

**AGENDA**  
**Jefferson County Board of Zoning Appeals**  
**Thursday, May 17, 2012 at 3:00 p.m.**

The Jefferson County Board of Zoning Appeals meet in the Charles Town Library Conference Room located at 200 East Washington Street at the side entrance on Samuel Street in the City of Charles Town.

1. Approval of the minutes from the April 19, 2012 meeting.
2. Swearing in of members of the public intending to provide testimony.
3. Variance request by property owners, Monique Gonzalez and Manuel Mercado, from Section 5.4(B) of the Zoning and Land Development Ordinance for a reduction of the rear setback distance from 20' to 16' to allow for the construction of a 12' x 18' deck. Property location: Windmill Crossing Subdivision, 86 Don Quixote Drive, Charles Town, West Virginia. District: Charles Town (02); Map: 9C; Parcel: 101; Zoned: Residential-Light Industrial-Commercial; Size: 2,000 sq. ft.; File: #ZV12-15.
4. Variance request by property owners, James and Lindsay Gahagan, from Section 5.4(B) of the Zoning and Land Development Ordinance for a reduction of the rear setback distance from 20' to 16' to allow for the construction of a 12' x 20' deck. Property location: Windmill Crossing Subdivision, 37 Don Quixote Drive, Charles Town, West Virginia. District: Charles Town (02); Map: 9C; Parcel: 142; Zoned: Residential-Light Industrial-Commercial; Size: 3,200 sq. ft.; File: #ZV12-16.
5. Variance request by property owner, Margaret Kubitschek, from Section 5.4-1 of the Zoning and Land Development Ordinance for a reduction of the rear setback distance from 20' to 17' to allow for the construction of a proposed covered porch. Property location: 75 Pathfinder Court, Shepherdstown, WV. District: Shepherdstown (09); Map: 14B; Parcel: 11; Zoned: Rural; Size: .257 acres; File: #ZV12-17.
5. Variance request by property owner, Barbara Devolites, from Section 5.4(B) of the Zoning and Land Development Ordinance for a reduction of the rear setback distance from 20' to 19' to allow for the construction of a 10' x 18' deck. Property location: Windmill Crossing Subdivision, 240 Monte Carlo Way, Charles Town, West Virginia. District: Charles Town (02); Map: 9C; Parcel: 17; Zoned: Residential-Light Industrial-Commercial; Size: 2,343 sq. ft.; File: #ZV12-18.
6. Variance request by property owner, Kevin Cox, from Section 5.4(B) of the Zoning and Land Development Ordinance for a reduction of the rear setback distance from 20' to 12' to allow for the construction of a 12' x 19' deck with 4' bump-out for steps. Property location: Windmill Crossing Subdivision, 22 Monte Carlo Way, Charles Town, West Virginia. District: Charles Town (02); Map: 9C; Parcel: 63; Zoned: Residential-Light Industrial-Commercial; Size: 3,500 sq. ft.; File: #ZV12-19.

7. Request by Linda M. Gutsell to reopen a hearing pursuant to Section 5.8 of the Board of Zoning Appeals (BZA) Rules of Procedure, regarding the April 19, 2012 BZA approval of a Conditional Use Permit application submitted by Twin Oaks Subdivision, LLC for the Morgan's Grove Market, file #CP12-01.
8. Director's Report.
9. Legal Update.
10. Signing of written decisions from prior Board of Zoning Appeals meetings.
  - a. Variance request by property owners, Frank and Tammy Spiker, from Section 9.7 of the Zoning and Land Development Ordinance, for a reduction of the side setback distance from 12' to 5' to allow for the expansion of the existing residence. Property location: 7678 Leetown Road, Kearneysville, West Virginia. District: Middleway (07); Map: 22; Parcel: 15; Zoned: Rural; File: #ZV12-10. (BZA meeting date 03/15/12)
  - b. Public hearing and action on the Conditional Use Permit application submitted by Twin Oaks Subdivision, LLC for the Morgan's Grove Market to establish "an agricultural based economic empowerment zone." Intended uses are to consist of, but are not limited to, a Food Hub, General Merchandise (retail), Professional/Business Offices, Community Amenities, and other associated uses. Property location: 3988 Kearneysville Pike, Shepherdstown, West Virginia. District: Shepherdstown (09); Map: 13; Parcels: 26.1, 26.2, 26.3, 26.4; Zoned: Rural; Size: 13.69 acres; File: #CP12-01. (BZA meeting date 04/19/12).
11. Correspondence.

# BZA Meeting Parcels

5/17/2012

