

MINUTES
JEFFERSON COUNTY BOARD OF ZONING APPEALS
SEPTEMBER 18, 2008

The Jefferson County Board of Zoning Appeals met on Thursday, September 18, 2008 at 3:00 p.m., at the Charles Town Library Meeting Room. Members present were as follows: Chairman, Tom Trumble, Vice Chair Christy Huddle, Tiffany Hine, Jeff Bresee, Edwin Kelly and Alternate Member, Jon Brusco. Staff members present were Zoning Administrator, Sherry Kelly, Assistant Prosecuting Attorney James Casimiro and Recording Secretary, Christine Chalmers.

Ms. Chalmers swore in individuals who indicated they would be giving testimony.

Mr. Trumble called the meeting to order at 3:00 p.m.

1. Minutes.

Jeff Bresee motioned to approve the Minutes from the August 21, 2008 meeting without correction. Christy Huddle seconded the motion which carried with a vote of four (4) in favor and one abstention, Tiffany Hine, who was absent during said meeting.

Mr. Trumble informed Board Members that Tony Redman, who is the current Director of Planning and Zoning, had unexpectedly submitted his resignation to the County Commission, effective October 25, 2008. Accordingly, he wished to express appreciation for Mr. Redman's outstanding accomplishments during his brief tenure with the County, and also extend the Board's Best Wishes for his future.

2. Variance Request by property Owners, Matt and Tina Nace reduce the Rear Setback distance from 20' to 12' to allow for the installation of an in-ground pool.

Property description: 260 Kimberwicke Drive, North, Charles Town, West Virginia.

Zoning Ordinance: Article 9, Section 9.7. (Charles Town District - Map 4A / Parcel 117 / Lot Size: 0.230 acres) (#ZV08-22)

With regard to the above referenced Variance, Owners Matt and Tina Nace are requesting that the Rear Setback be reduced due to placement proximity concerns. As the Nace home has an 8' elevated rear deck, it is important that the pool be distanced away from that area, to insure that their two young children are safe. Since the rear of their property is adjacent to the Walnut Grove Subdivision common area and also a utility access road, there are no houses located directly behind them. Further, ample landscaping, to include natural brush and trees, already visually screens their property from that neighborhood. There was no public comment.

4. Monthly Address from Zoning Administrator, Sherry Kelly.

Ms. Kelly advised that the three (3) Hearings held by the County Commission on Saturday (9/13), Monday (9/15) and Wednesday (9/17), regarding the proposed Zoning Ordinance and revised Zoning Map were seemingly well received by the Public. A final decision, regarding these matters, will ultimately be rendered by the County Commission.

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5. Legal Update.

Assistant Prosecuting Attorney, James Casimiro advised that he had just received a copy of the the Faraway Farm Appeal, and would be providing Board Members with copies, as well.

6. Correspondence. None received.

Christy Huddle motioned to go into Deliberative Session at 3:06 p.m. Tiffany Hine seconded the motion, which carried with a unanimous vote. Christy Huddle motioned to return to Regular Session; Ed Kelly seconded the motion, which carried unanimously. The meeting commenced again at p.m. 3:08 p.m.

2. Variance Request by property Owners, Matt and Tina Nace to reduce the Rear Setback distance from 20' to 12' to allow for the installation of an in-ground pool.

Jeff Bresee motioned to approve the above referenced Request without condition. Tiffany Hine seconded the motion, which carried with a unanimous vote.

Christy Huddle motioned to adjourn the meeting at 3:09 p.m. Ed Kelly seconded the motion, which carried unanimously.

A transcript of this meeting can be found on CD #106.
Recording Secretary, Christine Chalmers, prepared these Minutes.