

AGENDA
Jefferson County Board of Zoning Appeals
Thursday, May 19, 2011, 3:00 p.m.

1. Approval of the Minutes from the April 21, 2011 meeting.
2. Postponed from the April 21, 2011 meeting. Variance request by property owner, Hawthorn Associates, LLC, c/o Harry F. Byrd III, from Section 5.7(a)17 to increase number of the permitted receptions from 4 to 30 and to increase the permitted tents from 1 to 2 per reception. Property location: 9 Hawthorn Avenue, Summit Point, West Virginia.
(District: Kabletown; Map: 16; Parcel: 13; Size: 230.7 acres; Zoned: Rural) File: ZV11-07
3. On behalf of Lowe Products, Inc., variance request by property owner, John D. Lowe, III ET AL, from Sections 4.6(a) and 4.11(b) for a reduction of the distance and buffer yard requirements of an Industrial Use and from Section 9.5(b) to locate a fence taller than 6' within the required yard. Property location: 777 Potomac Farms Drive (alt. Rte. 45 Connector) in Shepherdstown, West Virginia.
(District: Shepherdstown - 09; Map: 8; Parcels: 5 & 6.20; Size: 50 (+/-) acres; Zoned: R-G) File: ZV11-10
4. Appeal of the Administrative Decision of Zoning Certificate #ZC11-04 by Appellants, Joseph and Nancy Hoffman. The Zoning Certificate, issued on February 16, 2011, approves a Home Occupation, Level II - Pet Sitting / Doggie Daycare and Internet Pet Supply Business. The Appeal requests revocation of #ZC11-04 and any permits previously issued for the establishment/operation of this Business. Property location: 31 Black Bear Trail, Harpers Ferry, West Virginia.
(District: Charles Town; Map: 23G; Parcel: 7; Size: 20,000⁺ sq. ft.; Zoned: Rural) File: #AP11-02
5. **Request Withdrawn by Applicant** - Special exceptions request by applicant Scott Kegerreis, per Section 10.5 to allow for the installation of a 600 sq. ft. double-sided, off premise Billboard sign. Property location: 147 Edmond Road, Kearneysville, West Virginia. Property owner: Cindi L. Hertelendy.
(District: Charles Town; Map: 1; Parcel: 84; Size: 1.47 acres; Zoned: Industrial-Commercial) File: #ZV11-11
6. Variance request by property owner, Daniel Anders, from Section 5.4(b) for a reduction of the rear setback distance from 20' to 14' to allow for the construction of a 10'x16' deck. Property location: Colonial Hills Subdivision, 380 Starkeys Landing, Shepherdstown, West Virginia.
(District: Shepherdstown; Map: 8E; Parcel: 39; Size: 2000 sq. ft.; Zoned: Residential-Growth) File: #ZV11-12
7. Variance request by property owner, Jane Mc Swain, from Section 5.7(b) for a reduction of the rear setback distance from 20' to 14' to allow for expansion of an existing deck. Property location: Deerfield Village Subdivision, 49 Rolling Green Court; Shepherdstown, West Virginia.
(District: Shepherdstown; Map: 14B; Parcel: 38; Size: .329 acres; Zoned: Rural) File #ZV11-13

8. Variance request by property owner, Suzanne Walls, from Section 4.11 and 4.16 from the required yard screening and buffer requirements to remove 159 shrubs from the approved Walls Nursery Site Plan (S04-16). Property location: 4274 Charles Town Road, Kearneysville, West Virginia.

(District: Middleway; Map: 2; Parcel: 2.6; Size: 3.91 acres; Zoned: Rural)

File #ZV11-14

9. On behalf of KNR Investments, LLC, request for a Change in Non-Conforming Use by Manager, Kay Smoker, of the former Millville Post Office from a one-unit residential rental to a two-unit residential rental. Property location: 481 Millville Road, Millville, West Virginia.

(District: Harpers Ferry; Map: 11A; Parcel: 34; Size: 0.1 acres; Zoned: Industrial-Commercial)

File #ZC11-13

10. **Request Withdrawn by Applicant** - Variance request by applicants, Chad and Tabitha Armentrout, from Section 4.16 for a reduction of a side setback distance from 25' to 5' to allow for the construction of an addition to an existing building. Property location: 798 Jefferson Avenue, Charles Town, West Virginia. Property owners: Becton and Traci Davis.

(District: Charles Town; Map: 10A; Parcel: 58; Size: 15,000 sq. ft.; Zoned: Residential-Growth)

File #ZV11-15

11. Monthly Address by Director Jennifer M. Brockman.

12. Legal Update.

13. Vote on written decisions from prior Board of Zoning Appeals meetings.

- a. Findings of Fact and Conclusion of Law: Variance request by property owner, A.M.S. Morgan III on behalf of Rippon Brewery, LLC, from Sections 4.16, 5.6(d) and 5.7(b) to reduce the front setback to 8' for a proposed addition to an existing structure for a commercial use.
- b. Findings of Fact and Conclusion of Law: Variance request by property owner, Victory Freewill Baptist Church, from Section 10.2(i) to allow for an animated sign.
- c. Findings of Fact and Conclusion of Law: Appeal of an Administrative Decision of Zoning Certificate (ZC11-04) by Michelle Krassowski on behalf of Miss. Booger's Pet Services & Supplies.

14. Correspondence.

BZA Meeting Parcels

5/19/2011

