

Harpers Ferry Board of Zoning Appeals

Hearing – November 28, 2022

Meeting Minutes

Location: Town Hall

Call to order and attendees - The meeting was called to order by Chair David Simmons at 7 pm.

SEAT 1 (term ends January 1, 2024): David Simmons, Chair – PRESENT

SEAT 2 (term ends January 1, 2025): VACANT

SEAT 3 (term ends January 1, 2025): Lynn Pechuekonis, Secretary – PRESENT, recording minutes

SEAT 4 (term ends January 1, 2023): Ed Wheelless, Vice Chair - PRESENT

SEAT 5 (term ends January 1, 2023): VACANT

ALTERNATE 1 (term ends March 1, 2024): VACANT

ALTERNATE 2 (term ends March 1, 2025): VACANT

ALTERNATE 3 (term ends March 1, 2023): VACANT

GUESTS : Kevin Hamilton, OCO
Michael M. Zeleke, Applicant

Administrative Meeting

Call to Order – The administrative meeting was called to order by David Simmons at 7 pm.

Approval of agenda – Ed Wheelless moved to accept the agenda. Lynn Pechuekonis seconded. Passed unanimously

Approval of minutes – David moved to accept the minutes of the administrative meeting on October 14, 2022. Ed seconded. Passed unanimously.

Adjournment – At 7:04 pm the administrative meeting was adjourned.

Hearing

The Hearing was called to order at 7:05 pm:

1. Variance Request for Zoning Compliance Permit Application not sufficiently similar to an Exterior Architectural Feature explicitly listed as permissible under this Zoning Ordinance [Article 1303.03(c)(2)D] and is located within the setback areas [Article 1304.02(a)]:

814 Washington Street, Harpers Ferry, WV

Applicant Michael M. Zeleke presented information regarding his project and answered questions from the Board. David made a motion end the hearing on the matter at 7:25 pm. Ed seconded. Approved unanimously. The hearing was then opened for the second matter on the agenda:

2. Variance Request for Zoning Compliance Permit Application not compliant with requirement for two off-street parking spaces located on the Buildable Area of the Lot [Article 1304.03]:

Putnam Street, Lot 13, Block Q, Harpers Ferry, WV

As the applicant was not present, the Board clarified the details of the project with the Ordinance Compliance Officer and reviewed relevant town ordinances. At 7:40 pm, David made a motion to adjourn the hearing and move to deliberation. Ed seconded. Motion passed unanimously.

Deliberation

After deliberation regarding the Putnam Street application, David moved to extend the hearing and communicate to the applicant that the Board is inclined to enforce the requirement of Article 1304.03 of the Codified Ordinance of Harpers Ferry, but the applicant may attend a continued hearing to present evidence of how the current site plan satisfies criteria for a variance set forth in Article 1326.04(b). Ed seconded this motion. Passed unanimously.

After deliberation regarding the 814 Washington Street application, Lynn moved that, because the house is a contributing structure and the homeowner has already demolished the later period stairs and landings, the Board will request a consultation from the Historic Landmarks Commission on the current design's compatibility with the Appendix A, and the home's architectural style and period (including recommendations for revisions to the design, if needed). David seconded. Passed unanimously. Instructions are to be given to the HLC to request consultation on the following broad areas: balusters/spindle style, stair design, wood finish, and size/massing. The Board scheduled a meeting for December 28, 2023, at 7 p.m. to discuss the HLC recommendations.

Adjournment – At 8:25 pm David moved to adjourn, seconded by Ed; approved unanimously.

Minutes submitted by Lynn Pechuekonis.