

Minutes
Jefferson County Zoning Board of Appeals

1 Meeting Date: February 26, 2015

2 Meeting Location: Conference Room, Old Charles Town Library

3 200 East Washington Street, Charles Town, West Virginia

4

5 Board members present: Tyler Quynn, Chair; Jeffrey Bannon, Vice Chair;
6 Christy Huddle, Ted Schiltz and Matt Knott

7 Staff members present: Jennifer Brockman, Acting Zoning Administrator/Director of
8 Planning and Zoning; Steve Groh, Assistant Prosecuting Attorney;
9 Jennilee Hartman, Zoning Clerk

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11 All requests are pursuant to the Jefferson County Zoning and Land Development Ordinance.

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13 Mr. Bannon moved to start the meeting at 2:00 p.m. Mr. Quynn called for a vote, which carried
14 unanimously.

15

16 1) Approval of the minutes from the January 22, 2015 meeting.

17 Ms. Huddle moved to approve the minutes with the following edits:

18 a) Page 3, Item 7, change all semicolons to commas.

19 b) Page 3, line 11, change to the following, “was rescheduled ~~until~~ to February 2, 2015.”

20 Mr. Quynn called for a vote, which carried unanimously.

21

22 2) Swearing in of members of the public intending to provide testimony.

23 There were no actionable items to receive public testimony; therefore, there were no members
24 of the public to be sworn in.

25

26 3) Discussion regarding the proposed Zoning Policy Related to Conditional Use Permits and
27 Principal Permitted Uses drafted by Jennifer M. Brockman, AICP, Acting Zoning Administrator.

28

29 Mr. Quynn asked Mr. Groh if an executive session would be necessary for this item. Mr. Groh
30 stated he did not believe so as it was an announcement of an office policy. Ms. Brockman
31 explained the purpose of the policy to the Board and gave examples of when the policy would
32 take effect.

33

34 Mr. Knott arrived at 2:07 p.m.

35

36 The Board discussed different aspects of the policy and suggested adding the following text,
37 “Any use which does not meet these requirements would require an amendment to the approved
38 CUP.” Ms. Brockman agreed with the suggested text. Ms. Brockman stated the policy would
39 take effect immediately.

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- 1 4) Director's Report
- 2 a) Activity Report. No discussion.
- 3 Ms. Brockman updated the Board on the status of the Zoning Administrator interviews and
- 4 informed them that the Comprehensive Plan was approved and stated the office would provide
- 5 them a copy.
- 6
- 7 5) Legal Update. Mr. Groh provided the Board with a brief update on both legal matters.
- 8 Mr. Groh stated neither issue had yet come to a resolution.
- 9
- 10 a) All Good Music Festival Litigation.
- 11 b) William Neufeld Pending Litigation
- 12
- 13 6) Signing of written decision from prior Board of Zoning Appeals meetings.
- 14 a) Discussion and action on the Dollar General Conditional Use Permit Application
- 15 (CP14-02). The applicant is proposing a 9,100 square foot retail store, to include public
- 16 restrooms, merchandise storage, storefront and pole signage and an asphalt parking lot
- 17 that will accommodate the required 40 parking spaces, plus drive aisles. This item is
- 18 not a public hearing. Property owners: Wilbur A. Alger Jr. and Middle of the Way Real
- 19 Estate, LTD. Location: Intersection of Middleway Pike (Route 51) and Leetown Road
- 20 (Route 1). District: 07; Map: 19; Parcels: 16.6 & 16.7. *Mr. Quynn signed a copy of the*
- 21 *Findings Mr. Groh provided to the Board.*
- 22
- 23 Ms. Huddle moved to adjourn the meeting at 3:39 p.m. Mr. Quynn called for a vote, which
- 24 carried unanimously.