

## Harpers Ferry Board of Zoning Appeals

Hearing – April 4, 2023

Meeting Minutes

Location: Town Hall

**Call to order and attendees** - The meeting was called to order by Chair David Simmons at 6 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, 2026): 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, Ordinance Compliance Officer  
Elizabeth Mariani, Applicant  
Kim Wheatley, Contractor Representative  
Roberta Meade-Curry

### Administrative Meeting

**Call to Order** – The administrative meeting was called to order by David Simmons at 6:30 pm.

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

**Approval of minutes** – Ed moved to accept the minutes of the hearing on February 28, 2023. David seconded. Passed unanimously.

### Hearing

The Hearing was called to order at 6:33 pm:

1. Demolition Review Permit [Article 1303; Appendix A, Relocation and Demolition]: Kitchen and enclosed porch additions; garage; shed.

601 Fillmore Street, Harpers Ferry, WV

The Historic Landmark Commission's recommendations from their meeting of March 20, 2023, and an emailed opinion from the West Virginia State Historic Preservation Office dated February 21, 2023, were reviewed and discussed. Ms. Mariani and Ms. Wheatley presented their request and answered questions from the Board about the structures that were proposed to demolish, which are all on the National Register as contributing structures to the Historic District. Ms. Mariani said that she had decided not to demolish the shed.

At 6:45 pm. Lynn moved to close the hearing and go to private deliberation; seconded by Ed; approved unanimously.

Lynn moved to open private deliberations on the matter; seconded by Ed; approved unanimously.

## Hearing Reconvened

After deliberation regarding the 601 Fillmore Street application, the hearing was reconvened at 7:44 pm.

David made a statement of clarification for the record, confirming that the wash shed/smoke house had been removed from the application for demolition and, thus, the shed must be preserved as a historic structure. He noted that Harpers Ferry Ordinance 1303.03(c)1 applies to the repairs, as the goal is to preserve original materials to the degree possible; to wit:

...a Zoning Compliance Permit shall not be required for a proposed Repair of any Structure that replicates existing Exterior Architectural Features and uses identical materials, but if the scope of a proposed Repair encompasses more than 15% of a Structure, a concept plan shall be submitted to the Proper Authority for review to ensure that a Zoning Compliance Permit is not required.

David then moved to approve demolition of the rear addition to house, including the kitchen and enclosed porch, CONTINGENT upon approval of a Zoning Compliance Permit for a replacement addition to the house. Lynn seconded; approved unanimously.

Lynn moved to approve demolition of the garage CONTINGENT upon an approved Zoning Compliance Permit for a new garage consistent with the size and architectural style of the original garage and house. David seconded; approved unanimously.

Clarification was added that “consistent with the size” meant that a one-car garage would be considered appropriate, but likely not a larger structure.

**Adjournment** – At 7:50 pm David moved to adjourn, seconded by Ed; approved unanimously.

Minutes submitted by Lynn Pechuekonis.