

**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 three 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. McKinney called for a vote, which  
25 carried unanimously.