

MINUTES  
JEFFERSON COUNTY BOARD OF ZONING APPEALS  
MARCH 16, 2006

The Jefferson County Zoning Board of Appeals met on Thursday, March 16, 2006 at 3:00 p.m., in the Charles Town Library Meeting Room. Members present were Thomas Trumble, Jeff Bresee, Edwin Kelly and Christy Huddle. Tiffany Hine and Alternate member Tyler Quynn were absent with notification. Alternate member Frances Morgan was absent without notification. Rebecca Burns, Executive Secretary was also present.

The meeting was called to order by Mr. Trumble at 3:04 p.m.

1. Minutes. Mr. Bresee motioned to accept the minutes of the February 16, 2006 meeting by striking the sentence on page 1, first paragraph "Alternate member Edwin Kelly was absent without notification". Mr. Kelly seconded the motion which carried unanimously.

Mrs. Burns swore in individuals who indicated they would be giving testimony.

2. Action on the Staff Report for Rockwell's Mini-Storage Expansion (#Z05-03). Ms. Burns read the Staff Report for the record noting the word "Street" needs to be added to the next to last paragraph, last sentence. No one in the public disagreed with the accuracy of the Staff Report. Mr. Bresee motioned to accept the Staff Report as amended (copy attached). Ms. Huddle seconded the motion which carried unanimously.

3. Action on the Conditional Use Permit for Rockwell's Mini-Storage Expansion (#Z05-03). Gary Frey of Huntley, Nyce & Associates presented the project and introduced Donald Rockwell the owner/developer of the property. Mr. Frey noted during the design phase it may be determined that a second storm water management basin may be required.

4. Request by Andrew T. and Regina M. Gleeson for a variance from the side setback requirements from 8' to 2' for an existing garage/addition (Article 9, Section 9.7). John Skinner presented the request along with Mr. and Mrs. Gleeson. Mr. Skinner presented a plat which indicated an access easement along the affected setback. Ms. Burns stated that if the plat is correct it would be a front setback of 20' as opposed to a side setback of 8'. Mr. Gleeson stated for health reasons he needs to be able to go directly from the garage to the home with few if any stairs. There was no public comment.

5. Request by Robert L. Fox, Sr. and Shirley M. Fox for a variance from the front setback requirements from 40' to 19' for an existing garage with open lean-to (Article 9, Section 9.7). Ms. Fox presented the request noting they became aware of the setback issue when they came to the Department of Planning, Zoning & Engineering office in an attempt to subdivide their property. There was no public comment.

6. Request by Christian M. and Frances Ann Metz-Kief for a variance from the rear setback requirements from 50' to 12' for an existing house and proposed addition (Article 9, Section 9.7). Mr. Kief was present on behalf of the request noting the structure was built in 1976 before

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setbacks as a horse barn and then converted to a house in 1981. Mr. Kief stated the addition is needed to house exercise equipment due to his heart condition. There was no public comment.

7. Request by Simon and Shona Gardner for a variance from the side setback requirements from 12' to 6' for an existing shed (Article 5, Section 5.4b). Mr. and Mrs. Gardner were present on behalf of the request. The Gardners stated they were not aware a permit was needed until the structure was under construction and it was brought to their attention by the building inspector. There was no public comment.

Mr. Bresee motioned to go into deliberations. Ms. Huddle seconded the motion which carried unanimously. Mr. Bresee motioned to return to regular session. Ms. Huddle seconded the motion which carried unanimously.

3. Mr. Bresee motioned to issue the Conditional Use Permit for Rockwell's Mini-Storage Expansion (#Z05-03) subject to the conditions outlined in the Staff Report as amended. Ms. Huddle seconded the motion which carried unanimously.

4. Mr. Bresee motioned to grant a variance from the front setbacks from 20' to 1.7' and from side setbacks from 8' to 1.7' which supplements the action taken by the Board on November 21, 1991 (side setback variance) that allowed the expansion of the garage to include the addition that was built. Ms. Huddle seconded the motion which carried unanimously.

5. Ms. Huddle motioned to grant the front setback variance from 40' to 19' to Robert L. Fox, Sr., and Shirley Fox for an existing garage and an open lean-to. Mr. Bresee seconded the motion which carried unanimously.

6. Ms. Bresee motioned to grant the request by Christian M. and Frances Ann Metz-Kief from the rear setback from 50' to 30' and the side setback from 15' to 12' for the existing house and proposed addition. Ms. Huddle seconded the motion which carried unanimously.

7. Mr. Bresee motioned to grant the variance to Simon and Shona Gardner from the side setback requirements from 12' to 6' for an existing shed which is under construction. Ms. Huddle seconded the motion which carried unanimously.

8. Employee of the Board of Zoning Appeals. No action was taken by the Board in Ms. Hines absence.

9. Rules of Procedure Before the Jefferson County Board of Zoning Appeals. Mr. Bresee motioned to amend the Rules as follows:

Page 6. Meetings. (b) Attendance. Members and Alternates to the Board of Zoning Appeals must notify the Department of Planning, Zoning & Engineering office if they are unable to

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attend a meeting. Attendance shall be noted in the Minutes of the Board.

Current (b) Quorum to become (c); and current (c) Continuance of Hearing to become (d); and, date the front of the document with the most current revision date. Ms. Huddle seconded the motion which carried unanimously.

10. Correspondence. None at this time.

Ms. Huddle motioned to adjourn the meeting at 4:52 p.m. Mr. Bresee seconded the motion which carried unanimously.

A transcript of this meeting can be found on a CD #43 and #44. These Minutes were prepared by Rebecca F. Burns.