

**Corporation of Harpers Ferry, West Virginia**  
**Zoning Compliance Permit Resolution of the Board of Zoning Appeals**

**Christian Pechuekonis, Application Number 2025-004** seeks a variance to permit installation of four skylights on a historic structure. Located at 898 Washington Street Block I Lot 9. Ed Wheelless moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of the Town; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on February 21, 2025; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The present zoning is Residential.
3. The property is a contributing structure in the Harpers Ferry Historic District.
4. The historic use of the property is as a church.
5. The operative standards for roofs on historic resources in Part 13, Appendix A reads "New dormers, skylights, roof decks, balconies or other additions shall only be introduced on non-principal façades and additions of this type shall not be prominently in the public view."
6. The proposed skylights are not on the principal façade.
7. The proposed skylights, on the western elevation, will be in the public view.
8. The Historic Landmarks Commission reviewed the application and recommended denying the variance as it will alter the historic architecture and character of the building.

WHEREAS, the Board has made the following conclusions of law:

THAT the applicant's representative has presented testimony indicating that it is unlikely that a new congregation could be found to continue use as a church, skylights on the eastern elevation would be obscured from public view, and a hardship exists for the adaptive reuse of the building as a residence because the core of the building, the former sanctuary, has only four colored-glass windows which limit natural light resulting in a very dark interior. The Board has determined that:

1. The approval of the Variance will not adversely affect the public health, safety or welfare, or the rights of the abutting property owners or residents;
2. The request for the Variance arises from special conditions or attributes which pertain to the property and were not created by the person requesting the Variance;

3. The approval of the Variance will encourage the rehabilitation of this historic church, allow a source of natural light into the building thus eliminating an unnecessary hardship and permit a reasonable Use of the land; and
4. The approval of the Variance will allow the intent of the Zoning Ordinance to be observed and substantial justice done.

NOW, THEREFORE, BE IT RESOLVED that the subject application is APPROVED, with the following development conditions:

1. This variance is approved for the dimensions, profile and placement of the skylights as shown in the captioned application and is not transferable.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards. This decision is unique to the subject property and is not to be construed as a precedent for other contributing structures in the historic district.

Bart Wheatley seconded the motion, which carried by a vote of 3-0. Ms. Pechuekonis and Mr. Simmons were absent from the meeting.

A Copy Teste:



Ed Wheelless, Vice Chair  
Board of Zoning Appeals

3-4-2025

Date