

## Harpers Ferry Board of Zoning Appeals

Hearing, July 16, 2024

Meeting Minutes

Location: Town Hall

**Call to order and attendees** - The meeting was called to order by Chair Dave Simmons at 6:15 pm.

SEAT 1 (term ends January 1, 2027): David Simmons, Chair – PRESENT

SEAT 2 (term ends January 1, 2025): Bart Wheatley - PRESENT

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, 2026): Kurt Christensen - PRESENT

ALTERNATE 1 (term ends March 1, 2027): VACANT

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

ALTERNATE 3 (term ends March 1, 2026): VACANT

GUESTS: Kevin Hamilton, Ordinance Compliance Officer

### Administrative Meeting

**Approval of Minutes** – Ed Wheelless moved to approve the minutes of the administrative meeting on June 19, 2024, seconded by Bart Wheatley. Passed with four votes in favor; Kurt Christensen abstained.

### Hearing

David Simmons called the hearing to order at 6:16 pm.

**Variance Request for Zoning Compliance Permit Application located within the setback areas** [Article 1304.02(a)]:

388 Washington Street, Harpers Ferry, WV

Kevin Hamilton described the project, which was started without a permit. After he issued a stop work order, a ZCPA package was submitted. The applicant did not address how the project met any of the four criteria for variance set forth in Article 1326.04(b) of the Codified Ordinances of Harpers Ferry.

Ed moved to close the hearing; Lynn seconded; passed unanimously.

The Board began public deliberations at 6:40 pm.

After discussion, Lynn Pechuekonis moved to deny the request for variance; Ed seconded. Unanimously approved.

The board found that no hardship was demonstrated per Article 1326.04(b)(3) that would justify a variance permitting the proposed improvement within the established setbacks.

David moved to end deliberations; Ed seconded; passed unanimously.

Minutes submitted by Lynn Pechuekonis.