

Minutes
Jefferson County Zoning Board of Appeals

- 1 Meeting Date: May 28, 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, Ted Schiltz and
6 Matt Knott
7 Board members absent: Christy Huddle (with notification)
8 Staff members present: Jennifer Brockman, Acting Zoning Administrator/Director of
9 Planning and Zoning; David Simon, County Planner; Lydia Lehman,
10 Assistant Prosecuting Attorney; Jennilee Hartman, Zoning Clerk
11

12 All requests are pursuant to the Jefferson County Zoning and Land Development Ordinance.
13

14 Mr. Bannon moved to start the meeting at 2:00 p.m. Mr. Schiltz seconded the motion, which
15 carried unanimously.
16

17 Ms. Hartman swore in members of the public who indicated they would be providing testimony.
18

19 1) Approval of the minutes from the April, 23, 2015 meeting.
20

21 Mr. Bannon suggested the following corrections:
22

- 23 a) Page 2, line 27, insert *Attorney* after *Scales*.
24 b) Page 2, line 42, change *President* to *Chair*.
25 c) Page 3, line 2, change *President* to *Chair*.
26

27 Mr. Bannon moved to approve the minutes as amended. Mr. Quynn called for a vote, which
28 carried unanimously.
29

30 2) Swearing in of members of the public intending to provide testimony.
31

32 Ms. Hartman swore in members of the public who indicated they would be providing testimony
33 at the beginning of the meeting
34

35 3) Variance request from Section 5.4-1 to reduce the side setback from 12' to 8' for a garage
36 attached to a townhouse unit. Owner/Developer: Pete Kubic. PFK, LLC. Location: Lot TH73,
37 Locust Hill Subdivision, Baltustrol Dr, Charles Town, WV. District: Charles Town 02;
38 Map: 13A; Parcel: 555; Zone: R; File: ZV15-10.
39

40 Ms. Brockman presented her staff report to the Board, noting that the subject parcel was
41 located adjacent to a drainage/golf cart easement. Kristen Stolipher, consultant with Gordon,
42 represented the request. Ms. Stolipher explained that although the request, if granted, would
43 permit the garage to encroach closer to the easement, that it would not impact or hinder the
44 flow of the drainage easement. Ms. Stolipher answered questions raised by the Board.
45 Mr. Quynn opened the public hearing. There was no public comment. Mr. Quynn closed
46 the public comment. The Board agreed a deliberative session was not necessary.

1 Mr. Bannon moved to approve the variance as requested. Mr. Knott seconded the motion,
2 which carried unanimously.

3
4 4) Variance request postponed until June 25, 2015. Variance request from Section 9.6C & 9.7 to
5 reduce the front setback from 25' to 0' and the side setback from 12' to 18" for an 8' tall fence.
6 Owner: Lisa Gasque. Location: 5753 Charles Town Rd, Kearneysville, WV. District: Middleway
7 07; Map: 3C; Parcel: 3; Zone: V; File: ZV15-11.

8
9 This item was postponed until the June 25, 2015 Board of Zoning Appeals meeting.

10
11 5) Director's Report.

12
13 a) Monthly Activity Report. No action taken.

14 b) Ms. Brockman updated the Board on the following items:

15 i) Introductions were made between David Simon, the new County Planner/Zoning
16 Administrator, and the Board members.

17 ii) Bolivar requested an Urban Growth Boundary. The County Commission forwarded
18 the request to the Planning Commission to schedule a public hearing. The public
19 hearing is scheduled for June 9, 2015.

20 iii) No recent activity regarding the Mass Events text amendment.

21 iv) The All Good Music Festival continues to process their Concept Plan and various
22 approvals have been received by the office.

23 v) The next BZA meeting will be June 25, 2015. Ms. Brockman will not be in
24 attendance; however, Mr. Simon will be present.

25 vi) A Conditional Use Permit for a Bed and Breakfast is scheduled for their next
26 meeting. The item had two unresolved issues for the Board to address.

27
28 6) Legal Update.

29
30 a) All Good Music Festival Pending Litigation CA #14-C-390. None.

31 b) William Neufeld Pending Litigation CA #14-C-394. None.

32
33 7) Signing of Findings of Fact and Conclusions of Law/written decisions from prior Board of
34 Zoning Appeals meetings.

35 Meeting Date: April 23, 2015

36 a) Variance request from Sections 9.6C and 9.7 to reduce the front setback from 20' to 17'6"
37 for an unlawfully constructed 16' x 30' building. Owner: Matthew and Jennifer Welder.
38 Location: Glen Haven Subdivision, 815 Mason Dr., Harpers Ferry WV. District: Harpers
39 Ferry 04; Map: 3D; Parcel: 40; Zone: R; Size: .40 ac; File: ZV15-08.

40 *The Findings were signed by Mr. Quynn.*

41
42 Mr. Bannon would not be present at the June 25, 2015 meeting.

43
44 Mr. Knott moved to adjourn the meeting at 2:26 p.m. Mr. Quynn called for a vote, which carried
45 unanimously.