



Jefferson County
Board of Zoning Appeals
Thursday, October 23, 2014, 2:00 p.m.

Members
Tyler Quynn, Chair
Jeffrey Bannon, Vice Chair
Christy Huddle
Matt Knott
Ted Schiltz

The Jefferson County Board of Zoning Appeals will meet in the
Maintenance Department Conference Room located at 128 Industrial Boulevard, Kearneysville, WV.

Unless otherwise noted, all requests are pursuant to the Zoning & Land Development Ordinance.

1. Approval of the minutes from the September 25, 2014 and October 2, 2014 meetings.
2. Swearing in of members of the public intending to provide testimony.
3. ***Request postponed from September 25, 2014.*** Appeal by Appellant William Neufeld of the Acting Zoning Administrator's decision that the Appellant's 15' access adjoining the Stonebrook Subdivision is not a road, which would require a front yard setback.
4. ***Applicant has withdrawn the request.*** Request postponed from September 25, 2014. Request by Harold Barlow, owner, from Section 8.2 to reduce the 75' distance requirement to 20' for Barn #1 and 33' for Barn #2 to accommodate a proposed minor subdivision. Location: 779 Persimmon Lane, Shepherdstown, WV. District: Shepherdstown (09); Map: 15; Parcels: 10; Size: 5 ac; Zoned: Rural; File: ZV14-17.
5. Request for clarification by Christopher P. Stroech, Esq., Attorney with Arnold & Bailey, regarding the BZA approval of the seasonal use permit for the All Good Music Festival (ZV14-15). The applicant is seeking clarification on the following:
 - a) Is the event approved for a 72-hour time period or for three (3) distinct days of the week?
 - b) Does the event begin when the site gates open or when the music begins/main concert and vendor area opens to the public?
6. Discussion and possible action on the Draft Rules of Procedure, revised June 26, 2014.
7. Director's Report.
 - a) Monthly Activity Report
8. Legal Update.
9. Signing of written decisions from prior Board of Zoning Appeals meetings.
 - a) Request postponed from July 24, 2014. Request for a Special Exception by Jacob and Tia Collis, owners, under Section 10.5B.3 for a Rural Reception/Event Facility to host farm weddings between March & October for Deerfield Farm Weddings. The applicant is seeking permission to operate the venue outdoors with rental tents during the event only; field parking would be provided for up to 75 cars, with an optional 10 handicap spaces in existing gravel lot; each event will cease by 11:00 p.m. Location: 6732 Scrabble Rd, Shepherdstown, WV. Shepherdstown (09); Map 3; Parcel: 8; Size: 10 ac; Zone: Rural; File: SE14-01.

- b) Correspondence from Peter S. Corum, owner/applicant, on behalf of Morgan's Grove Market (#S12-06) requesting the Board to clarify the available uses for the existing residential rental property located at 3988 Kearneysville Pk., Shepherdstown, WV 25443, without changing the Conditional Use Permit (#CP12-01). The applicant is requesting to temporarily change the use of the residence to a nonresidential, private K-8 school (Morgan Academy) and seeks the Board's determination on the following issues:
- a) Under the current CUP, can Morgan Academy use the house as a nonresidential use K-8 school?
 - b) If yes, can Morgan Academy use the existing well and septic for this use?
- District: Shepherdstown (09); Map 13; Parcels: 26.1, 26.2, 26.3, 26.4; Size: 13.69 ac (combined); Zoned: Rural; File: ZC14-37.
- c) Request postponed from August 28, 2014. Variance request by Mark Dyck, Consultant, on behalf of Tim Walther and Junipa Contento, Developers, from Section 2.2 to extend the time permitted for a Seasonal Use, which limits an event to not more than three consecutive days in each of the four solar systems. The applicant is requesting to hold a 5-day music festival and camp out during the June/August 2015 summer season. Property Owner: Nancy & Douglas Stolipher and Mark Stolipher. Location: 261 Berry Hill Farm Ln., Summit Point, WV. District: Kabletown (06); Map: 19; Parcels: 7, 16, & 8.4; Size: 347.15 ac (total); Zoned: Rural; File: ZV14-14.
- d) Request postponed from August 28, 2014. Request by Mark Dyck, Consultant, on behalf of Tim Walther & Junipa Contento, Developers, to conduct a Seasonal Use event per Section 9.8 by hosting a 5 day musical festival and camp out, provided the previous variance request (ZV14-14) is approved, during the June/August 2015 summer season. Property Owner: Nancy & Douglas Stolipher and Mark Stolipher. Location: 261 Berry Hill Farm Ln., Summit Point, WV. District: Kabletown (06); Map: 19; Parcels: 7, 16, & 8.4; Size: 347.15 ac (total); Zoned: Rural; File: ZV14-15.