



Berkeley County Board of Zoning Appeals

400 West Stephen Street, Suite 203, Martinsburg, WV 25401-3838

Telephone: 304-264-1963, Fax: 304-262-3127

Web Page: www.berkeleywv.org

BERKELEY COUNTY BOARD OF ZONING APPEALS AGENDA

County Council Chambers

January 19, 2022 @ 6:00 pm.

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF THE AGENDA
4. APPROVAL MEETING MINUTES: November 30, 2021 meeting
5. PUBLIC HEARING
 - a. 54 Showers Lane – File #2112-438, Request for Special Exception
6. STAFF UPDATES AND DISCUSSION
7. ADJOURNMENT

****The Board of Zoning Appeals reserves the right to re-arrange items on the agenda due to time constraints of the public or of the Board****

THE BERKELEY COUNTY BOARD OF ZONING APPEALS MINUTES

The Berkeley County Board of Zoning Appeals met in a regular session on November 30, 2021 in the Council Chambers at 400 W. Stephen Street, Martinsburg, West Virginia.

1. CALL TO ORDER

- a. The meeting was called to order at 6:00 p.m. by Cory Rodriguez.

2. ROLL CALL

- a. BZA MEMBERS PRESENT: John Buschman, Jeffery Campbell, Cory Rodriguez, and Dan Shergy
- b. MEMBERS ABSENT: Jeffrey Smith.
- c. STAFF: Heather Williams, Planning Director
Laura Hoffmaster, Planner
Anthony Delligatti, Legal Director
Sarah Sandri, Administrative Assistant

3. APPROVAL OF THE AGENDA

ACTION TAKEN: The motion was made by John Buschman and seconded by Jeffery Campbell to approve the agenda. Call for question. The motion carried unanimously.

4. APPROVAL OF MEETING MINUTES

- a. **ACTION TAKEN:** The motion was made by John Buschman and seconded by Dan Shergy to approve the September 8, 2021 meeting minutes. Call for question. The motion carried unanimously.

5. STAFF UPDATES AND DISCUSSION

Heather Williams stated that there is only one project that is being reviewed within the Tuscarora Zone, Martinsburg Seventh Day Adventist Church. She stated that it was reviewed under the regular ordinance by Laura Hoffmaster and she reviewed it under the Zoning Ordinance. She stated that the school that is being proposed lies within the zoned area and they might have to come before the Board for a variance. Anthony Delligatti stated that he will answer any legal questions to make them aware before a decision is made.

6. ADJOURNMENT

ACTION TAKEN: The motion was made by Jeffery Campbell and seconded by John Buschman to adjourn the meeting at 6:13PM. Call for question. The motion carried unanimously.

Respectfully Submitted,
Sarah Sandri
Administrative Assistant



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**PUBLIC HEARING
STAFF REPORT
REQUEST FOR SPECIAL EXCEPTION
January 19, 2022**

Project: 54 Showers Lane

File #: 2112-438

Owner: Gamache & Associates Real Estate LLC
54 Showers Lane
Martinsburg, WV 25403

District, Tax Map & Parcel #: Arden District, Tax Map 2L, Parcel 47

Location: This property is located at the intersection of Showers Lane (WV Rt. 15/1) and Tuscarora Pike (WV Rt. 15).

Administrative History:

REQUEST FOR SPECIAL EXCEPTION	DATE RECEIVED
Request for Special Exception Application Submitted	12/9/2021
Request for Special Exception Advertised	12/20/2021
Request for Special Exception Public Hearing	1/19/2022
Request for Special Exception Granted/Denied	

Waivers/Exceptions: The applicant is requesting a special exception, in accordance with Section 610, of Tuscarora Community Zoning Ordinance (1975), to use the existing structure as a real estate office.

Staff Recommendation: The site is located within the "Growth Area", as show in the Comprehensive Plan (2016), and compliant with the Subdivision Ordinance (2009). Therefore, Staff recommends approval of the special exception, to permit the use of the existing structure as a real estate office.

Respectfully Submitted,
The Planning Department

Attachment: Application

January 19, 2022