 2016 because the newly adopted Comprehensive Plan included a recommendation to allow campgrounds in the rural district and to streamline the process to permit them. This is consistent with both the 2015 and now adopted 2025 Comprehensive Plan that encourages all aspects of tourism including campgrounds and river access. The County owns four properties along this stretch of Bloomery Road and there are several State and Unknown ownership parcels that invite unregulated camping. This will allow a small campground that is managed by a local tourism business.

3. How will granting this variance eliminate an unnecessary hardship and permit a reasonable use of the land?

Again, the ordinance allows and encourages campgrounds in the rural district. The Commissions expected campgrounds on parcels smaller than the ordinance minimum of 10 acres, provided that the number of the units made sense based on the size of the property and could provide for the appropriate setback and buffer provisions. In this case there are only 4 units that will meet the setback and buffer requirements. There has been interest in purchasing this property, but primarily to develop a campground. This application is a very minimal number with respect to the size as compared to the maximum permitted 15 units per acre. Granting the Variance will both allow a long time owner to sell the property and a local long time tourism based business to buy it.

This use is a reasonable use of this land based on the proposed scale of the Use. The Use is permitted and the intent of the provision is to allow smaller operations based on the size below 10 acres as explained.

4. How will granting this variance allow the intent of this Zoning Ordinance to be observed and substantial justice to be done?

The intent of the Zoning Ordinance is to allow 15 Camping units per acre in Jefferson County. This application is about 2 Units per acre. As explained in depth, the intent of both the Planning Commission and County Commission during the two years of work on the Campground Regulations was to allow smaller properties to have campgrounds by variance to show that the proposed number of units work on the property and can meet the setback and buffer requirements. This application demonstrates that the proposal meets the intent and purpose of the provisions adopted in 2016.

Substantial justice would be to approve the requested variance, so that this long time owner can sell the property and a long time local business applicant can continue to enhance tourism opportunities in the County. This use is a cornerstone of tourism in Jefferson County as recommended in the Comprehensive Plan.

The Board's approval of the variance would be greatly appreciated.

6. A campground shall not be used as a primary residence on either a temporary or permanent basis, except as provided for a caretaker residence.

B. Development Guidelines

1. Campgrounds shall be located on properties a minimum of 10 acres in size and shall meet all of the following setbacks.

2. A variance to the minimum campground size may be granted by the Board of Zoning Appeals.

3. When campsites or amenities are within 1,000' of private property, the perimeter of all campgrounds must be defined by fencing, posting, natural barriers or other methods to prevent unintentional trespass.

4. All campgrounds shall have direct access from WV State roads or roads that meet the Jefferson County Subdivision Ordinance standards. A variance to this standard may be granted by the Board of Zoning Appeals.

5. All camp sites shall be located a minimum setback of 50 200' from existing residential dwellings property lines.

6. All camp sites shall be visually screened from existing residential dwellings within 500'. All campsites and amenities shall be screened by a 10 foot vegetative buffer utilizing the Narrow Standard Detail; provided that if the campground abuts the river or has a mountain view, no vegetative screen is required in this area. A 10 foot buffer of natural vegetation (evergreen or hardwood) may be administratively approved in place of a planted buffer.

7. Camp sites within 100' of the Potomac or Shenandoah River shall be limited to tent camping.

8. Section 4.13 does not apply to campgrounds, which may be located within 500' of the Potomac and Shenandoah Rivers.

9. Camp sites may be located within floodplain areas, provided all regulations applying to permanent structures are followed.

10. Campgrounds may be served by well and drain fields.

C. Regulatory Approval

1. Campgrounds uses must submit a Concept Plan and be approved by the Board of Zoning Appeals-Planning Commission pursuant to a public hearing.

2. Upon approval of the Concept Plan a site plan must be processed in accordance with Jefferson County regulations.

3. All state regulations pertaining to the operation and licensing of a campground must be followed.

Commented [JB1]: This statement is not required as all standards in the zoning ordinance may be varied by the BZA

Commented [JB2]: This statement is not required as all standards in the zoning ordinance may be varied by the BZA.

Commented [JB3]: Reflects CC input 5/5/16 -- please confirm buffer is what was agreed to

Search Google Earth



Ph
2/19/26

Location tracking has been denied [Settings](#)

199 Bloomery Road

Saved on this device

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



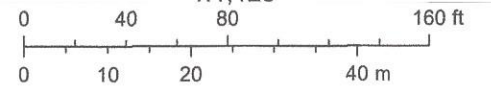
3D

Viewer Map



February 20, 2026

1:1,128



VGIN, Microsoft, Vantor

Draft Rules of
Procedure to be
handed out at the
meeting.



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: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Zoning Administrator's Report Thursday, April 9, 2026 Board of Zoning Appeals Meeting

Date of Memo: April 2, 2026

- 1) Next regular meeting scheduled for **Thursday, May 14, 2026 (postponed from April 23, 2026)**
 - Deadline for submission was Friday, March 20, 2026.
- 2) Zoning Certificate Activity Report – attached
- 3) Solar Text Amendment – Staff is finalizing amendments to the Subdivision Regs and Zoning Ordinance with the intent to present to the Planning Commission at either the April or May meeting.
- 4) Staff will be requesting the Planning Commission at the April meeting to give direction to pursue proposed text amendments adding (2) new land uses: “Athletic Field Complex” and “Sportsplex”
- 5) The County Commission has reappointed Mr. Quynn and Mr. Wiegand to another term on the BZA.



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

March 2026

Zoning Certificate Activity Report

File # 26-5-ZC
Request: Expansion of an existing church to include classrooms
Property Owner: Rock Spring Church Trustees / Attn: Pastor Michael Lowery
Parcel Information: 114 Poor Farm Road, Suite 100, Kearneysville, WV 25430
07001500010005; Size: 14.73 acres; Zoning District: Rural; Deed Book: 1072
Page: 429; Plat Book: 9; Page: 5; Site Plan File: S05-13; Previous Zoning Certificate
20-2-ZC; *06/10/25 PC approved waiver of site plan (File #25-17-PCW)
No Site Plan Sketch Approved 02/24/26 (File #26-1-NSP)
Date of Issuance: 03/20/2026

File # 26-6-ZC
Request: Change in Tenant and New Signage – Line-X
Property Owner: Quinn Enterprises, LLC
Parcel Information: Burr Business Park, Lot 23
422 Steeley Way, Kearneysville, WV 25430; Parcel ID: 02000101230000
Size: 2.2 acres; Zoning District: Industrial Commercial; Deed Book: 1192; Page: 637
Site Plan File #S17-09 – Approved Use: Office/Automobile Performance
Shop/Showroom
Date of Issuance: 03/20/2026

File # 26-9-ZC
Request: Nonconforming Use – 365’ Telecommunications Tower
Equipment Modifications to Existing Tower (Verizon)
Property Owner: American Towers LLC
Parcel Information: 17340 Poppy Road, Bluemont, VA 20135
Parcel ID: 06002500080003; Size: 2.01 acres; Zoning District: Rural;
Deed Book: 988; Page: 186; Improvement Location Permit# 83-196
Date of Issuance: 03/20/2026

File # 26-10-ZC
Request: New Signage – Dunkin Donuts
Property Owner: B33 Jefferson Crossing, LLC
Parcel Information: 112 Flowing Springs Road, Charles Town, WV 25414
Parcel ID: 02000800240001 Size: .8 acres; Zoning District: Residential-Light
Industrial-Commercial; Deed Book: 1238; Page: 324; Site Plan File: S96-03; 25-1-NSP
(parking lot redesign); *25-10-NSP (parking lot redesign & relocation)
*BZA approved variances #25-33-ZV (setbacks) & 25-34-ZV (landscaping)
Date of Issuance: 03/25/2026

File # 26-11-ZC
Request: Shopping Center (Change in Tenant): Loving Lathers and New Signage
Property Owner: KITA, LLC / Attn: Leonard Mironov
Applicant: Loving Lathers, Attn: Alexis Reese
Parcel Information: Burr Industrial Park – Lot #44 Phase 1
59 Ruland Road, Suite F; Kearneysville, WV 25430
Parcel ID: 02000100160015; Size: 6.24 acres
Zoning District: Industrial-Commercial; Deed Book: 1211 Page: 505
Date of Issuance: 03/17/2026

Zoning Certificate Activity Report

March 2026

Page 2 of 2

File #	26-12-ZC
Request:	New Signage – Ginza
Property Owner:	Tianxia LLC
Parcel Information:	Jefferson Crossing Shopping Center, Lot 3 91 Saratoga Drive, Suite C, Charles Town, WV 25414 Parcel ID: 02000800240008; Size: 2.5 acres; Zoning District: Residential-Light Industrial-Commercial; Deed Book: 1306; Page: 615; See PC File: 04-06 (site plan)
Date of Issuance:	03/20/2026

File #	26-13-ZC
Request:	Accessory Dwelling Unit: Agricultural
Property Owner:	William and Brandi Shultz
Parcel Information:	137 Wood End Farm Ln., Summit Point, WV 25446 Parcel ID: 06000100030000; Size: ~79acres; Zoning District: Rural; Deed Book: 1167; Page: 345; 22-51-ZC Agricultural Use: Christmas Tree Farm; 23-32-ZC Agricultural Special Event Facility
Date of Issuance:	03/25/2026

File #	26-14-ZC
Request:	Accessory Dwelling Unit: In-Law Suite
Property Owner:	Erin Keil, Nicole Picciotto, Matthew Picciotto
Parcel Information:	John Orndorff Minor Subdivision, Lot 1, 217 Peaceful Breeze Ln, Shepherdstown, WV Parcel ID: 09001200080000; Size: ~12.99 acres; Zoning District: Rural; Deed Book: 1251; Page: 529
Date of Issuance:	03/25/2026

File #	26-15-ZC
Request:	Accessory Dwelling Unit: In-Law Suite
Property Owner:	Austin and Carmen Slater
Parcel Information:	484 Billmyer Mill Rd, Shepherdstown, WV Parcel ID: 09000600080000; Size: 7.45 acres; Zoning District: Rural; Deed Book: 1336; Page: 235
Date of Issuance:	03/25/2026

File #	26-16-ZC
Request:	Accessory Dwelling Unit: In-Law Suite
Property Owner:	Matt and Laura Knott
Parcel Information:	2374 Bakerton Rd., Harpers Ferry WV Parcel ID: 04000300330001; Size: ~12.65 acres; Zoning District: Rural; Deed Book: 1267; Page: 518 10/23/25: BZA approved a variance to increase the maximum size of an Accessory Dwelling Unit from 1,700 sf to 1,984 sf.
Date of Issuance:	04/02/2026



West Virginia E-Filing Notice

CC-19-2025-P-174

Judge: Bridget Cohee

To: Jefferson County Planning Commission
386 Falling Springs Road
Shepherdstown, WV 25443

NOTICE OF FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, WEST VIRGINIA
Wanda C. Aitcheson v. Matthew McKinney
CC-19-2025-P-174

The following letter to judge was FILED on 3/6/2026 12:51:39 PM

Notice Date: 3/6/2026 12:51:39 PM

Tina Renner
CLERK OF THE CIRCUIT COURT
Jefferson County
PO Box 1234
CHARLES TOWN, WV 25414

(304) 728-3231
circuitclerk@jeffersoncountywv.org

RECEIVED

MAR 09 2026

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

APPENDIX A – RULES OF APPELLATE

NOTICE OF APPEAL

Intermediate Court of Appeals
Supreme Court of Appeals of West Virginia

ATTACH
COPIES OF ALL
ORDERS BEING
APPEALED

1. COMPLETE CASE TITLE AND CASE NUMBERS IN LOWER TRIBUNAL

(Include all party designations, such as plaintiff, intervenor, etc. Use an extra sheet if necessary)

In the Circuit Court of Jefferson County, West Virginia Civil Action No. CC-19- 2025-P-174

PLEASE SEE ATTACHED SHEET FOR ALL PARTIES.

2. COUNTY OR LOWER TRIBUNAL APPEALED FROM AND NAME OF JUDGE(S) WHO ISSUED DECISION(S) (If the presiding judge was appointed by special assignment, include an explanation of the circumstances on an extra sheet.)

Jefferson County Circuit Court
Honorable Bridget Cohee

3. PETITIONER(S) (list all parties who join in the appeal and provide the name, firm name, address, phone number, and e-mail address of counsel of record for each party. Self-represented parties must provide an address, phone number, and e-mail address.)

Wanda C. Aitcheson and Robert D. Aitcheson,
individually and as Trustees of the Aitcheson Family
Trust
Pamela K. Rowley & William M. Rowley
Tina Held & Brian Held
Robert A. Walz
Law Office of F. Samuel Byrer, Esq. (WV Bar #571)
202 W. Liberty St.
P.O. Box 597
Charles Town, WV 25414
sam@byrerlaw.com

4. RESPONDENT(S) (list all parties against whom the appeal is taken and provide the name, firm name, address, phone number, and e-mail address of counsel of record for each party. For self-represented parties provide an address, phone number, and e-mail address.)

Jefferson County Board of Zoning Appeals
Tyler Quynn
Matthew McKinney
David Wiegand
Keith Semler
Stephen V. Groh, Esq.
Office of the Jefferson County Prosecuting Attorney
P.O. Box 729
Charles Town, WV 25414
(304) 728-3318
sgroh@jcpawv.org
CONTINUED ON ADDITIONAL SHEET

5. NON-PARTICIPANT(S) (list any parties to the lower tribunal action that will not be involved in the appeal and provide the name, firm name, address, telephone number and e-mail address of counsel of record for each non-participant. Provide the name, address, and telephone number of any self-represented litigant who was a party to the lower tribunal action but is not participating in the appeal.)

N/A

APPENDIX A – RULES OF APPELLATE PROCEDURE

CASE NAME: AITCHESON ET AL. v. JEFFERSON COUNTY BOARD OF ZONING APPEALS ET AL.

6. DATE OF ENTRY OF JUDGMENT ON APPEAL

2/6/2026

DATE OF ENTRY OF JUDGMENT ON POST-TRIAL MOTIONS, IF ANY

N/A

7. CRIMINAL CASES: DEFENDANT'S SENTENCE AND BAIL STATUS

N/A

8. **ABUSE AND NEGLECT CASES:** On an extra sheet, provide a brief list of the names, ages, and parent's names of all minor children, a description of the current status of the parental rights of each parent as of the filing of the notice of appeal, a description of the proposed permanent placement of each child, and the name of each guardian ad litem appointed in the case. N/A

9a. Is the order or judgment appealed a final decision on the merits as to all issues and all parties? YES / NO

If your answer is no, was the order or judgment entered pursuant to R. Civ. P. 54(b)? YES / NO

If your answer is no, you must attach a brief explanation as to why the order or judgment being appealed is proper for the court to consider.

9b. Is the family court order entered under W. Va. Code 48-9-203(f)? YES / NO N/A

10. Has this case previously been appealed? YES / NO

If yes, provide the case name, docket number and disposition of each prior appeal.

11. Are there any related cases currently pending in the Intermediate Court or Supreme Court or in a lower tribunal? YES / NO If yes, cite the case, provide the status, and provide a description of how it is related.

12. Is any part of the case confidential? YES / NO

If yes, identify which part and provide specific authority for confidentiality.

13. If an appealing party is a corporation an extra sheet must list the names of parent corporations and the name of any public company that owns ten percent or more of the corporation's stock. If this section is not applicable, please so indicate below. N/A

The corporation who is a party to this appeal does not have a parent corporation and no publicly held company owns ten percent or more of the corporation's stock.

14. Do you know of any reason why one or more of the Intermediate Court Judges or Supreme Court Justices should be disqualified from this case? YES / NO If yes, set forth the basis on an extra sheet. Providing the information required in this section does not relieve a party from the obligation to file a motion for disqualification in accordance with Rule 33.

APPENDIX A – RULES OF APPELLATE PROCEDURE

CASE NAME: AITCHESON ET AL. v. JEFFERSON COUNTY BOARD OF ZONING APPEALS ET AL.

NOTICE OF APPEAL

15. Is a transcript of proceedings necessary for the Court to fairly consider the assignments of error in the case?
 YES / NO If yes, you must complete the appellate transcript request form on page 4 of this form.

16. **NATURE OF THE CASE, RELIEF SOUGHT, and OUTCOME BELOW** (Limit to two double-spaced pages; please attach.)

17. **ASSIGNMENTS OF ERROR** (Express the assignments in the terms and circumstances of the case but without unnecessary detail. Separately number each assignment of error and for each assignment: (1) state the issue; (2) provide a succinct statement as to why the court should review the issue. Limit to eight pages double-spaced; please attach.)

18. **ATTACHMENTS**

Attach to this notice of appeal the following documents in order: (1) extra sheets containing supplemental information in response to sections 1-14 of this form; (2) a double-spaced statement of the nature of the case, not to exceed two pages, as material required by section 16 of this form; (3) a double-spaced statement of the assignments of error not to exceed eight pages as required by section 17 of this form; (4) a copy of the lower tribunal's decision or order from which you are appealing; (5) a copy of any order deciding a timely post-trial motion; (6) a copy of any order extending the time period for appeal; and (7) the statutory docket fee of \$200 (made payable to the State of West Virginia if made by check or money order); or a copy of the lower court's granting of the application for fee waiver in this case. The statutory docket fee does not apply to criminal cases, appeals from the Workers' Compensation Board of Review or original jurisdiction actions. The statutory docket fee does not apply to appeals from family court to the Intermediate Court of Appeals; however, the statutory docket fee applies to appeals from family court to the Supreme Court of Appeals, whether taken directly or after an appeal to the Intermediate Court of Appeals.

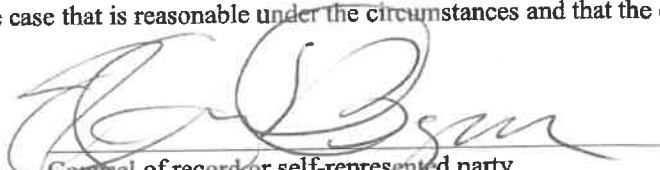
NOTICE:

You must file a separate affidavit and application anytime your financial situation no longer meets the official guidelines or anytime the court orders you to do so.

CERTIFICATIONS


I hereby certify that I have performed a review of the case that is reasonable under the circumstances and that the contents of the Notice of Appeal are accurate and complete.

2/6/2026
Date


Counsel of record or self-represented party

I hereby certify that on or before the date below, copies of this notice of appeal and attachments were served on all parties to the case, and copies were provided to the clerk of the circuit court from which the appeal is taken and to each court reporter from whom a transcript is requested.

2/6/2026
Date


Counsel of record or self-represented party

APPENDIX A – RULES OF APPELLATE PROCEDURE

CASE NAME: AITCHESON ET AL. v. JEFFERSON COUNTY BOARD OF ZONING APPEALS ET AL.

APPELLATE TRANSCRIPT REQUEST FORM

INSTRUCTIONS:

1. If a transcript is necessary for your appeal, you must complete this form and make appropriate financial arrangements with each court reporter from whom a transcript is requested.
2. Specify each portion of the proceedings that must be transcribed for purposes of appeal. See Rule of Appellate Procedure 9(a).
3. A separate request form must be completed for each court reporter from whom a transcript is requested. If you are unsure of the court reporter(s) involved, contact the circuit clerk’s office for that information.
4. Failure to make timely and satisfactory arrangements for transcript production, including necessary financial arrangements, may result in denial of motions for extension of the appeal period, or may result in dismissal of the appeal for failure to prosecute.

Name of Court Report, ERO, or Typist: _____

Address of Court Reporter: _____

Case No.: _____ **County:** _____ **Date of Final Order:** _____

Date of Proceeding	Type of Proceeding	Length of Proceeding	Name of Judge(s)	Portions Previously Prepared

CERTIFICATIONS

I hereby certify that the transcripts requested herein are necessary for a fair consideration of the issues set forth in the Notice of Appeal.

I hereby further certify that I have contacted the court reporter and satisfactory financial arrangements for payment of the transcript have been made as follows:

- Private funds. (Deposit of \$ _____ enclosed with court reporter’s copy. Attach documentation.)
- Criminal or habeas corpus appeal with fee waiver (Attach order appointing counsel or order stating defendant is eligible.)
- Abuse and neglect or delinquency appeal with fee waiver (Attach order appointing counsel.)
- Advance payment waived by court reporter (Attach documentation.)

Date mailed to court reporter

Counsel of record or self-represented party

APPENDIX A – RULES OF APPELLATE PROCEDURE

NOTICE OF APPEAL – EXTRA SHEET

CASE NAME: AITCHESON ET AL. v. JEFFERSON COUNTY BOARD OF ZONING APPEALS ET AL.

Response to SECTION: 1:

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, WEST VIRGINIA

**WANDA C. AITCHESON and
ROBERT D. AITCHESON, individually
and as Trustees of the
AITCHESON FAMILY TRUST,
PAMELA K. ROWLEY,
WILLIAM M. ROWLEY,
TINA HELD,
BRIAN HELD, and
ROBERT A. WALZ,**

Petitioners,

v. CIVIL ACTION NO. 25-P-174

**JEFFERSON COUNTY BOARD
OF ZONING APPEALS,**

Respondent,

**TYLER QUYNN,
MATTHEW MCKINNEY,
DAVID WIEGAND, and
KEITH SEMLER,**

Respondents,

RIPPON ENERGY FACILITY, LLC,

Notice Respondent,

JEFFERSON COUNTY PLANNING COMMISSION,

Notice Respondent,

and CHRISTOPHER STILES,

Notice Respondent.

APPENDIX A – RULES OF APPELLATE PROCEDURE

NOTICE OF APPEAL – EXTRA SHEET

CASE NAME: AITCHESON ET AL. v. JEFFERSON COUNTY BOARD OF ZONING APPEALS ET AL.

Response to SECTION: 4:

NOTICE RESPONDENTS

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Jefferson County Planning Commission

c/o Tim Smith, President

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Charles Town, WV 25414

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APPENDIX A - RULES OF APPELLATE PROCEDURE

NOTICE OF APPEAL – EXTRA SHEET

CASE NAME: AITCHESON ET AL v. JEFFERSON COUNTY BOARD OF ZONING APPEALS ET AL.

Response to SECTION: 16:

A. Nature of the Case-This is an appeal pursuant to W.Va. Code § 8A-9-7 by Petitioners, property owners adjoining and near the proposed utility-scale solar facility, from an Order Granting Motion to Dismiss the Petition for Writ of Certiorari filed November 21, 2025, in the Circuit Court. The Petition sought to reverse the erroneous decision of the Jefferson County Board of Zoning Appeals (hereafter “BZA”) purporting to grant a request for variance by Rippon Energy Facility, LLC, contrary to the applicable ordinance.

The Jefferson County Zoning Ordinance plainly provides that the Conditional Use Permit “becomes void eighteen months after the date of issuance” and specifically mandates that “a one-time extension of this time frame may be granted The length of time extended shall not exceed eighteen (18) months” (emphasis added). Because the BZA had previously granted Rippon Energy an eighteen (18) month extension, the actions and decision of the BZA in granting a variance allowing an additional nine (9) month extension were illegal, void, contrary to law, improper, exceeded its jurisdiction and were plainly wrong.

On or about October 7, 2022, Rippon Energy, LLC, filed an application for a Conditional Use Permit (“CUP”) for an industrial scale solar facility in Jefferson County. On December 7, 2022, the Jefferson County Board of Zoning Appeals issued a Conditional Use Permit (“CUP”). On October 27, 2023, Rippon Energy filed a request for an eighteen-month extension of the CUP pursuant to Section 3.2G of the Ordinance. The one-time extension of the CUP was granted from June 7, 2024, until December 7, 2025, pursuant to Section 3.2G of the Ordinance. On September 19, 2024, Rippon Energy filed an application for a variance seeking an additional nine-month extension, over and above the one-time eighteen-month extension previously granted. On October 23, 2025, the BZA voted to grant the additional nine-month extension by way of claimed

APPENDIX A - RULES OF APPELLATE PROCEDURE

NOTICE OF APPEAL – EXTRA SHEET

CASE NAME: AITCHESON ET AL v. JEFFERSON COUNTY BOARD OF ZONING APPEALS ET AL.

Response to SECTION: 16:

“variance.” The ordinance does not provide for more than the one-time eighteen-month extension but mandates in Section 1.3C that when two regulations conflict, the stricter one applies.

Petitioners timely filed the verified Petition for a Writ of Certiorari in Circuit Court. The BZA on Friday, January 30, 2026, filed a Response and Motion to Dismiss. The Motion included a 2013 “policy interpretation” illegally issued June 17, 2013, by the Zoning Administrator purporting to “interpret” the term “commencement” of land use as well as a receipt for a building permit application for an electric substation, but, in reality, illegally amending the ordinance.

Three business days later, Petitioners filed a Notice of Intent to File a Written Response to the Motion to Dismiss on February 4, 2026. The Circuit Court issued its ruling on February 6, 2026, erroneously granting the Motion to Dismiss, relying on the Zoning Administrator’s “interpretation” of the term “commencement,” unlawfully amending the ordinance.

B. Relief Sought- Petitioners seek the following relief:

1. That the Order of the Circuit Court of Jefferson County, West Virginia, granting the Motion to Dismiss be vacated, set aside, and held for naught.
2. That the Supreme Court of Appeals determine that the Circuit Court erred in ruling the Zoning Administrator had authority to issue a policy to amend Section 3.2G of the Zoning Ordinance and erred in ruling that the BZA’s decision to grant a second extension as a variance contrary to the ordinance was moot.
3. That the Petition be granted.

C. Outcome Below-The Circuit Court Order granted the BZA’s Motion to Dismiss relying on the policy “interpretation” illegally amending the Ordinance and ruling the variance issue moot.

APPENDIX A - RULES OF APPELLATE PROCEDURE

NOTICE OF APPEAL – EXTRA SHEET

CASE NAME: AITCHESON ET AL v. JEFFERSON COUNTY BOARD OF ZONING APPEALS ET AL.

Response to SECTION: 17:

ASSIGNMENT OF ERROR #1

The Circuit Court applied an erroneous principle of law in its Order of February 6, 2026, and was wrong in its factual findings by affirming the Board of Zoning Appeals' grant of a second extension to the project applicant in addition to the original eighteen months and additional one-time eighteen-month extension. The mandated strict construction of the Ordinance and its plain meaning limited an extension to one eighteen-month period with no further extensions. The Court also erred by declaring the challenge to the variance moot. Moreover, the Court applied an erroneous principle of law and was wrong in its factual findings and failed to apply the Rules of Statutory Construction to the Zoning Ordinance, Section 3.2G, as required by the Ordinance and West Virginia law.

APPENDIX A - RULES OF APPELLATE PROCEDURE

NOTICE OF APPEAL – EXTRA SHEET

CASE NAME: AITCHESON ET AL v. JEFFERSON COUNTY BOARD OF ZONING APPEALS ET AL.

Response to SECTION: 17:

ASSIGNMENT OF ERROR #2

The Circuit Court applied an erroneous principle of law in its Order of February 6, 2026, ruling that the Jefferson County Zoning Administrator had the authority to issue a policy to amend Section 3.2G of the Zoning Ordinance, by determining that the word “commenced” in Section 3.2G with reference to a nonresidential CUP commences, and thus the CUP vests, upon the issuance of a building permit application for the first phase of the project. The Zoning Administrator is without legal authority to amend the Ordinance in violation of West Virginia Code §§ 8A-7-8, 8A-7-8(a), 8A-7-9, and related statutes, and the definition of “commenced” is not ambiguous and should be given its ordinary meaning.

Section 3.2G of the Zoning Ordinance states:

“A zoning certificate and/or a conditional use permit shall become void eighteen (18) months after the date of issuance if the construction or use for which the permit was issued has not commenced. A one-time extension of this time frame may be granted after evaluation of the hardship involved with noncompliance with this regulation. The length of time extended shall be at the discretion of the Board of Zoning Appeals and shall not exceed eighteen (18) months...” (emphasis added)

APPENDIX A - RULES OF APPELLATE PROCEDURE

NOTICE OF APPEAL – EXTRA SHEET

CASE NAME: AITCHESON ET AL v. JEFFERSON COUNTY BOARD OF ZONING APPEALS ET AL.

Response to SECTION: 17:

ASSIGNMENT OF ERROR #3

Any and all errors as may be raised in the Petitioners' briefs and those plain or apparent in the record.