CITY OF CHARLES TOWN

CONTRACTORS APPEAL BOARD
AGENDA • FEBRUARY 9, 2024

Contractors Appeal Board **COUNCIL CHAMBERS** **2:00 PM**
101 E Washington Street, Charles Town, WV 25414

1. CALL TO ORDER

2. APPROVAL OF MINUTES

: **2024-165:** Contractor's Appeal Board Meeting Minutes - December 7, 2023
12-7-23 Minutes.docx

3. NEW BUSINESS

: **2024-166:** 202 S. Samuel Street - Case #CE-24-1

4. UNFINISHED BUSINESS

: **2024-167:** 202 S. Samuel Street - Case #CE-23-7

5. CONTINUED CASES

6. ADJOURNMENT

7. NOTICE: The Public May View the Meeting Live by Clicking on the Event Link at: https://www.charlestownwv.us/government/agendas-and-minutes/

Contractors Appeal Board
101 East Washington Street
Charles Town, WV 25414

Meeting: 02/09/24
Department: Contractors Appeal Board
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-165: Contractor's Appeal Board Meeting Minutes - December 7, 2023

ATTACHMENTS:

- 12-7-23 Minutes.docx

CITY OF CHARLES TOWN

CONTRACTORS APPEAL BOARD
MINUTES • December 7, 2023

Contractors Appeal Board COUNCIL CHAMBERS 3:30 PM
101 E Washington Street, Charles Town, WV 25414

I. CALL TO ORDER

Mark Roper (Chair), Chris Livingston (Board Member), Matt Printz (Board Member), Josh Foster (Board Member), Jonathan Sherman (Clerk) – All present.

Delaine Englebert, Cheryl Peterson, Mike Funk, Dan Casto, Bryden Rosenburgh, David Lutman were also in attendance.

II. APPROVAL OF MINUTES

Minutes from November 2, 2023 approved.

Result: Approved (unanimous)
Mover: Jonathan Sherman
Second: Chris Livingston
Ayes: Roper, Livingston, Printz, Foster, Sherman
Nays: None

III. NEW BUSINESS

: 2023-1144 202 S. Samuel Street Appeals Hearing

Dan Casto to represent property owners Tres Hombres LLC. Presented with exhibits. Regarding violations numbers: 1, 9, 10, 14. Discussed all four violations. Delaine Englebert, Code Official, presented case. Dan Casto rebutted. Requested 30 days additional time for 9 and 10. Delaine Englebert rebutted. All agreed on record to complete 9 and 10 in 30 days. The City withdrew violation number 14 and will re-issue Notice of Violation. Dan Casto called a witness. It was agreed to continue this portion (#1) of the appeal to work it out.

Motion made by Jonathan Sherman to table this appeal for 30 days or until the next scheduled meeting of this board. Give it a little time to coordinate amongst each other and bring their resolution back to us in 30 days.

Discussed timing.

Motion amended until next scheduled meeting occurs.

Result: Approved (unanimous)
Mover: Jonathan Sherman
Second: Mark Roper
Ayes: Roper, Livingston, Printz, Foster, Sherman
Nays: None

: 2023-1145 430 S. Seminary Street Appeals Hearing

Dave Lutman presented and stated Dan Casto is representing him. Discussed code R312.1.1. Mr. Lutman presented photos exhibits. Delaine Englebert presented. Mr. Lutman rebutted. Stated he tried to resolve issue prior evening by email. Mrs. Englebert showed the board recent emailed plans and stated she could approve with a few adjustments. Email from the previous evening was shared with the board. Mr. Lutman responded to questions regarding chains and bushes with adjustments. Discussed heights of walls and length of chains.

Motion made to enter Executive Session.

Result: Approved (unanimous)
Mover: Chris Livingston
Second: Jonathan Sherman
Ayes: Printz, Foster, Livingston, Roper, Sherman
Nays: None

Motion made to return from Executive Session.

Result: Approved (unanimous)
Mover: Chris Livingston
Second: Jonathan Sherman
Ayes: Printz, Foster, Livingston, Roper, Sherman
Nays: None

Motion to approve appeal as stated in application.

Discussed process with counsel before voting.

Motion to approve appeal as stated in application.

Result: Approved (3 to 2)
Mover: Jonathan Sherman
Second: Chris Livingston
Ayes: Printz, Foster, Livingston
Nays: Roper, Sherman

IV. UNFINISHED BUSINESS
None

V. CONTINUED CASES
None

VI. ADJOURNMENT

Motion made to adjourn.

Result: Approved (unanimous)
Mover: Mark Roper
Second: Chris Livingston
Ayes: Roper, Livingston, Printz, Foster, Sherman
Nays: None

VII. NOTICE: The Public May View the Meeting Live by Clicking on the Event Link at: https://www.charlestownwv.us/government/agendas-and-minutes/

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ATTACHMENTS:

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101 East Washington Street
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AGENDA ITEM (ID #)

2024-167: 202 S. Samuel Street - Case #CE-23-7

ATTACHMENTS: