CITY OF CHARLES TOWN
BOARD OF ZONING APPEALS
AGENDA • MARCH 19, 2024

BZA Meeting **COUNCIL CHAMBERS** **7:00 PM**
101 E Washington Street, Charles Town, WV 25414

I. CALL TO ORDER

II. DETERMINATION OF QUORUM

III. APPROVAL OF MINUTES

III.1 : DRAFT Minutes of January 17, 2024
1.17.24 Minutes_DRAFT.pdf

IV. APPROVAL OF FINDINGS OF FACTS AND CONCLUSIONS OF LAW

IV.1 : BA2023-06 - Beckwith St. Property - Findings of Facts
BZA Findings & Conclusions 2023-06.pdf

IV.2 : BA2023-07 - 134 Shutter St - Findings of Fact
BZA Findings & Conclusions 2023-07.pdf

V. PUBLIC HEARINGS

V.1 : **BA2024-01**: *Mark Roper* - Wall Street variances
1. Staff Report.pdf
2. Application.pdf
3. Narrative.pdf

V.2 : **BA2024-02**: *Old Opera House* - Variance for signage
1. Staff Report.pdf
2. Application.pdf
3. Narrative.pdf
4. Sign Design.pdf
5. Design Context.pdf
6. WVDoH Review.pdf

V.3 : **BA2024-03**: *Alex Salgado* - Variances on Baylor Street
1. Staff Report.pdf
2. Application.pdf
3. Proposed subdivision.pdf
4. Requested Setbacks.pdf
5. Potential home design.pdf

VI. CONTINUED CASES

VII. OTHER BUSINESS

VIII. ADJOURNMENT

IX. NOTICE: The Public May View the Meeting Live by Clicking on the Event Link at:

https://www.charlestownwv.us/government/agendas-and-minutes/

Board of Zoning Appeals
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/19/24
Department: Board of Zoning Appeals
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

DRAFT Minutes of January 17, 2024

ATTACHMENTS:

- 1.17.24 Minutes_DRAFT.pdf

CITY OF CHARLES TOWN

BOARD OF ZONING APPEALS

MINUTES • JANUARY 17, 2024

BZA Meeting | **CITY HALL CONFERENCE ROOM** | **7:00 PM**

101 East Washington Street, Charles Town, WV 25414

1. CALL TO ORDER

Present: Locke Wysong, Chair
Patrick Kratovil
Jim Thomas

Christopher Cox – Absent

Staff: Attorney Mike Funk
James Newman, Zoning Administrator
Kimberly Crosson

2. DETERMINATION OF QUORUM

3. APPROVAL OF MINUTES

3.1: Minutes – December 19, 2023

RESULT:	**Approved**
MOVER:	Thomas
SECONDER:	Kratovil
AYES:	Wysong, Kratovil, Thomas

4. APPROVAL OF FINDINGS OF FACTS AND CONCLUSIONS OF LAW

None.

5. PUBLIC HEARINGS

5.1: BA2023-06 – Property on Beckwith St. – Variance Request

Staff gave presentation.

Applicant's advocate Seth Rivard sworn in.

DRAFT

Rivard: Will not be a two-story style home. Keeping with neighborhood character. Requested ordinance meets intent of Ordinance.

Thomas: Proposed house size?

Applicant Mark Roper: Approximately 1,100 square feet.

No public comment received, no public in attendance.

Deliberation delayed per Chairman Wysong until after 2nd case was introduced.

5:2: BA2023-07 – 134 Shutter St. – Variance Request

Staff gave presentation.

Thomas seeks clarity regarding boundary lines.

Staff and Rivard provide clarifying information showing existing and proposed property lines on plat.

Rivard: This will eliminate other structures from crossing lot lines or encroaching. This adjustment is needed to clean up lot lines and will rectify property lines.

No public comment, no public in attendance.

Motion to go into deliberation at 7:18 pm.

RESULT:	**Approved**
MOVER:	Thomas
SECONDER:	Kratovil
AYES:	Wysong, Thomas, Kratovil

Motion to return to public hearing at 7:22 pm.

RESULT:	**Approved**
MOVER:	Thomas
SECONDER:	Kratovil
AYES:	Wysong, Thomas, Kratovil

Motion to approve BA2026-06: Property on Beckwith St. – Variance Request

RESULT:	**Approved**
MOVER:	Thomas
SECONDER:	Kratovil
AYES:	Wysong, Thomas, Kratovil

DRAFT

Motion to BA2023-07 – 134 Shutter St. – Variance Request.

RESULT:	**Approved**
MOVER:	Thomas
SECONDER:	Kratovil
AYES:	Wysong, Thomas, Kratovil

6. CONTINUED CASES

None.

7. OTHER BUSINESS

7:1: Election of Officers

Chair - Wysong

RESULT:	**Approved**
MOVER:	Thomas
SECONDER:	Kratovil
AYES:	Wysong, Thomas, Kratovil

Vice-Chair - Thomas

RESULT:	**Approved**
MOVER:	Kratovil
SECONDER:	Wysong
AYES:	Wysong, Thomas, Kratovil

8. ADJOURNMENT

RESULT:	**Approved**
MOVER:	Thomas
SECONDER:	Kratovil
AYES:	Wysong, Thomas, Kratovil

Meeting adjourned at 7:26 pm.

DRAFT

Board of Zoning Appeals
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/19/24
Department: Board of Zoning Appeals
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

BA2023-06 - Beckwith St. Property - Findings of Facts

ATTACHMENTS:

- BZA Findings & Conclusions 2023-06.pdf

BEFORE THE BOARD OF ZONING APPEALS
OF THE CITY OF CHARLES TOWN, WEST VIRGINIA

In re: Docket No. BA 2023-06 – Application for Variances by Mark Roper

FINDINGS OF FACT, CONCLUSIONS OF LAW, & DECISION

This matter came before the Board of Zoning Appeals at its general meeting held on the 17th day of January, 2024, for public hearing upon the application for two (2) Variances filed by Mark Roper (the "Applicant"). The subject real property is owned by Mark Roper Construction, LLC. Board members present were Chairman C. Locke Wysong, Jr., James Thomas, Jr., and Patrick Kratovil, being a quorum. Also present were the City's Zoning/Subdivision Administrator, James Newman, the City's Permit Technician, Kim Crosson, and the City's legal counsel, Michael Funk.

From a review of the record and confirmation by staff upon request, the Board found that proper notice was given of this hearing by publication and posting of the subject real property in accord with the Charles Town Zoning Ordinance.

The Applicant, Mark Roper, came before the Board requesting two (2) Variances pursuant to **Sections 1321.10(D)(4) and 1321.11(E) of the Zoning Ordinance** with respect to: (i) the Minimum Building Height of 24 feet or 1.5 stories; and (ii) the Minimum Side Yard Setback of 10 feet, both specified in **Section 1322.11, Old Town Residential (OT-R) District**, and **Table 1322.11, OT-R District Bulk and Area Regulations, of the Zoning Ordinance**. The subject real property consists of a vacant parcel located in the Old Town Residential (OT-R) District on the eastern side of Beckwith Street north of Wall Street and designated as Tax Parcel 42 on Tax Map 6 in Charles Town Corporation.

The Board first heard the presentation of the City's Zoning/Subdivision Administrator, James Newman, who reviewed the contents of the written report of the City's staff, a copy of which is contained in the Agenda Packet for the meeting and made part of the record in this matter, and explained the basis of staff's determination that the two (2) Variances sought by the Applicant satisfy the requirements of Section 1322.11(E)(3) of the Zoning Ordinance. Mr. Newman noted that: (i) the Applicant desires to construct a house of no more than 14 feet in height (and less than 1.5 stories) upon the subject real property; (ii) the Applicant's application requests a reduction in the Minimum Building Height of 24 feet or 1.5 stories to 14 feet; (iii) the application requests a reduction in the Minimum Side Yard Setback of 10 feet to 6 feet; (iv) the requested building height is not unprecedented for the neighborhood, which contains ten (10) other homes which are one story and of similar height to that proposed; (v) while the Minimum Lot Width for single-family detached dwellings in the Old Town Residential (OT-R) District is 70 feet, the subject real property (which is an existing lot and thus not subject to any Minimum Lot Width requirement) is 41.5 feet wide; (vi) the requested reduction of the Minimum Side Yard Setback to 6 feet is reasonable for a lot of 41.5 feet in width; and (vii) adjacent lots have lot widths of between 40 and 42 feet with reduced side yard setbacks.

The Board had no questions for Mr. Newman.

The Applicant's representative, Seth Rivard, next was sworn and testified. Mr. Rivard stated that the requested Variances: (i) will allow a residence that will maintain the scale and design of buildings in the neighborhood and be in keeping with its character; (ii) will allow a one-story residence, which is desirable to older populations; (iii) will mitigate a hardship resulting from the narrow and small existing lot; (iv) will provide side yard setbacks that are reasonable for the neighborhood; (v) are the minimum relief necessary to construct the proposed residence; and (vi) will allow infill development and meet the intent of the Zoning Ordinance.

The Board next presented questions to Mr. Rivard. Board member Thomas asked regarding the size of the proposed house. Mr. Rivard responded that the house will be approximately 1,100 square feet. The Board had no further questions.

No members of the public or aggrieved parties submitted comment to staff or appeared to make public comment.

Upon completion of the taking of testimony and argument, the Board closed the public hearing and adjourned into executive session for deliberation.

After completing its deliberation and returning to open session, by motion duly made by Board member Thomas and seconded by Board member Kratovil, the Board determined, by a vote of three (3) in favor and zero (0) opposed, that, in accordance with Section 1321.11(E)(3) of the Zoning Ordinance, the requested two (2) Variances should be granted, as presented, for the reasons set forth below.

FINDINGS OF FACT

The Board hereby finds as follows:

1. The two (2) Variances will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents. The first Variance is for reduction of the Minimum Building Height of 24 feet or 1.5 stories to 14 feet, which reduced building height is consistent with the height of numerous other structures in the neighborhood. In particular, homes on Beckwith Street and E. Wall Street are frequently one-story structures. The second Variance is for reduction of the Minimum Side Yard Setback of 10 feet to 6 feet, which reduced side yard setback is also consistent with the side yard setbacks of other parcels in the neighborhood.

2. The two (2) Variances arise from special conditions or attributes which

pertain to the subject real property and which were not created by the Applicant. The Applicant has not created the special conditions that the requested Variances address. The Variances are requested because the Applicant seeks to construct a house of a height that is consistent with the predominant pattern of the neighborhood and because of the narrowness of the existing lot.

3. The two (2) Variances will eliminate an unnecessary hardship and permit a reasonable use of the land. The Variances will allow for a small single-family detached house to be built on a small lot in an existing neighborhood, thereby providing infill development on a vacant lot.

4. The two (2) Variances will allow the intent of the Zoning Ordinance to be observed and substantial justice done. As set forth in **Section 1322.11, Old Town Residential (OT-R) District, of the Zoning Ordinance**, the "purpose of the OT-R District is to recognize existing and older residential neighborhoods within the City of Charles Town that are characterized as having smaller Lots, smaller Setbacks, traditional grid Street pattern and access by Street or alley. These provisions for the OT-R District are designed to protect the character of these residential neighborhoods while permitting their maintenance and improvement. These standards also seek to encourage sensitively designed infill in keeping with the existing character of the OT-R District." The two (2) Variances will protect the character of the existing and older residential neighborhood, and its smaller lots, structures, and setbacks, and allow for sensitively designed infill consistent with that neighborhood.

5. The written report of Staff methodically details precise reasons why the two (2) Variances should be granted in accord with the requirements of 1321.11(E)(3) of the Zoning Ordinance, which written report has been carefully reviewed and considered by the Board, and the Board hereby adopts such reasons in their entirety and incorporates the same herein.

CONCLUSIONS OF LAW

Based upon the foregoing findings and for the reasons stated herein and based upon staff's recommendations, testimony presented, information contained in the Agenda Packet, and the discussion on the record, the Board, by a vote of three (3) in favor and zero (0) opposed, determines that each of Applicant's requested two (2) Variances satisfies the requirements of Section 1321.11(E)(3) of the Zoning Ordinance and should be granted. The Board hereby certifies that the two (2) Variances granted are the minimum variances that will make possible the reasonable use of the subject real property.

WHEREFORE, the Board hereby GRANTS the requested two (2) Variances, as presented and contemplated in the application, the public hearing, and herein, to: (i) reduce the Minimum Building Height of 24 feet or 1.5 stories to 14 feet; and (ii) reduce the Minimum Side Yard Setback of 10 feet to 6 feet.[1]

This Decision is entered as of the date set forth below. Any person adversely affected by this Order may appeal same by Petition to the Circuit Court of Jefferson County within thirty (30) days of receipt hereof.

Entered

C. Locke Wysong, Jr., Chairman

1 In reviewing an application, the Board considers as true and accurate the representations of factual circumstances contained in the application and supporting documentation (the "Application Packet"). No action or decision of the Board shall be deemed its verification of any such representation or its approval of any conditions that actually exist but are not accurately represented in the Application Packet.

Except as expressly provided otherwise herein, the Board's actions and decision are (i) premised and conditioned upon the truth and accuracy of the representations contained in the Application Packet and (ii) strictly limited to the uses, structures, and undertakings proposed for the subject real property in the Application Packet.

The Applicant/Owner is responsible for ascertaining all relevant facts prior to undertaking activities upon the subject real property. In the event of uncertainty, the Applicant/Owner is advised to obtain an accurate survey of the subject real property, seek legal advice, or take other action, as appropriate, to resolve the uncertainty before undertaking activities upon the subject real property. Failure to do so is at the risk of the Applicant/Owner.

Board of Zoning Appeals
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/19/24
Department: Board of Zoning Appeals
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

BA2023-07 - 134 Shutter St - Findings of Fact

ATTACHMENTS:

- BZA Findings & Conclusions 2023-07.pdf

BEFORE THE BOARD OF ZONING APPEALS
OF THE CITY OF CHARLES TOWN, WEST VIRGINIA

In re: Docket No. BA 2023-07 – Application for Variance by Mark Roper

FINDINGS OF FACT, CONCLUSIONS OF LAW, & DECISION

This matter came before the Board of Zoning Appeals at its general meeting held on the 17th day of January, 2024, for public hearing upon the application for a Variance filed by Mark Roper (the "Applicant"). The subject real property is owned by Mark Roper. Board members present were Chairman C. Locke Wysong, Jr., James Thomas, Jr., and Patrick Kratovil, being a quorum. Also present were the City's Zoning/Subdivision Administrator, James Newman, the City's Permit Technician, Kim Crosson, and the City's legal counsel, Michael Funk.

From a review of the record and confirmation by staff upon request, the Board found that proper notice was given of this hearing by publication and posting of the subject real property in accord with the Charles Town Zoning Ordinance.

The Applicant, Mark Roper, came before the Board requesting a Variance pursuant to **Sections 1321.10(D)(4) and 1321.11(E) of the Zoning Ordinance** with respect to the Minimum Rear Yard Setback of 20 feet specified in **Section 1322.11, Old Town Residential (OT-R) District**, and **Table 1322.11, OT-R District Bulk and Area Regulations, of the Zoning Ordinance**. The subject real property consists of a parcel located in the Old Town Residential (OT-R) District at 134 Shutter Street and designated as Tax Parcel 52 on Tax Map 6 in Charles Town Corporation.

The Board first heard the presentation of the City's Zoning/Subdivision Administrator, James Newman, who reviewed the contents of the written report of the City's staff, a copy of

which is contained in the Agenda Packet for the meeting and made part of the record in this matter, and explained the basis of staff's determination that the Variance sought by the Applicant satisfies the requirements of Section 1322.11(E)(3) of the Zoning Ordinance. Mr. Newman noted that: (i) a structure located at 703/705 Beckwith Street is located on three parcels, being the subject real property and two (2) adjoining parcels; (ii) the Applicant is seeking to adjust property lines of those parcels so that, after such adjustment, the structure located at 703/705 Beckwith Street and the structure located on the subject real property will each be located on its own separate parcel; (iii) the Applicant's application requests a reduction in the Minimum Rear Yard Setback of 20 feet to 8 feet; (iv) the requested Variance and resulting Minimum Rear Yard Setback of 8 feet would allow for the proposed adjustment of the property lines so that each structure will be located on its own separate parcel; and (v) the requested Variance and the proposed adjustment of property lines that could then result will clarify property lines and the location of structures on individual parcels, which will facilitate maintenance and similar matters should the parcels cease being under common ownership.

The Board next presented questions to Mr. Newman. Board member Thomas asked for clarification of what property lines are to be moved, which Mr. Newman and the Applicant's representative, Seth Rivard, explained and clarified. The Board had no further questions for Mr. Newman.

The Applicant's representative, Seth Rivard, next was sworn and testified. Mr. Rivard explained that: (i) the structure located at 703/705 Beckwith Street is located on three parcels; (ii) the property lines of parcels are to be adjusted so that each structure will be located on its own separate parcel; (iii) all such structures are existing structures; and (iv) the adjustments intended are the minimum adjustments necessary to correct the presence of structures being located upon multiple parcels.

The Board had no questions for Mr. Rivard.

No members of the public or aggrieved parties submitted comment to staff or appeared to make public comment.

Upon completion of the taking of testimony and argument, the Board closed the public hearing and adjourned into executive session for deliberation.

After completing its deliberation and returning to open session, by motion duly made by Board member Thomas and seconded by Board member Kratovil, the Board determined, by a vote of three (3) in favor and zero (0) opposed, that, in accordance with Section 1321.11(E)(3) of the Zoning Ordinance, the requested Variance should be granted, as presented, for the reasons set forth below.

FINDINGS OF FACT

The Board hereby finds as follows:

1. The Variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents. The Variance, which will reduce the Minimum Rear Yard Setback of 20 feet to 8 feet, will allow the structure located on the subject real property and the structure at 703/705 Beckwith Street to each be located on its own separate parcel. The reduction of the rear yard setback will not cause a life/safety hazard as the two structures currently exist.

2. The Variance arises from special conditions or attributes which pertain to the subject real property and which were not created by the Applicant. The Applicant has not created the special conditions that the requested Variance addresses. The Variances are requested to enable the Applicant to clarify property lines so that existing structures do not lie on multiple lots.

3. The Variance will eliminate an unnecessary hardship and permit a reasonable use of the land. The Variance will clarify property lines and the location of structures on individual lots, which will facilitate maintenance and similar matters should the parcels cease to be under common ownership.

4. The Variance will allow the intent of the Zoning Ordinance to be observed and substantial justice done. As set forth in **Section 1322.11, Old Town Residential (OT-R) District, of the Zoning Ordinance**, the "purpose of the OT-R District is to recognize existing and older residential neighborhoods within the City of Charles Town that are characterized as having smaller Lots, smaller Setbacks, traditional grid Street pattern and access by Street or alley. These provisions for the OT-R District are designed to protect the character of these residential neighborhoods while permitting their maintenance and improvement. These standards also seek to encourage sensitively designed infill in keeping with the existing character of the OT-R District." The Variance is in accordance with the intent of the Zoning Ordinance to protect the character of existing and older residential neighborhoods, and their smaller lots, structures, and setbacks, and will allow for a small lot with reduced setbacks.

5. The written report of Staff methodically details precise reasons why the Variance should be granted in accord with the requirements of 1321.11(E)(3) of the Zoning Ordinance, which written report has been carefully reviewed and considered by the Board, and the Board hereby adopts such reasons in their entirety and incorporates the same herein.

CONCLUSIONS OF LAW

Based upon the foregoing findings and for the reasons stated herein and based upon staff's recommendations, testimony presented, information contained in the Agenda Packet, and the discussion on the record, the Board, by a vote of three (3) in favor and zero (0) opposed,

determines that Applicant's requested Variance satisfies the requirements of Section 1321.11(E)(3) of the Zoning Ordinance and should be granted. The Board hereby certifies that the Variance granted is the minimum variance that will make possible the reasonable use of the subject real property.

WHEREFORE, the Board hereby GRANTS the requested Variance, as presented and contemplated in the application, the public hearing, and herein, to reduce the Minimum Rear Yard Setback of 20 feet to 8 feet.[1]

This Decision is entered as of the date set forth below. Any person adversely affected by this Order may appeal same by Petition to the Circuit Court of Jefferson County within thirty (30) days of receipt hereof.

Entered

C. Locke Wysong, Jr., Chairman

1 In reviewing an application, the Board considers as true and accurate the representations of factual circumstances contained in the application and supporting documentation (the "Application Packet"). No action or decision of the Board shall be deemed its verification of any such representation or its approval of any conditions that actually exist but are not accurately represented in the Application Packet.

Except as expressly provided otherwise herein, the Board's actions and decision are (i) premised and conditioned upon the truth and accuracy of the representations contained in the Application Packet and (ii) strictly limited to the uses, structures, and undertakings proposed for the subject real property in the Application Packet.

The Applicant/Owner is responsible for ascertaining all relevant facts prior to undertaking activities upon the subject real property. In the event of uncertainty, the Applicant/Owner is advised to obtain an accurate survey of the subject real property, seek legal advice, or take other action, as appropriate, to resolve the uncertainty before undertaking activities upon the subject real property. Failure to do so is at the risk of the Applicant/Owner.

Board of Zoning Appeals
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/19/24
Department: Board of Zoning Appeals
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

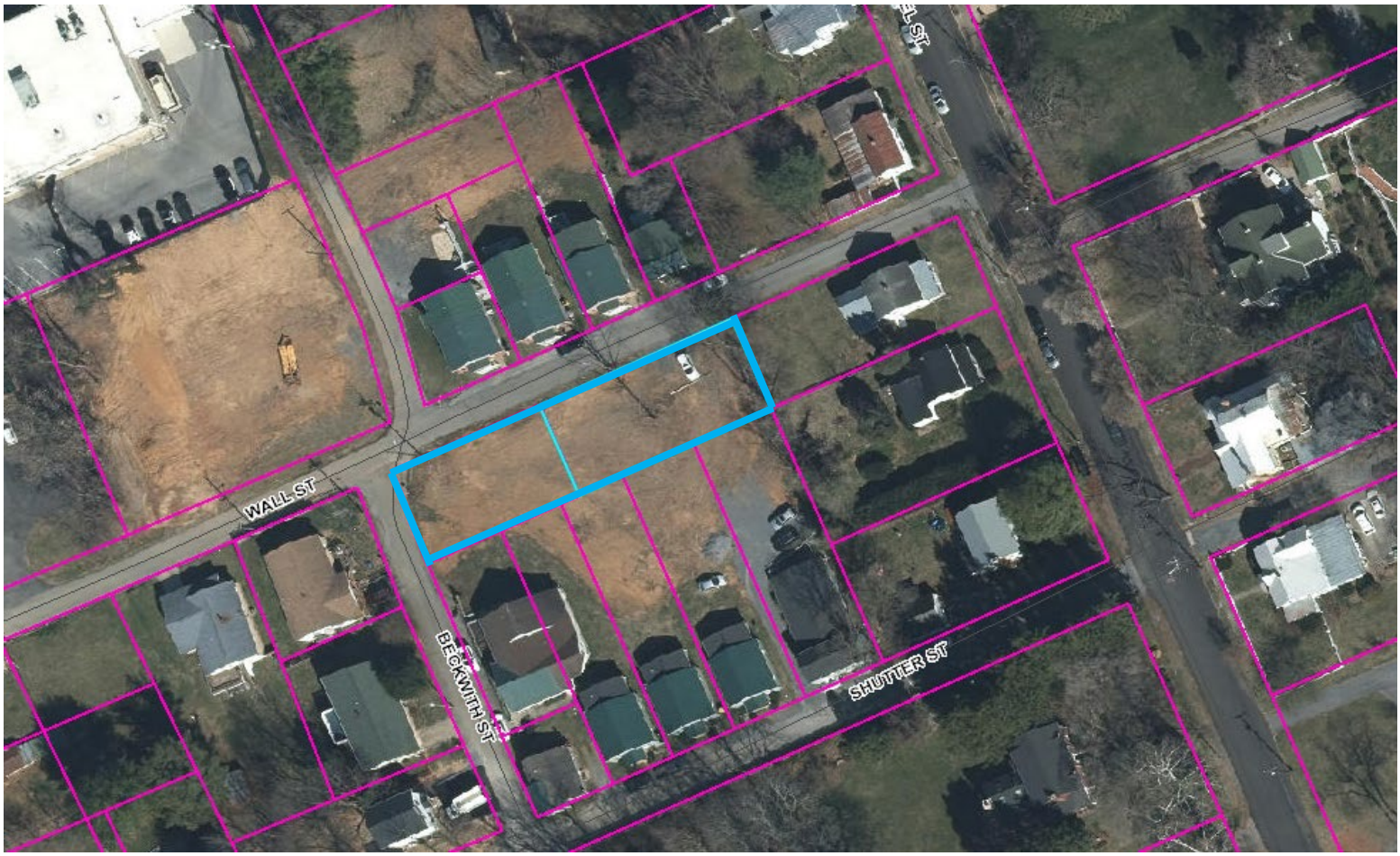
BA2024-01: *Mark Roper* - Wall Street variances

ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Application.pdf
- 3. Narrative.pdf

Public Hearing – Variance Request
BA-2024-01

Date: For the March 19, 2024 Board of Zoning Appeals meeting
Applicant: Mark Roper
Property Owner: Mark Roper
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Location: Tax District 3/Map 6/ Lots 1-4 on Wall Street (formerly parcels 45 and 45.1)
Proposal: Variance from minimum building height size.



OVERVIEW

The applicant is seeking to build homes on each of these four lots. One variance is sought:

1. Reduction in minimum building height.

DEFINITION

BUILDING HEIGHT – The vertical distance measured from the average elevation of the proposed finished grade at the front of the Building to the highest point of the roof for flat roofs, to the highest deck line of Mansard Roofs, and to the highest mean height between eaves and ridges of the same portion of roof for gable, hip, and gambrel roofs.

PRIOR BZA ACTION

On October 17, 2023, the Board of Zoning Appeals approved variances from minimum lot size and frontage requirements to permit the subdivision of two parcels into four buildable lots.

OLD TOWN RESIDENTIAL ZONING DISTRICT

The Zoning Ordinance describes the Old Town Residential (OT-R) District as:

Purpose. The purpose of the OT-R District is to **recognize existing and older residential neighborhoods** within the City of Charles Town that are characterized as having **smaller Lots, smaller Setbacks,** traditional grid Street pattern and access by Street or alley. These provisions for the OT-R District are designed to **protect the character** of these residential neighborhoods while **permitting their maintenance and improvement.** These standards also seek to encourage **sensitively designed infill** in keeping with the existing character of the OT-R District.

To maintain the scale and design of Buildings currently existing in OT- R District, it is important the **scale and design** of **surrounding Buildings** be **taken into consideration when proposing** additions and **new Buildings**. The OT-R District also promotes interaction among activities located within the entire Old Town District area, which includes both the OT-R and Old Town Mixed Use Commercial District.

The purpose of such interaction is to further enhance business vitality, reduce vehicular traffic, increase access to and the use of transit services, provide employment opportunities for residents close to home, ensure the compatibility among and between residential and downtown Commercial Uses, and ensure the appearance and effects of Buildings and Uses are harmonious with the character of the area in which they are located by:

1. Preserving and restoring the overall character of the Zoning District;

2. Promoting a balance of land Uses;

3. Promoting the opportunity for people to work, interact, shop, dine, and utilize business and public services in the vicinity of their residences;

4. Promoting a positive pedestrian environment in the Zoning District;

5. Facilitating integrated physical design;

6. Promoting a high level of design quality; and

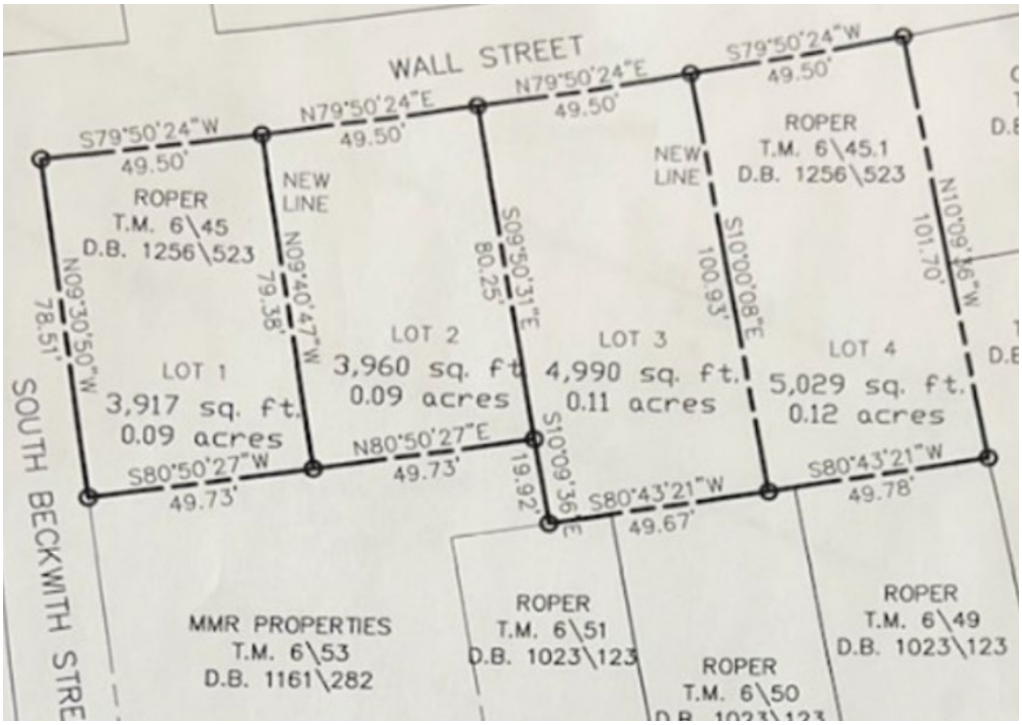
7. Facilitating development proposals responsive to current and future market conditions

Table 1322.11, OT-R District Bulk and Area Regulations

Maximum Density	
Minimum Lot Size	
Existing Lot of Record	No Minimum Lot Size
For Newly Created Lots the Following Standards Shall Apply:	
Single-Family Detached Dwelling	10,000 square feet
Duplex Dwelling	6,000 square feet
Multi-Family Dwelling	20,000 square feet
Townhouse Dwelling	2,000 square feet
Group Home	10,000 square feet
All Other	20,000 square feet
Minimum Lot Width	
Existing Lot of Record	No Minimum Lot Width[3]
Single-Family Detached Dwelling	70 feet
Two-Family Dwelling	80 feet
Duplex Dwelling	40 feet
Multi-Family Dwelling	100 feet
Townhouse Dwelling	18 feet
Group Home	70 feet
All Other	100 feet
Minimum Front Yard Setback	20 feet or Front Setbacks shall vary no more than 10% from the average Setbacks of the three Adjacent Properties to each side.[5]
Minimum Side Yard Setback	10 feet[1]
Minimum Rear Yard Setback	20 feet
Maximum Lot Coverage	70 percent
Minimum Building Height	Minimum = 24 feet or 1.5 stories
Maximum Building Height	35 feet (55 feet for Multi-Family)[2]
Maximum Stories	3 stories (4 stories for Multi-Family)

PARCELS

A view of the parcels as four subdivided lots.



VARIANCES

A variance is a relaxation of the terms of the Zoning Ordinance where the Board of Zoning Appeals makes the findings specified in Zoning Ordinance Section 1321.11; a deviation from the minimum standards of the Zoning Ordinance and shall not involve permitting land Uses that are otherwise prohibited in the Zoning District nor shall it involve changing the Zoning District classification of a parcel of land. W.Va. Code Chapter 8A-7-11.

REVIEW CRITERIA

In order to issue a Variance, the Board must make the following written findings regarding the following:

A. *Will not adversely affect the public health, safety or welfare, or the rights of Adjacent Property Owners or residents;*

The minimum building size is 25 ft./1.5 stories. The applicant is seeking a minimum building height of 14 ft.

The requested building height is not unprecedented for this neighborhood. There are 10 other homes in the immediate neighborhood which are one story and similar in height to what is proposed:

1. 128 E. Wall St.
2. 130 E. Wall St.
3. 136 E. Wall St.
4. 702 Beckwith St.
5. 703 Beckwith St.
6. 705 Beckwith St.
7. 706 Beckwith St.
8. 134 Shutter St.
9. 136 Shutter St.
10. 138 Shutter St.

Adjacent homes on Samuel Street are more likely to be two stories, but homes on Beckwith and E. Wall St. are more likely to be one story.

There is no adverse effect to public health, safety, or welfare created by this variance, nor will it affect the rights of adjacent property owners or residents.

B. *Arises from special conditions or attributes which pertain to the property for which a Variance is sought and which were not created by the Person seeking the Variance;*

The applicant has created neither a hardship nor special conditions. The applicant seeks to construct homes whose height would be keeping in with the neighborhood design of less than two stories.

C. *Would eliminate an Unnecessary Hardship and permit a reasonable Use of the land;*

The proposed variance would allow for small single family detached homes to be built upon small lots, within an existing residential neighborhood.

D. *Will allow the intent of the Zoning Ordinance to be observed and substantial justice done.*

Per the OT-R *Purpose* statement:

"*The purpose of the OT-R District is to recognize existing and older residential neighborhoods within the City of Charles Town that are characterized as having smaller Lots, smaller Setbacks, traditional grid Street pattern and access by Street or alley.*

These provisions for the OT-R District are designed to protect the character of these residential neighborhoods while permitting their maintenance and improvement. These standards also seek to encourage sensitively designed infill in keeping with the existing character…"

The applicant's requested variance is in accordance with the intent of the Zoning Ordinance to provide sensitively designed infill in a residential neighborhood.

CONCLUSION

The applicant is seeking the following variances:

	Required	**Proposed**	**Variance**
Minimum Height	25 ft./1.5 stories	14 ft.	11 ft.

RECOMMENDATION

Approval.

BZA Variance No. _____

RECEIVED
JAN 31 2024
BY: VB

Board of Zoning Appeals

Application for Variance

To assist staff in the review of a variance application to the Board of Zoning Appeals (BZA), the applicant must supply all of the information contained in this application form. This application must be signed by **all owners** of the real estate which is the subject of the application. The owners may designate one or more professional agents to represent them in the application process using the spaces provided on this form.

Incomplete applications will be subject to scheduling delay. Applicants are encouraged to meet with staff prior to filing. A public hearing will be scheduled within 45 days of the receipt of a completed application.

Approval of a variance by the BZA does not relieve the applicant from other requirements including, but not limited to, signs, building, zoning and use permits or site plans.

As part of this application, the following must be provided:

1. $150.00 Application Fee.
2. A plat or building location survey of the subject property drawn to scale (see requirements below on Page 3).
3. As applicable, Building Permit, Zoning Permit, and Sign Permit Applications. Site plans (where applicable) may be submitted after the BZA application has been approved at the public hearing.

It is the **applicant's responsibility** to make a good-faith effort to provide the Zoning Administrator, as applicable, with a current list containing the accurate names and mailing addresses of all interested parties. For purposes of this provision, "interested parties" shall mean Landowners of Adjacent Property. The applicant shall provide the addresses in order to comply with Section 1321.10.G of the Zoning Ordinance.

Legal Notices

The following shall occur at least 15 days prior to the Public Hearing: notice of the hearing shall be advertised by the Board of Zoning Appeals as a Class I legal advertisement in the local newspaper, posting of a sign upon the property, and letters to adjacent and confronting land owners within 100 feet of the subject property.

Definition of a Variance

A variance is a deviation from the minimum standards of the zoning ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district nor shall it involve changing the zoning classifications of a parcel of land.

The Charles Town Zoning Ordinance

A relaxation of the terms of the Zoning Ordinance where the Board of Zoning Appeals makes the findings specified in Section 1321.11(E)(3); a deviation from the minimum standards of the Zoning Ordinance and shall not involve permitting land Uses that are otherwise prohibited in the Zoning District nor shall it involve changing the Zoning District classification of a parcel of land. W.Va. Code Chapter 8A-7-11.

The West Virginia State Code

Section 8A-7-11 of the Code of West Virginia further provides that:

The Board of Zoning Appeals shall grant a variance to the Zoning Ordinance if it finds that **all** of the following can be met and the variance:

1. Will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
2. Arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance;
3. Would eliminate an unnecessary hardship and permit a reasonable use of the land; **and**
4. Will allow the intent of the zoning ordinance to be observed and substantial justice done.

Plat Requirements

A plat or building location survey must contain the following information in order for the property to be thoroughly evaluated for conformance with all City Ordinances:

1. Plat must be drawn to scale.
2. Name of Engineer, Surveyor, or Architect who prepared plat.
3. Signature and Seal of Engineer, Surveyor, or Architect.
4. Date of plat and dates of any revisions.
5. Legend/Table on plat listing the following:
   a. Zoning of Subject Parcel
   b. Zoning of Subject Parcel
   c. Tax Map and Parcel Number
   d. Parcel Address
   e. Owner/Applicant's name and address
   f. Scale
6. North Arrow.
7. Parcel boundaries showing bearings and distances.
8. Size of parcel.
9. Location and dimensions of all existing and/or proposed buildings including accessory structures and additions.
10. Height and number of stories for all structures, if applicable.
11. Location of existing and/or proposed easements and well and septic where applicable.
12. Location of Floodplain where applicable.
13. Parking spaces/parking lots with calculations showing what is required and proposed, if applicable.
14. All setbacks in table format and drawn on the plat including what is required versus what is existing/proposed.
15. Landscaping as required in the Zoning Ordinance, if applicable.
16. Names of adjacent streets.
17. Tax Map/Parcel numbers and uses for all adjacent parcels, including those across the street/road.
18. List with any documentation of any previously approved variances, special exceptions, appeals, court decisions, conditions, proffers, or waivers granted for the subject property.
19. Any additional items deemed necessary by the Zoning Administrator.

BZA Variance No. _____

1. DATE January 31, , 2024

2. APPLICANT'S NAME* Mark Roper

   Address: 418 S. Samuel Street Charles Town, WV 25414

   Telephone Number (304)724-8877 Fax Number ( )

   Email Address mrconstructionwv@gmail.com

3. PROPERTY OWNER'S NAME Mark Roper Construction, LLC.

   Address: 418 S. Samuel Street Charles Town, WV 25414

   Telephone Number (304)724-8877 Fax Number ( )

   Email Address mrconstructionwv@gmail.com

4. LEGAL DESCRIPTION OF THE SUBJECT PROPERTY (List all parcels that apply)

   Property Address: 2 vacant lots - no address - Fronting on Wall St.

   Tax Map # and Parcel(s): Map 6 Parcels 45 and 45.1

   Deed Book and Page #: 1256/523

   Property Area in Square Feet or Acres: Parcel 45 - 9,030 sq. ft. Parcel 45.1 - 11,872 sq. ft.

5. DESCRIPTION OF THE EXISTING (OR FORMER) USE(S) OF THE PROPERTY AND CURRENT ZONING:

   Existing properties are vacant. Zoning is Old Town Residential.

6. DESCRIPTION OF THE PROPOSED USE(S) OF THE PROPERTY: (Include the hours of operation and the activities to be conducted on the site. Be as specific about your proposed use as possible.)

   Proposal is to create four (4) buildable lots with a single-family detached home on each lot.

*Applicants include: Property owner(s), Engineer(s), Surveyor(s), or Consultant(s)

7. DESCRIPTION OF ANY PROPOSED WORK TO BE DONE TO THE PROPERTY: (i.e. – building additions, ADA compliance, etc.)

   See attached.

8. DESCRIPTION OF THE VARIANCE REQUEST:

   See attached.

9. LIST THE APPLICABLE SECTION(S) OF THE ZONING ORDINANCE FROM WHICH THE VARIANCE IS REQUESTED:

   See attached.

10. IS THIS REQUEST CONSISTENT WITH THE PURPOSE AND INTENT OF THE CITY OF CHARLES TOWN ZONING ORDINANCE? Why or why not?

    See attached.

11. IN YOUR OPINION, WOULD THE VARIANCE ADVERSELY AFFECT THE PULIC HEALTH, SAFETY OR WELFARE, OR THE RIGHTS OF ADJACENT PROPERTY OWNERS OR RESIDENTS?

    See attached.

12. IN YOUR OPINION, EXPLAIN HOW THE VARIANCE REQUEST ARISES FROM SPECIAL CONDITIONS OR ATTRIBUTES WHICH PERTAIN TO THE PROPERTY FOR WHICH A VARIANCE IS SOUGHT AND WHICH WERE NOT CREATED BY THE PERSON SEEKING THE VARIANCE:

See attached.

13. IN YOUR OPINION, HOW WOULD GRANTING THE VARIANCE ELIMINATE AN UNNECESSARY HARDSHIP AND PERMIT A REASONABLE USE OF THE LAND?

See attached.

14. IN YOUR OPINION, WOULD THE VARIANCE ALLOW THE INTENT OF THE ZONING ORDINANCE TO BE OBSERVED AND SUBSTANTIAL JUSTICE DONE?

See attached.

15. HAS THE PROPERTY BEEN THE SUBJECT OF ANY COURT ACTION?

☐ Yes (Please specify nature of all proceedings and current status and attach any documents showing court decisions, etc.)

N/A

☒ No

16. PARCEL HISTORY (List all pending or previously approved applications on the subject parcels inventoried above, including previous site plan applications if this application is a site plan amendment)
Con

Application No.	Project Name and Phase	Status	Approval Date
BA 2023-05	Wall St. Parcels 45 & 45.1	Approved	October 17, 2023

17. INTERESTED PARTY ADDRESSES, FOR PUBLIC NOTICE (including across street) (Interested parties are defined as adjacent properties within 100 feet).

Owner	# and Street	City, State, Zip
See attached.		

BZA Variance No. _____

APPLICANT CERTIFICATION

I certify that, to the best of my knowledge, the submitted information and statements are true and correct. I also certify that I have received and read Article 1321 and relevant provisions of the Charles Town Zoning Ordinance outlining the City's Board of Zoning Appeals application and approval procedures.

Signature of Applicant

_____ Date 1-31-24

Signature of Owner(s) (If different than Applicant)

_____ Date _____

Please submit an original completed petition to the following:

Zoning Administrator
City of Charles Town
101 E. Washington Street
Charles Town, WV 25414

FOR CITY USE ONLY

Application Number:_____ Date Application Received:_____

Zoning District: _____

Fee: $_____ Check No._____ Receipt No._____

BZA Hearing Date:_____ Decision:_____

Comments:_____

_____

_____

_____

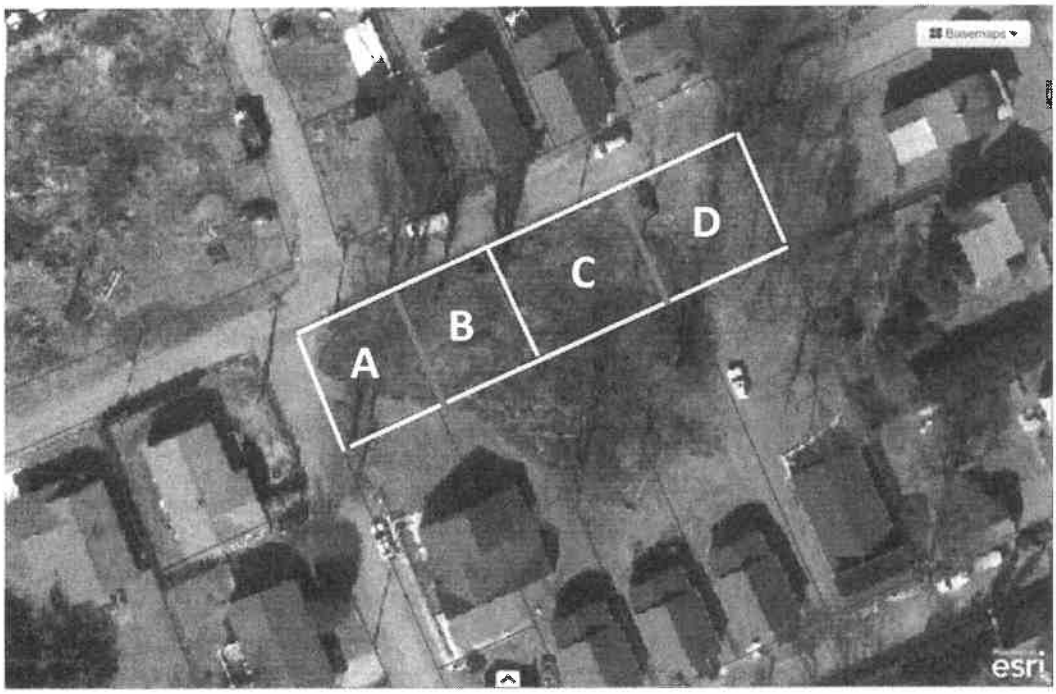
_____

Wall St. Variance Request – Minimum Height Reduction

7. DESCRIPTION OF ANY PROPOSED WORK TO BE DONE TO THE PROPERTY:

See image of the proposed activity below.

- On October 17, 2023, the Board of Zoning Appeals (BZA) approved the boundary line adjustment of these lots. The plat for this adjustment has been recorded.
- The applicant is going to build 4 single family homes on the lot.
- As noted in the prior BZA application, the applicant will be providing off-street parking.



8. DESCRIPTION OF THE VARIANCE REQUEST:

- Applicant is requesting a variance to:
  - The minimum house height as required by the zoning ordinance is 24 feet or 1.5 stories. The applicant is requesting that to be reduced to 14 feet for a reduction of 10 feet.

9. LIST THE APPLICABLE SECTION(S) OF THE ZONING ORDINANCE FROM WHICH THE VARIANCE IS REQUESTED:

Standards found in Table 1322.11, OT-R District Bulk and Area Regulations, variance of the minimum house height of 24 or 1.5 stories.

10. IS THIS REQUEST CONSISTENT WITH THE PURPOSE AND INTENT OF THE CITY OF CHARLES TOWN ZONING ORDINANCE? Why or why not?

The purpose and intent of the zoning ordinance is to have reasonable separation of uses and activity. The granting of the variances will maintain and achieve that purpose and intent. The minimum house height is required to be 24 feet or 1.5 stories. In this location there are very few 1.5 or even 2 story homes. A reduction to 14 feet would be in keeping with the neighborhood.

11. IN YOUR OPINION, WOULD THE VARIANCE ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY OR WELFARE, OR THE RIGHTS OF ADJACENT PROPERTY OWNERS OR RESIDENTS?

The variance will not impact the public health, safety, welfare and the rights of adjacent property owners and residents. Granting the waiver will have no net change or impact upon the adjacent property owners, citizens, and residents.

12. IN YOUR OPINION, EXPLAIN HOW THE VARIANCE REQUEST ARISES FROM SPECIAL CONDITIONS OR ATTRIBUTES WHICH PERTAIN TO THE PROPERTY FOR WHICH A VARIANCE IS SOUGHT AND WHICH WERE NOT CREATED BY THE PERSON SEEKING THE VARIANCE:

As detailed in the prior variance for these lots, the applicant noted that the topography of this location was a hardship and "Providing for the four lots allows for the terracing or sloping of the lots, as has been done across the street. This will ensure that any of the proposed homes on a lot does not loom over the neighborhood. If the lots were to remain as they are, no proper layout and grading would be needed and this would result in homes that would create a dominating appearance in the neighborhood."

In this regard and to further ensure that these proposed structures do not loom or dominate over the single-family homes that are predominate in this location, it benefits the first variance to also provided a reduction in the house height in this variance. The layout and existing patterns in this neighborhood is the uniqueness that provides justification of this variance request.

The minimum house height is required to be 24 feet or 1.5 stories. In this location there are not a many 1.5 or even 2 story homes. A reduction to 14 feet would be in keeping with the neighborhood.

13. IN YOUR OPINION, HOW WOULD GRANTING THE VARIANCE ELIMINATE AN UNNECESSARY HARDSHIP AND PERMIT A REASONABLE USE OF THE LAND?

The variance would eliminate an unnecessary hardship and allow for reasonable use of the land. As noted above, the uniqueness is based on the nature of the one-story homes that are characteristics of the neighborhood and the topography of the area.

14. IN YOUR OPINION, WOULD THE VARIANCE ALLOW THE INTENT OF THE ZONING ORDINANCE TO BE OBSERVED AND SUBSTANTIAL JUSTICE DONE?

Yes. The intent of the ordinance is to allow reasonable use and activity on an existing lot of record. Granting this variance would fulfill the intent of the Zoning Ordinance. A reduction in height, in this particular location, will have no impact upon the intent of the Zoning Ordinance. Substantial justice would be achieved since the applicant's requested variance is the minimum possible. Further, the goals detailed in the Comprehensive Plan is to support infill development in the existing residential neighborhood districts. Also, the goal of the city is to reduce vacant

structures and vacant lots and put those uses into productive use. This request addresses multiple public policy goals.

17. INTERESED PARTY ADDRESSES, FOR PUBLIC NOTICE

Owner	# and Street	City, State, Zip
CREEDON MELANIE A ET AL	706 S SAMUEL ST	CHARLES TOWN, WV 25414
CURRAN MARY ELLEN & THERESA A	704 S SAMUEL ST	CHARLES TOWN, WV 25414
ORNDORFF RICHARD R & DOROTHY E	PO BOX 571	CHARLES TOWN, WV 25414
TRAINOR EDWARD J-EST	636 S SAMUEL ST	CHARLES TOWN, WV 25414
WALCH JAMES V & DIANNA L	634 S SAMUEL ST	CHARLES TOWN, WV 25414
LUTMAN LAND DEVELOPMENT LLC	412W BURR BLVD	KEARNEYSVILLE, WV 25430
MOORE DONALD S & SHIRLEY D	706 S BECKWITH ST	CHARLES TOWN, WV 25414
CRAMER KIRK D JR & JAY S FIFER-TRS	352W PATRICK ST	FREDERICK, MD 21701
WINSTON NATHANIEL G ESTATE	PO BOX 1027	CHARLES TOWN, WV 25414

Board of Zoning Appeals
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/19/24
Department: Board of Zoning Appeals
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

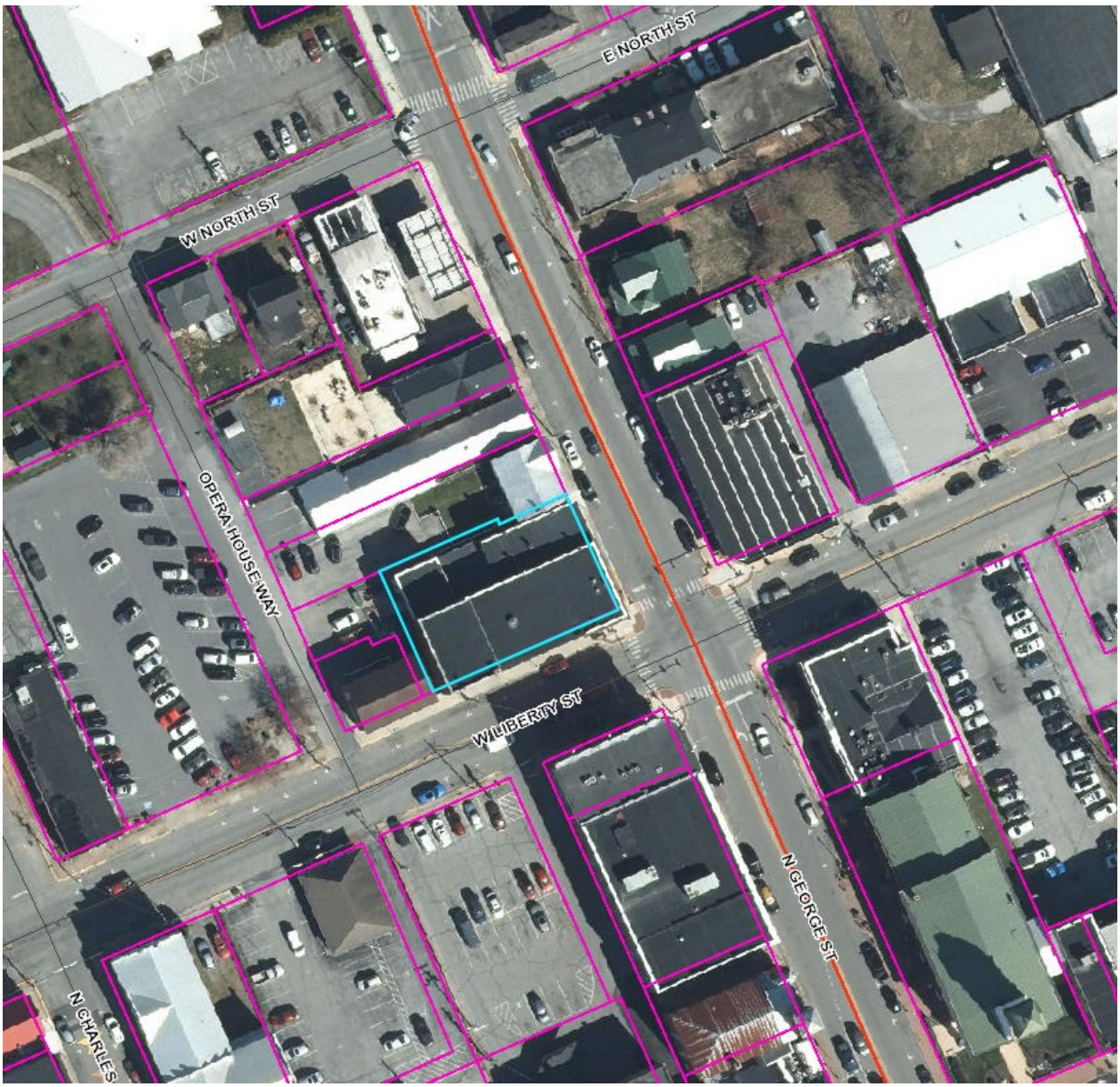
BA2024-02: *Old Opera House* - Variance for signage

ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Application.pdf
- 3. Narrative.pdf
- 4. Sign Design.pdf
- 5. Design Context.pdf
- 6. WVDoH Review.pdf

Public Hearing – Variance Request
BA-2024-02

Date: For the March 19, 2024 Board of Zoning Appeals meeting
Applicant: Old Opera House Theatre Co. Inc.
Property Owner: Old Opera House Theatre Co. Inc.
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Location: 204 N. George St. , Tax District 3/Map 2A/Parcel 2
Proposal: Variance from sign location and size requirements



The property of 204 N. George St. is located within the Historic Overlay District.

OVERVIEW

The applicant is seeking to install a projecting sign. Two variances are sought:

1. Signage size
2. Signage location

HISTORIC LANDMARKS COMMISSION

This item went before the Historic Landmarks Commission on February 12, 2024.The signage was approved subject to three conditions:

1. That the Historic Landmarks Commission approval is contingent upon approval of all required variances.
2. The lighting shall be static, and not subject to motion, blinking, or other similar changes.
3. If the sign is determined to be hazardous to traffic, then it shall be modified or removed if required or requested by the West Virginia Department of Transportation.

OLD TOWN RESIDENTIAL ZONING DISTRICT

The Zoning Ordinance describes the Old Town Residential (OT-R) District as:

The purpose of the OT-MUC District is to recognize the diversity of existing Uses and provide for a wide range of Uses in a manner that strengthens Charles Town's urban core, contributes to its historic character, minimizes impacts on adjacent land Uses, and provides connections to annexed properties. The OT-MUC District shall include the areas formerly consisting of NC, OR, GC, CBD, and I Districts. The OT-MUC District will accommodate the Uses previously allowed in the individual districts because the OT-MUC District is designed to provide the flexibility and variety in one Zoning District that was previously provided by five districts.

The OT-MUC District furthermore fosters a greater opportunity for creative Infill Development and Redevelopment by encouraging a mix of Uses compatible with existing and neighboring properties and providing housing and business Uses in locations where City services are available. The intent is also to encourage interaction among activities located within the OT-MUC District, to enhance business vitality, reduce vehicular traffic, increase access to and the use of transit services, provide employment opportunities for residents close to home, ensure the compatibility with each of the Commercial and residential Uses, ensure that the appearance and effects of Buildings and Uses are harmonious with the character of the area in which they are located by:

1. Allowing a diversity of Uses in close proximity in the OT-MUC District within a limited area, including residential, retail, office, and industrial;

2. Preserving and restoring the overall character of the OT-MUC District;

3. Promoting a balance of land Uses;

4. Promoting the opportunity for people to work, interact, shop, dine, and utilize business and public services in the vicinity of their residences;

5. Providing opportunities for the development of affordable housing;

6. Providing opportunities for a mixture of Uses in the same Building;

7. Promoting a positive pedestrian environment in the OT-MUC District;

8. Facilitating integrated physical design;

9. Promoting a high level of design quality;

10. Encouraging the development of flexible space for small and emerging businesses;

11. Facilitating development proposals responsive to current and future market conditions; and

12. Encouraging the development of Open Spaces and Parks within the OT-MUC District to accommodate workers, residents, pedestrians and shoppers;

DEFINITION

Projecting Sign – *A Sign which projects from a Structure into a vehicular or pedestrian access way, more than one foot from the surface on which it is mounted, and is mounted usually, but not always, at right angles to the Building.*



PROPOSED SIGNAGE DESIGN

MATERIAL: Aluminum frame, plastic skin, sheet metal "as necessary."

SIZE:
Height: 14 ft.
Width: 5t.
Depth: 1 ft.
Projecting distance: 18 inches or less. Far edge of sign would be at most 6 ft 6 inches from edge of building.



ORDINANCE SIGNAGE REQUIREMENTS

The maximum permitted Sign area, location, characteristics, and number of Projecting or Suspended Signs shall be determined in accordance with Tables 1324.06A, 1324.06B, and 1324.06C. The following additional regulations shall apply to Projecting or Suspended Signs:

A. *A Projecting or Suspended Sign shall include only the address and name of occupant.*

This criteria is **met.**

B. *A Projecting or Suspended Sign shall not extend more than five (5) feet into the public right-of-way. In no case shall a Projecting or Suspended Sign be permitted to encroach over a motorized Vehicle travel way such as a public or private Street, alley, or Driveway. If such a Sign is suspended or projects above a public right-of- way, the issuance and continuation of a*

Sign Permit shall be conditioned on the sign owner obtaining, and maintaining in force, liability insurance in an amount of not less than $500,000 per occurrence per Sign.

The distance criteria is **not met.** The sign will project up 6.6 ft from the building and into the public right-of-way. However, per the Division of Highways, this does not present a safety issue.

For the insurance requirement, the applicant's insurance agent states: "*The liability coverage you have under Farmers & Mechanics Insurance Co., Policy #COM00102533 will extend to an exterior sign. Your limits are $1 million per occurrence / $2 million aggregate*."

C. *Projecting signs in the OT-MUC Zoning District may be up to 6 sq. ft. in area.*

This criteria is **not met;** the proposed sign is 70 sq. ft in area.

WVDOH REVIEW

The applicant provided an email from West Virginia Division of Highway District 5 Engineer Lee Thorne dated June 13, 2023 stating:

1. It is our understanding that the marquee sign is proposed to be placed on the side of the building that runs parallel with W. Liberty St. Our understanding is that this is not a DOH maintained roadway, so the sign would not encroach on our right-of-way.

2. A review by the outdoor advertising section was requested. It appears that what is being proposed is a lighted static type sign and this is acceptable. If a full digital sign were proposed, only on premise activities could be displayed. In addition, the sign cannot display flashing or moving images.

3. Care should be taken regarding the specific placement to ensure that the sign does not interfere with the view of the pedestrian crossing indicator. This is particularly critical for those crossing from the NE corner to the NW corner.

4. It does not appear that the sign placed as proposed would interfere with any of the traffic signal mounted detection systems.

As long as the applicable comments above are appropriately taken into consideration, there is no objection with the installation of the marquee sign.

VARIANCES

A variance is a relaxation of the terms of the Zoning Ordinance where the Board of Zoning Appeals makes the findings specified in Zoning Ordinance Section 1321.11; a deviation from the minimum standards of the Zoning Ordinance and shall not involve permitting land Uses that are otherwise prohibited in the Zoning District nor shall it involve changing the Zoning District classification of a parcel of land. W.Va. Code Chapter 8A-7-11.

REVIEW CRITERIA

In order to issue a Variance, the Board must make the following written findings regarding the following:

A. *Will not adversely affect the public health, safety or welfare, or the rights of Adjacent Property Owners or residents;*

Sign size and ROW Extension – joint response.
The proposed sign is a commercial sign within the commercial downtown. It will be suspended 11.5 ft. above ground level. It will not block the sidewalk, will not block line-of-sight for traffic, and does not present a danger to the health, safety, or welfare of the public.

B. *Arises from special conditions or attributes which pertain to the property for which a Variance is sought and which were not created by the Person seeking the Variance;*

Sign size and ROW Extension – joint response.
The applicant has created neither a hardship nor special conditions.; the structure dates from 1912 and was used as a movie theater and is now used for stage performances.

C. *Would eliminate an Unnecessary Hardship and permit a reasonable Use of the land;*

Sign size and ROW Extension – joint response.
This particular type of sign, a 'marquee' sign, is traditionally found attached to a theater with the intention of being brightly lit and visible for the public. This item has been reviewed and approved by the Historic Landmarks Commission.

D. *Will allow the intent of the Zoning Ordinance to be observed and substantial justice done.*

Per the OT-MUC *Purpose* statement:

The purpose of the OT-MUC District *is to recognize the diversity of existing Uses and provide for a wide range of Uses in a manner that* ***strengthens*** *Charles Town's* ***urban core****,* ***contributes to its historic character****, minimizes impacts on adjacent land Uses, and provides connections to annexed properties…*

The intent is also to encourage interaction among activities located within the OT-MUC District, to ***enhance business vitality****, reduce vehicular traffic, increase access to and the use of transit services, provide employment opportunities for residents close to home, ensure the compatibility with each of the Commercial and residential Uses,* ***ensure that the appearance and effects of Buildings and Uses are harmonious with the character of the area*** *in which they are located by:*

…
2. ***Preserving*** *and restoring* ***the overall character*** *of the OT-MUC District;*
…
4. ***Promoting*** *the* ***opportunity*** *for people to work, interact, shop, dine, and* ***utilize business*** *and public services in the vicinity of their residences;*
…
7. Promoting a ***positive pedestrian environment*** *in the OT-MUC District;*
…
9. Promoting ***a high level of design*** *quality;*

The applicant's requested variance is in accordance with the intent of the Zoning Ordinance to provide a business enhancing, visually striking, and historically accurate marquee sign.

CONCLUSION

The applicant is seeking the following variances:

	Required	Proposed	Variance
Sign Size	6 sq. ft.	70 sq. ft.	64 sq. ft.
ROW Extension	5 ft	6.6 ft.	1.6 ft.

This is not a standard business sign; it is a unique sign for a unique use, and the requested variances are reasonable requests.

RECOMMENDATION

Approval subject to conditions:

1. The lighting shall be static, and not subject to motion, blinking, or other similar changes.
2. If the sign is determined to be hazardous to traffic, then it shall be modified or removed if required or requested by the West Virginia Department of Transportation.

BZA Variance No. _____

RECEIVED
FEB 05 2024
BY: VB

Board of Zoning Appeals

Application for Variance

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Incomplete applications will be subject to scheduling delay. Applicants are encouraged to meet with staff prior to filing. A public hearing will be scheduled within 45 days of the receipt of a completed application.

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It is the **applicant's responsibility** to make a good-faith effort to provide the Zoning Administrator, as applicable, with a current list containing the accurate names and mailing addresses of all interested parties. For purposes of this provision, "interested parties" shall mean Landowners of Adjacent Property. The applicant shall provide the addresses in order to comply with Section 1321.10.G of the Zoning Ordinance.

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The following shall occur at least 15 days prior to the Public Hearing: notice of the hearing shall be advertised by the Board of Zoning Appeals as a Class I legal advertisement in the local newspaper, posting of a sign upon the property, and letters to adjacent and confronting land owners within 100 feet of the subject property.

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The Charles Town Zoning Ordinance

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The West Virginia State Code

Section 8A-7-11 of the Code of West Virginia further provides that:

The Board of Zoning Appeals shall grant a variance to the Zoning Ordinance if it finds that **all** of the following can be met and the variance:

1. Will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
2. Arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance;
3. Would eliminate an unnecessary hardship and permit a reasonable use of the land; **and**
4. Will allow the intent of the zoning ordinance to be observed and substantial justice done.

BZA Variance No. _____

Plat Requirements

A plat or building location survey must contain the following information in order for the property to be thoroughly evaluated for conformance with all City Ordinances:

1. Plat must be drawn to scale.
2. Name of Engineer, Surveyor, or Architect who prepared plat.
3. Signature and Seal of Engineer, Surveyor, or Architect.
4. Date of plat and dates of any revisions.
5. Legend/Table on plat listing the following:
   a. Zoning of Subject Parcel
   b. Zoning of Subject Parcel
   c. Tax Map and Parcel Number
   d. Parcel Address
   e. Owner/Applicant's name and address
   f. Scale
6. North Arrow.
7. Parcel boundaries showing bearings and distances.
8. Size of parcel.
9. Location and dimensions of all existing and/or proposed buildings including accessory structures and additions.
10. Height and number of stories for all structures, if applicable.
11. Location of existing and/or proposed easements and well and septic where applicable.
12. Location of Floodplain where applicable.
13. Parking spaces/parking lots with calculations showing what is required and proposed, if applicable.
14. All setbacks in table format and drawn on the plat including what is required versus what is existing/proposed.
15. Landscaping as required in the Zoning Ordinance, if applicable.
16. Names of adjacent streets.
17. Tax Map/Parcel numbers and uses for all adjacent parcels, including those across the street/road.
18. List with any documentation of any previously approved variances, special exceptions, appeals, court decisions, conditions, proffers, or waivers granted for the subject property.
19. Any additional items deemed necessary by the Zoning Administrator.

BZA Variance No. _____

1. DATE Feb 5, 2024

2. APPLICANT'S NAME* Old Opera House Theatre Co, Inc.

   Address: 204 N. George Street, Charles Town, WV 25414

   Telephone Number (304) 725-4420 Fax Number ( )

   Email Address ooh@oldoperahouse.org

3. PROPERTY OWNER'S NAME Same as above

   Address:

   Telephone Number ( ) Fax Number ( )

   Email Address

4. LEGAL DESCRIPTION OF THE SUBJECT PROPERTY (List all parcels that apply)

   Property Address: 204. N. George St, Charles Town, WV 25414

   Tax Map # and Parcel(s): 03 2A002200000000

   Deed Book and Page #: 362/215

   Property Area in Square Feet or Acres: 0.1808

5. DESCRIPTION OF THE EXISTING (OR FORMER) USE(S) OF THE PROPERTY AND CURRENT ZONING:

   Community theatre and arts center, Zoned Commercial Use

6. DESCRIPTION OF THE PROPOSED USE(S) OF THE PROPERTY: (Include the hours of operation and the activities to be conducted on the site. Be as specific about your proposed use as possible.)

   No change to existing use or zoning status. Property is generally open 10a to 10p, 7 days a week with variation.

   For purposes of this request, it is to add a marquee blade sign to the corner of Liberty and N. George. Sign will be lit from 1 hour before event to no later than 30 minutes after event (generally 7p-10p and 1:30p to 5p on Sunday) only when there is an event in the theatre.

*Applicants include: Property owner(s), Engineer(s), Surveyor(s), or Consultant(s)

BZA Variance No. _____

7. DESCRIPTION OF ANY PROPOSED WORK TO BE DONE TO THE PROPERTY: (i.e. – building additions, ADA compliance, etc.)

This work is add a marquee blade sign on the corner of Liberty and N. George St. at approximately 12' above the sidewalk. The roof and HVAC systems are being replaced in 2024, but neither will cause any noticeable change to the building.

8. DESCRIPTION OF THE VARIANCE REQUEST:

This request is to install a blade sign on the corner of Liberty and N George St. This sign will be a theatrical marquee blade style sign that will be no larger than 14' Tall, 5' wide, and 1' thick to be located starting approx 12' above sidewalk at a 45 degree angle to building corner approx 18" off the building This sign will be internally lit (glowing edge letters, not backlit) with theater marquee style exposed light bulbs around outside of sign. Submitted images show the planned sign at about 80% complete and if approved, a final image would be submitted for approval prior to construction

9. LIST THE APPLICABLE SECTION(S) OF THE ZONING ORDINANCE FROM WHICH THE VARIANCE IS REQUESTED:

City of Charles Town Sign Design Guide Zoning Ordance Part 13, Article 1324 of CT Code

10. IS THIS REQUEST CONSISTENT WITH THE PURPOSE AND INTENT OF THE CITY OF CHARLES TOWN ZONING ORDINANCE? Why or why not?

Yes. This is a sign outside of listed standards for the city, but well within the shape, size, and style consistent with other theaters of similar age, size, and historical importance around West Virginia and US. Zoning is overall a plan to keep uses of space appropriate to the overall community, safe, and respectful of all. This blade sign is correct for a theater, is safe, and will benefit the town with expected improved downtown engagement.

11. IN YOUR OPINION, WOULD THE VARIANCE ADVERSELY AFFECT THE PULIC HEALTH, SAFETY OR WELFARE, OR THE RIGHTS OF ADJACENT PROPERTY OWNERS OR RESIDENTS?

No, there are no directly adjacent property owners to the sign location. One corner is a county property that close prior to any shows. Second corner is a law office also closed prior to shows. Remaining corner is a salon also usually closed prior to shows. During day/no show, sign lighting will only be glowed letters or off in daylight. Sign is over 12' above sidewalk and not accessible so will have no impact on safety, right of way, or public health

BZA Variance No. _____

12. IN YOUR OPINION, EXPLAIN HOW THE VARIANCE REQUEST ARISES FROM SPECIAL CONDITIONS OR ATTRIBUTES WHICH PERTAIN TO THE PROPERTY FOR WHICH A VARIANCE IS SOUGHT AND WHICH WERE NOT CREATED BY THE PERSON SEEKING THE VARIANCE:

Marquee signs are unique to theaters and immediately recognizable as a theater to the public. This property has been a theater since 1911 and in continuous operation as such since 1973. Throughout the time the theater has been open, a variety of marquee signs have been on the building and one was planned for 1973, but held due to costs to rehab the building.

13. IN YOUR OPINION, HOW WOULD GRANTING THE VARIANCE ELIMINATE AN UNNECESSARY HARDSHIP AND PERMIT A REASONABLE USE OF THE LAND?

Yes, the property is a theater and this sign format is unique to theaters. It will allow out of town audiences to more easily find the theater and help continue to bring excitement to downtown Charles Town.

Of note: The OOH contacted the WV DOT and presented the sign plans for review. WV DOT expressed they did not feel the sign presented additional hardship to the drivers on N. George St.

14. IN YOUR OPINION, WOULD THE VARIANCE ALLOW THE INTENT OF THE ZONING ORDINANCE TO BE OBSERVED AND SUBSTANTIAL JUSTICE DONE?

Yes, this is a truly unique case. While the proposed sign is outside the parameters of general signage downtown, the OOH is the town's ONLY theater and a historic theater building. The proposed sign is in line with similar signs for similar theaters for similar towns in WV and MD. It is also a style of sign completely unique to theaters and is highly unlikely to want to be repeated by any other business in town. The rest of OOH signage follows town guidelines

15. HAS THE PROPERTY BEEN THE SUBJECT OF ANY COURT ACTION?

☐ Yes (Please specify nature of all proceedings and current status and attach any documents showing court decisions, etc.)

☒ No

BZA Variance No. _____

16. PARCEL HISTORY (List all pending or previously approved applications on the subject parcels inventoried above, including previous site plan applications if this application is a site plan amendment)

Application No.	Project Name and Phase	Status	Approval Date
None Pending, and none previous are known to exist at this time			

17. INTERESTED PARTY ADDRESSES, FOR PUBLIC NOTICE (including across street) (Interested parties are defined as adjacent properties within 100 feet).

Owner	# and Street	City, State, Zip
Paradise Business Comm. Assoc	120N. George St	Charles Town,WV 25414
Jefferson County Jail/Courthouse	100 E Washington St.	Charles Town, WV 25414
NPC Belden LLC	55 Saugatuck Ave, 1st Flr	WEstport, CT 06880
Aitcheson, Robert and Wanda	PO Box 188	Rippon, WV 25441
GLH Enterprises	22 Muirfield Ct	Charles Town, WV 25414
RLH Holdings	211 N. George St	Charles Town WV 25414
City of Charles Town (parking lot)	101 E Washington St.	Charles Town, WV 25414
United Bank	514 Market St	Parkersburg WV 26101
Jefferson Group, LLC	212 N George St	Charles Town, WV 25414

BZA Variance No. _____

APPLICANT CERTIFICATION

I certify that, to the best of my knowledge, the submitted information and statements are true and correct. I also certify that I have received and read Article 1321 and relevant provisions of the Charles Town Zoning Ordinance outlining the City's Board of Zoning Appeals application and approval procedures.

Signature of Applicant

Steve Brewer Date 2-4-2024

Signature of Owner(s) (If different than Applicant)

_____ Date _____

Please submit an original completed petition to the following:

Zoning Administrator
City of Charles Town
101 E. Washington Street
Charles Town, WV 25414

FOR CITY USE ONLY

Application Number:_____ Date Application Received:_____

Zoning District: _____

Fee: $_____ Check No._____ Receipt No._____

BZA Hearing Date:_____ Decision:_____

Comments:_____

_____

_____

_____

_____

February, 2024

Request for variation from Charles Town Sign Design Guide

In 2023, The Old Opera House (OOH) celebrated 50 years of operation as a cultural and artistic anchor for the City of Charles Town as well as Eastern Panhandle. In 1973, the work of this group took a building condemned for demolition and returned a community center that is one of the most active arts centers in WV and an economic engine for the City.

Since 1911, the building has had a variety of signs, awnings, and blade signs. The current wall sign on N. George Street is a variation on the most recuring ribbon sign, changing the original 'New Opera House' to 'Old Opera House' in 1973. It is passively illuminated by barn style arm lights. While this does work, it has limited visibility depending on how a patron approaches the building and nothing indicates a show is happening that evening.

The proposed theater marquee blade sign gives the OOH a focus point that has long been missing. When people think theatre, they often think of the colorful, well-lit signs with marquee lamps that attract attention and let the community know an event is happening. Additionally, for many towns, these signs become symbols of the community used in advertising and graphics. For a city that has had an immensely active theatre in it for 50 years (and over 110 as a theatre building), its has been far too long without this potentially iconic architectural element.

The OOH has already been in contact with the State Historic Preservation Office (SHPO) and continues to work with them on maintaining any needed historic considerations for the building for both State needs as well as the National Register of Historic Places designation. The same design packet attached was presented to SHPO and no concerns or issues were identified by the Agency to prevent advancing the project. As designed are revised and finalized, OOH will continue to work closely with SHPO on this project.

The attached design images and description are the basic plan for the sign, but not the final design. If the overall size, lighting plan, and placement are approved, the OOH and Quail Run will begin final design and can submit that imaging as part of the process. The goal of this sign is to look appropriate to a historic theatre and something that a passerby would assume has always been in place.

- Design: The sign proposed is a double-sided sign spelling out "Old Opera House" vertically down the sign. It would be suspended from the building on the corner of Liberty and N. George Street, pointed towards the Jefferson County Circuit Clerk/ Court House complex.
    - Arch of sign top and keystone are reflective of the existing window shapes of the building.
    - The lower portion of the sign shows "Parking in Rear" on the image, but will more likely be the repeat of the same reflective window arch that is the top element
- Materials: Sign will be an aluminum frame with composite plastic face panels to prevent rusting and fading. Sign elements are projected with a greater than 50-year lifespan.
- Color palette: White, black, dark red and gold to reflect the colors historically in use by the theatre.

- Illumination: LED lighting. Light tape will be hidden under solid elements of sign to glow the sign, not be a backlit sign like large box retail stores. In normal use, this will be single color or white light and not color change. There will be an additional marquee lighting system of classic exposed light bulbs that can be activated to indicate a show is happening. This system can have the ability to have some further operation such as chasing, dimming, etc and may work with the colored LED tape. The goal is to replicate the mental image most people have a standard theatre marquee sign being lit for a show.
- Size: Sign will fit within a box that is 14' tall X 5' wide X no more than 12" thick.

The OOH understands that this project is outside the usual scope of signage for the city and wanted to present our plan to the appropriate city commission as soon as possible in the process to partner with the town. This project has an opportunity to not only increase the presence of the Old Opera House to visiting patrons, but to give the city a new civic element along the lines of the wall mosaic on N. Charles Street or the bell tower on the Jefferson County Court House. If there are any questions, concerns, or discussions that would help this decision, please do not hesitate to contact either Steve Brewer or Patrick Wallace

Thank you,

Steve Brewer
OOH Artistic/Managing Director
ooh@oldoperahouse.org
304-725-4420 (o)

Patrick Wallace
OOH President, Board of Directors
patrickhwallace@gmail.com
240-818-1147 (c)



OOH Blade Sign
Mirrored end option



OLD OPERA HOUSE

Site Analysis & Design Ideas / Recommendations

Version 1.1

07/07/2022

Proposed by:

Quail Run Signs

43E Colonial Hwy,

Hamiltion, VA 20158

(540) 338-8412













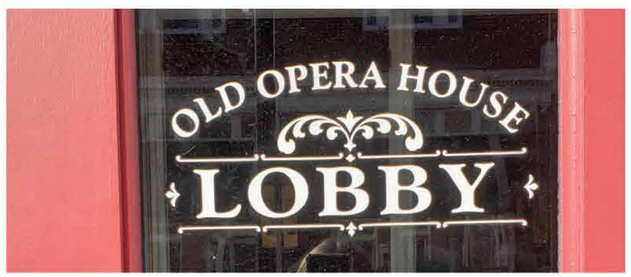



Branding Observation

Observation Notes:

Our main concern is to help unify the branding across all of the Old Opera House where possible. This includes wording, logo and colors.

Currently is it known as “Old Opera House” and “The Old Opera House” across publication and online platforms. We thought that in consideration it was originally called “Old Opera House” back in 1911, we would propose the concepts with this wording; but it can be changed.

Black and White colors are commonly used throughout the building and online. However there are some gold (leaf) and red present. We think these elements could help push the branding of “Old Opera House”.

We are aware that Old Opera House has a lot of history; and as such the building, surrounding area and town has also become considered historic over the years.

We would like to respect its history and style, but we understand that it needs a refresh. All designs in the proposal have its history in mind and is respected; however the design doesn’t have to be this way and can be changed completely.

We are very interested to know what constraints Old Opera House has in terms of how far we could push the branding and signage. There is also the consideration of what the Town of Charles Town would allow.

The drawings attached are may not be final as adjustments can be made if required. We have completed an R&D of both Old Opera House and the Op Shop.

Any questions please contact:

Nicole Maddern
Graphic Designer at Quail Run Signs
Nicole@QuailRunsSigns.com
(540) 338-8412 x103.

QUAIL RUN Signs
43 E Colonial Hwy • Hamilton, VA 20158
phone (540) 338-8412 • fax (540) 572-4677

CUSTOMER: The Old Opera House
ADDRESS: 204 N. George St
CITY: Charles Town
STATE: WV
DATE: 6/10/2022 | Photos taken April 4th 2022

CONTACT: Patrick Wallace
PHONE: 240-818-1147
EMAIL: patrickhwallace@gmail.com

OLD OPERA HOUSE

Typeface: Centaur (Regular); Bold version of font is available but is not used in drawings.

Example: **OLD OPERA HOUSE**



Typeface is matched to existing sign (above)

Depending on certain signage, metallic paint / paint is an option.

White | Black | Red | 23K Gold



We are looking at creating signage that would go with existing signage; however it doesn't have to be the case.
We can look at amending current signage to help unify the brand altogether as per above examples.

Branding Proposal (as per existing branding)

QUAIL RUN Signs

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EMAIL: patrickhwallace@gmail.com













Preserved Photos to note

QUAIL RUN Signs
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phone (540) 338-8412 • fax (540) 572-4677

CUSTOMER: The Old Opera House
ADDRESS: 204 N. George St
CITY: Charles Town
STATE: WV
DATE: 7/07/2022

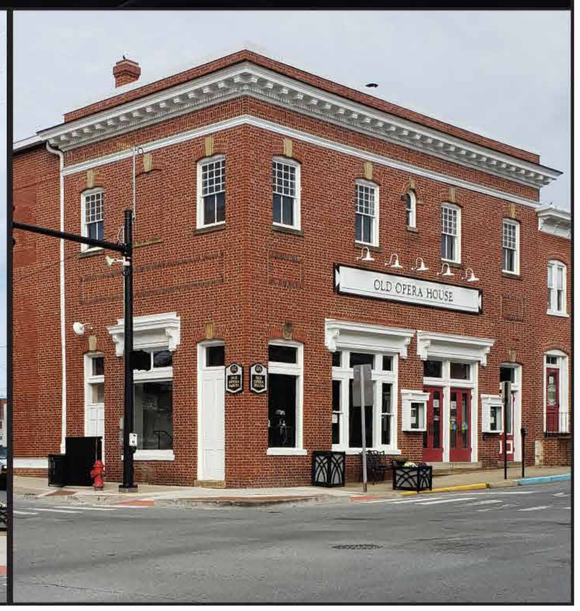
CONTACT: Patrick Wallace
PHONE: 240-818-1147
EMAIL: patrickhwallace@gmail.com











Current - Photos taken April 4th, 2022.

QUAIL RUN Signs

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DATE: 7/07/2022

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EMAIL: patrickhwallace@gmail.com





Vertical Marquee Signage

SIGN PROPOSAL | VERSION 1

SIGNAGE SIZE: (Picture - 14ft tall.
Size may vary depending on final design)

QUANTITY: 1; 2 Sided

MATERIAL DETAILS: TBC

INSTALL REQ: Yes

QUAIL RUN Signs

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CONTACT: Patrick Wallace
PHONE: 240-818-1147
EMAIL: patrickhwallace@gmail.com









Vertical Marquee Signage
Unfinished Design Concepts

Updated: 7/7/22

QUESTIONS TO CONSIDER

- We would like to unify the brand, however for a vertical design we may have to branch away from it due to legibility reasons. Would that be okay? The font that is currently used is not the same font as the brand, but a very similar (bolder) version to it (exception right last option)

- Any restrictions that the Town / Opera House has?

- Would Old Opera House prefer to have something more bold and "loud" with different colors or would you like to stick with a particular color theme (eg. black, gold, red, white)

Additional ideas are on next page; you're welcome to send other ideas back to us.

QUAIL RUN Signs

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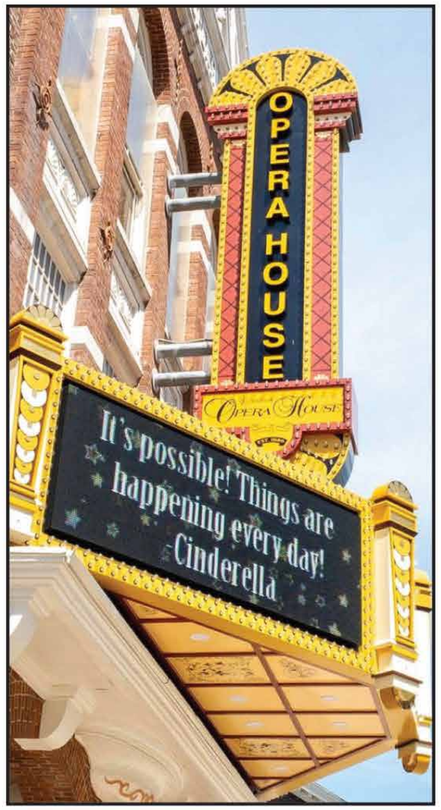
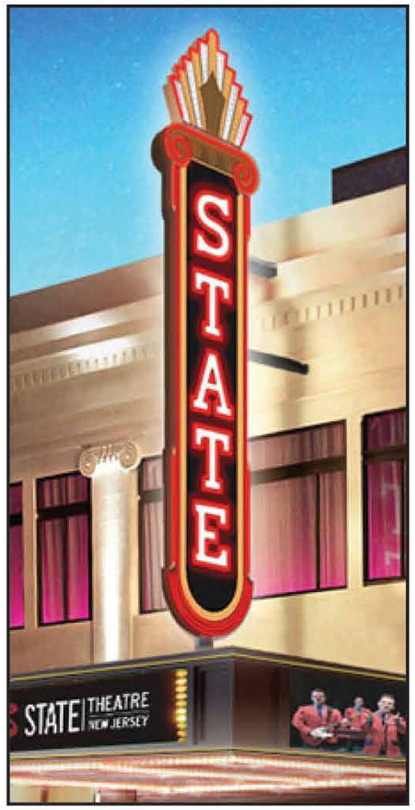
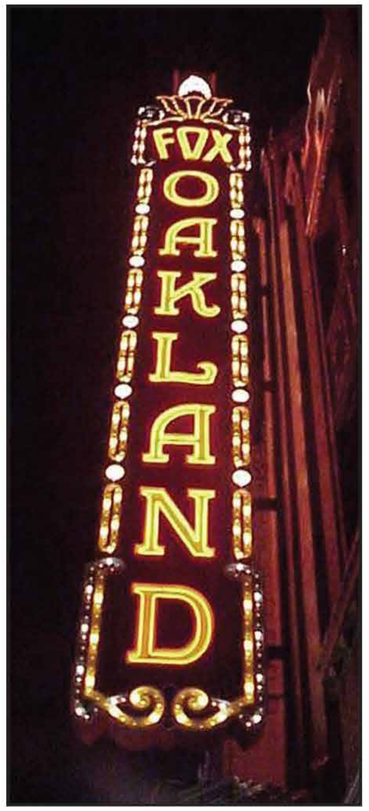
CUSTOMER: The Old Opera House
ADDRESS: 204 N. George St
CITY: Charles Town
STATE: WV
DATE: 6/10/2022 I Photos taken April 4th 2022

CONTACT: Patrick Wallace
PHONE: 240-818-1147
EMAIL: patrickhwallace@gmail.com



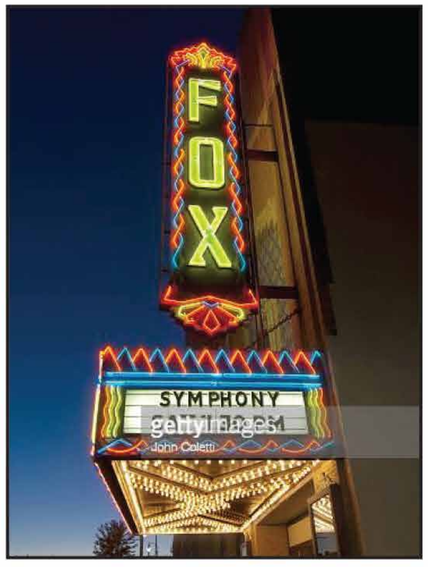


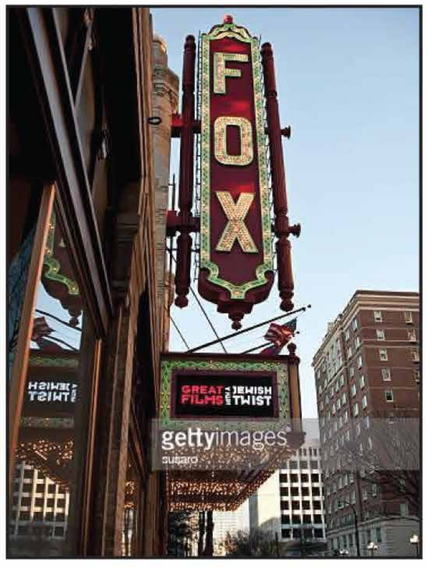














Vertical Marquee Signage - Additional Ideas (Existing)

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phone (540) 338-8412 • fax (540) 572-4677

CUSTOMER: The Old Opera House
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CONTACT: Patrick Wallace
PHONE: 240-818-1147
EMAIL: patrickhwallace@gmail.com











Additional Examples to take note of:
(West Virginia; Granada - Bluefield; Hollywood Casino & Motel Turf - Charles Town.)

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EMAIL: patrickhwallace@gmail.com





W. Liberty St Signage

SIGN PROPOSAL | VERSION 1

SIGNAGE SIZE: Overall TBC - Visible Window Area approx. 50 x 71″

QUANTITY: 1 of each design; 1 Sided

MATERIAL DETAILS: TBC

INSTALL REQ: Yes

NOTES: Inside of red doors to have LED strips to light up inside panel.
White box area is to be an advertising space for current shows.
Box area will be a panel that can be opened for easy poster insert
(possibly backlit). Sizing of black box area is 24 x 36″.

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EMAIL: patrickhwallace@gmail.com





Vertical Marquee Signage

SIGN PROPOSAL | VERSION 1

SIGNAGE SIZE: Visible Window Area approx. 22 x 26.5″

QUANTITY: 2

1 OR 2 SIDED: 1 Sided

MATERIAL DETAILS: TBC

INSTALL REQ: Yes

NOTES: White box area is to be an advertising space for current shows.
Box area will be a panel that can be opened for easy poster insert
(possibly backlit). Sizing to be confirmed.
Can put permanent signage eg. “NOW SHOWING” if desired.

Can also put vinyl on glass door windows for entrance / any other information
if required to clear up paper notes on door. Example: “Please use right door for entering”.
Can replace existing vinyl signage if required.

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EMAIL: patrickhwallace@gmail.com



Historic Built 1911 Sign



Current

SIGN PROPOSAL | VERSION 1

SIGNAGE SIZE: 24 x 30″

QUANTITY: 2

1 OR 2 SIDED: 1 Sided

MATERIAL DETAILS: 3D HDU

INSTALL REQ: Yes

QUAIL RUN Signs

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Left - Red to be painted along inside border of sign.

Right - Red to be painted as a pinstripe around front of sign

(Lighter black to show depth only.)

Historic Built 1911 Sign - Color Variation to match brand

QUAIL RUN Signs

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Textures with live examples:

Scoop Carving



Lines



No Texture (Plain)
(We can also do stucco effect)









Historic Built 1911 Sign - Inside Texture Detail (Lines is currently shown in proofs)

QUAIL RUN Signs

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OLD OPERA HOUSE
ARTS CENTER
TOMMY JAMES
WORKSHOP



Arts Center Sign

SIGN PROPOSAL | VERSION 1

SIGNAGE SIZE: Approx 75 x 55”

QUANTITY: 1

1 OR 2 SIDED: 1 Sided

MATERIAL DETAILS: HDU

INSTALL REQ: Yes

Notes: We could look at repairing the masks and repainting them; or we could look at replacing them and embbing it into the sign. OR we could remove it completely and/or create a whole new sign if desired.

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SECOND
STAGE



SECOND
STAGE

SIGN PROPOSAL | VERSION 1

SIGNAGE SIZE: 15 x 8.5″

QUANTITY: 1

1 OR 2 SIDED: 2 Sided

MATERIAL DETAILS: Extira

INSTALL REQ: Yes

NOTES: We can make this more interesting if desired; eg. adding say a pinstripe around black or red border to help tie in with the rest of the designs.

Second Stage Sign

QUAIL RUN Signs

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CONTACT: Patrick Wallace
PHONE: 240-818-1147
EMAIL: patrickhwallace@gmail.com



Open / Closed Sign



SIGN PROPOSAL | VERSION 1

SIGNAGE SIZE: 12 x 5″

QUANTITY: 2? (one for Office, one for Op shop?)
1 OR 2 SIDED: TBD

MATERIAL DETAILS: TBD

INSTALL REQ: TBD

NOTES: This could be on a bracket installed on brick wall next to the door (like that to Second Stage); or mounted to flip from the inside against door.
If Second Stage needs one, it could be a rider.
Goal is to eliminate all paper signage on door.

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CONTACT: Patrick Wallace
PHONE: 240-818-1147
EMAIL: patrickhwallace@gmail.com

Cash Only
No card machine available

Donations Accepted
during Open Hours Only

Thank You For
Not Smoking



Vinyl Suggestions to eliminate paper signage.

SIGN PROPOSAL | VERSION 1

SIGNAGE SIZE: TBC | QUANTITY: TBC | 1 OR 2 SIDED: TBC
MATERIAL DETAILS: TBC
INSTALL REQ: Yes

NOTES: We could overhaul the whole shopfront if interested / budget allows. First suggestion would be the removal of all paper signage and replace it with vinyl. We could do some partial window graphics from the top going down so merchandise can still be seen. It could be graphics advertising the Op Shop, or it could advertise the Old Opera House. We could replace the main signage if desired so it relates back to the Old Opera House.

Op Shop

QUAIL RUN Signs
43 E Colonial Hwy • Hamilton, VA 20158
phone (540) 338-8412 • fax (540) 572-4677

CUSTOMER: The Old Opera House
ADDRESS: 204 N. George St
CITY: Charles Town
STATE: WV
DATE: 6/10/2022 | Photos taken April 4th 2022

CONTACT: Patrick Wallace
PHONE: 240-818-1147
EMAIL: patrickhwallace@gmail.com

From: Kevin Tester
To: James Newman; Micheal George
Subject: Fw: Old Opera House Blade Sign Proposal for DOH Consideration
Date: Tuesday, January 2, 2024 3:48:15 PM
Attachments: Old Opera House Proof v1.1 (1).pdf
OOH Blade Sign-mirrored ends.pdf

James,

Here is the email Delegate Wayne Clark forwarded to us from Justin Thorne from DOH confirming they have no issues with we are placing the sign. I have also attached the original request plus a copy of the sign with its modifications from the original (minor ones only).

Let me know if anything else is needed.

Kevin

From: Wayne Clark <Wayne.Clark@wvhouse.gov>
Sent: Wednesday, June 14, 2023 5:20 PM
To: Kevin Tester <ktester@charlestownwv.us>; Kevin Tester <kevin.tester.sr@gmail.com>; Steven Brewer <ooh@oldoperahouse.org>
Subject: Fwd: Old Opera House Blade Sign Proposal for DOH Consideration

Get Outlook for iOS

From: Thorne, Justin L <lee.j.thorne@wv.gov>
Sent: Tuesday, June 13, 2023 4:28:23 PM
To: Wayne Clark <Wayne.Clark@wvhouse.gov>
Cc: Lorrie A Hodges <lorrie.a.hodges@wv.gov>; Kenneth L Clohan <kenneth.l.clohan@wv.gov>
Subject: Re: Old Opera House Blade Sign Proposal for DOH Consideration

Dear Delegate Clark,

This request was reviewed by our Traffic Engineering Division and had the following comments:

1. It is our understanding that the marquee sign is proposed to be placed on the side of the building that runs parallel with W. Liberty St. Our understanding is that this is not a DOH maintained roadway, so the sign would not encroach on our right-of-way.

2. A review by the outdoor advertising section was requested. It appears that what is being proposed is a lighted static type sign and this is

acceptable. If a full digital sign were proposed, only on premise activities could be displayed. In addition, the sign cannot display flashing or moving images.

3. Care should be taken regarding the specific placement to ensure that the sign does not interfere with the view of the pedestrian crossing indicator. This is particularly critical for those crossing from the NE corner to the NW corner.

4. It does not appear that the sign placed as proposed would interfere with any of the traffic signal mounted detection systems.

As long as the applicable comments above are appropriately taken into consideration, there is no objection with the installation of the marquee sign.

Please let me know if you have any additional questions.

Lee Thorne
District Five Engineer
(304) 289-3521

Board of Zoning Appeals
101 East Washington Street
Charles Town, WV 25414

Meeting: 03/19/24
Department: Board of Zoning Appeals
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

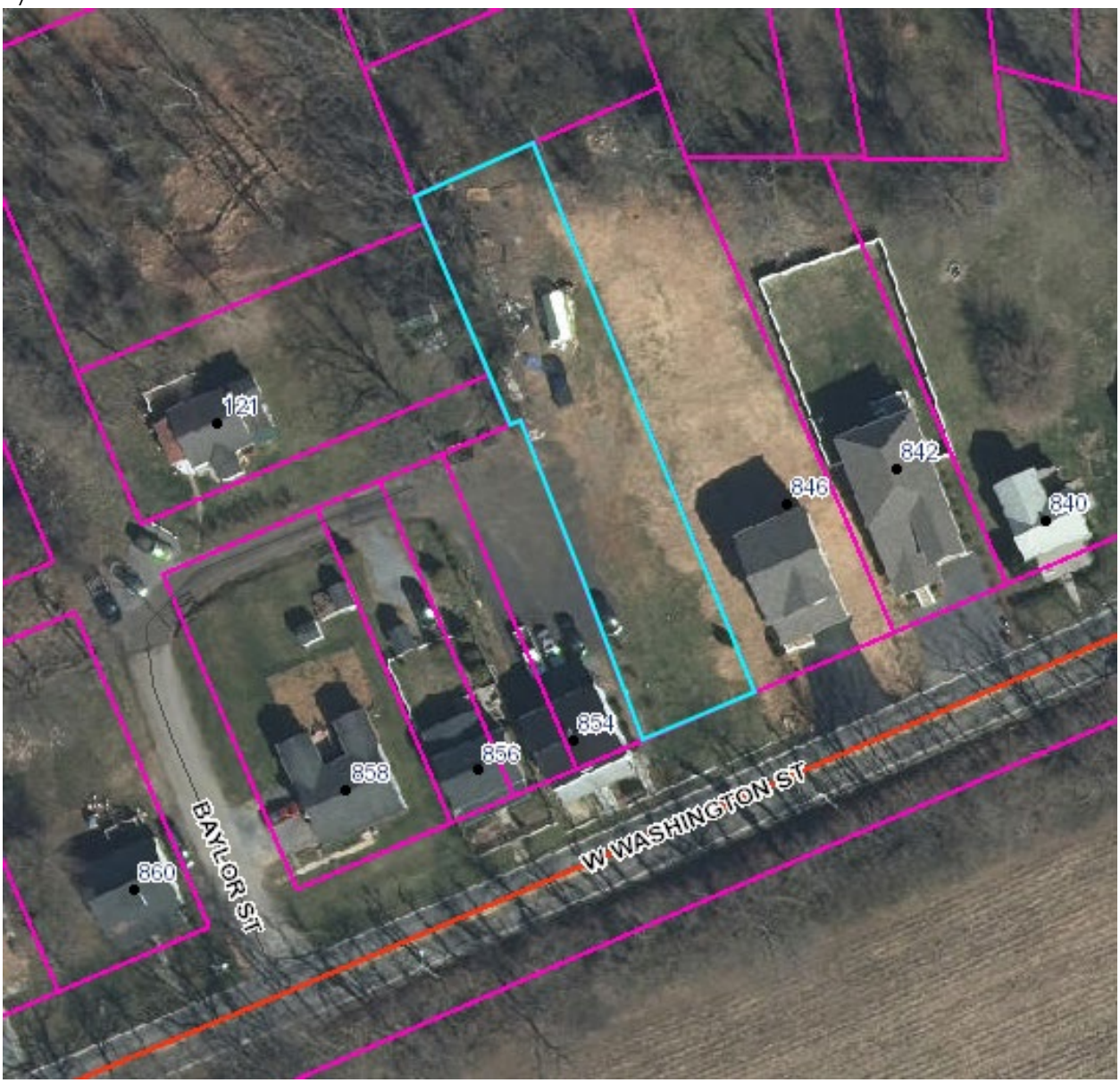
BA2024-03: *Alex Salgado* - Variances on Baylor Street

ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Application.pdf
- 3. Proposed subdivision.pdf
- 4. Requested Setbacks.pdf
- 5. Potential home design.pdf

Public Hearing – Variance Request
BA-2024-03

Date: For the March 19, 2024 Board of Zoning Appeals meeting
Applicant: Alexander Salgado
Property Owner: Alexander Salgado
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Location: Non-addressed parcel on W. Washington and Baylor Streets, Tax District 3/Map 1/Parcel 45



OVERVIEW

The applicant is seeking to subdivide an existing lot so that they have two buildable lots.

OLD TOWN RESIDENTIAL ZONING DISTRICT

The Zoning Ordinance describes the Old Town Residential (OT-R) District as:

Purpose. The purpose of the OT-R District is to **recognize existing and older residential neighborhoods** within the City of Charles Town that are characterized as having **smaller Lots, smaller Setbacks,** traditional grid Street pattern and access by Street or alley. These provisions for the OT-R District are designed to **protect the character** of these residential neighborhoods while **permitting their maintenance and improvement.** These standards also seek to encourage **sensitively designed infill** in keeping with the existing character of the OT-R District.

To maintain the scale and design of Buildings currently existing in OT- R District, it is important the **scale and design** of **surrounding Buildings** be **taken into consideration when proposing** additions and **new Buildings**. The OT-R District also promotes interaction among activities located within the entire Old Town District area, which includes both the OT-R and Old Town Mixed Use Commercial District.

The purpose of such interaction is to further enhance business vitality, reduce vehicular traffic, increase access to and the use of transit services, provide employment opportunities for residents close to home, ensure the compatibility among and between residential and downtown Commercial Uses, and ensure the appearance and effects of Buildings and Uses are harmonious with the character of the area in which they are located by:

1. Preserving and restoring the overall character of the Zoning District;

2. Promoting a balance of land Uses;

3. Promoting the opportunity for people to work, interact, shop, dine, and utilize business and public services in the vicinity of their residences;

4. Promoting a positive pedestrian environment in the Zoning District;

5. Facilitating integrated physical design;

6. Promoting a high level of design quality; and

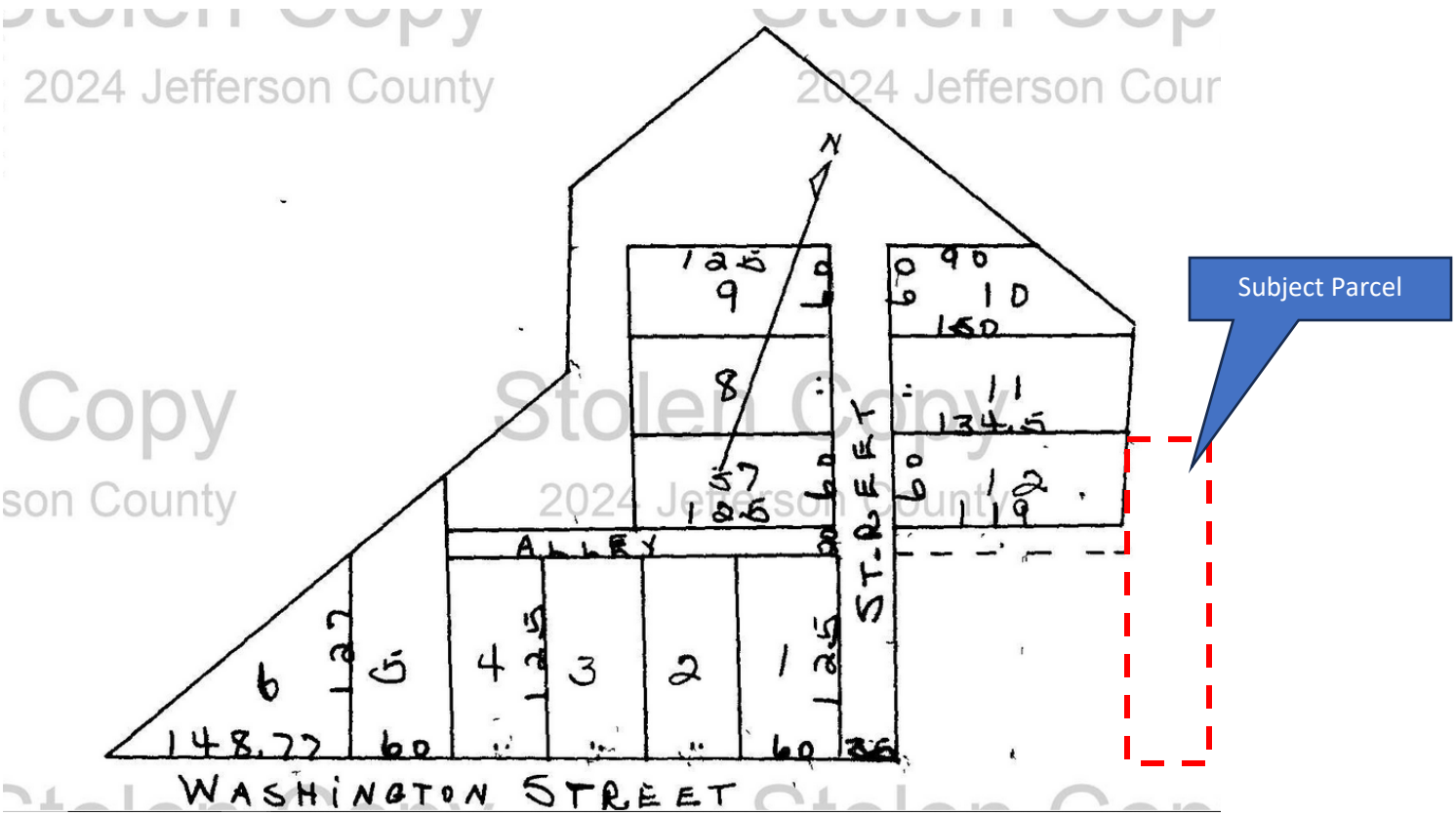
7. Facilitating development proposals responsive to current and future market conditions

Table 1322.11, OT-R District Bulk and Area Regulations

Maximum Density	
Minimum Lot Size	
Existing Lot of Record	No Minimum Lot Size
For Newly Created Lots the Following Standards Shall Apply:	
Single-Family Detached Dwelling	10,000 square feet
Duplex Dwelling	6,000 square feet
Multi-Family Dwelling	20,000 square feet
Townhouse Dwelling	2,000 square feet
Group Home	10,000 square feet
All Other	20,000 square feet
Minimum Lot Width	
Existing Lot of Record	No Minimum Lot Width[3]
Single-Family Detached Dwelling	70 feet
Two-Family Dwelling	80 feet
Duplex Dwelling	40 feet
Multi-Family Dwelling	100 feet
Townhouse Dwelling	18 feet
Group Home	70 feet
All Other	100 feet
Minimum Front Yard Setback	20 feet or Front Setbacks shall vary no more than 10% from the average Setbacks of the three Adjacent Properties to each side.[5]
Minimum Side Yard Setback	10 feet[1]
Minimum Rear Yard Setback	20 feet
Maximum Lot Coverage	70 percent
Minimum Building Height	Minimum = 24 feet or 1.5 stories
Maximum Building Height	35 feet (55 feet for Multi-Family)[2]
Maximum Stories	3 stories (4 stories for Multi-Family)

ROAD STATUS

The property at 121 Baylor Street is adjacent to the subject parcel (it is located on the left/east side of the subject parcel. Per the property's deed in Deed Book 165, Page 27, there is a survey dated April 10, 1946. Baylor Street is labeled '*Street*', with a described '*Alley*' on the left, and what appears to be an alley on the right side. See image below:



Stolen Copy
2024 Jefferson County

The property of 854 W. Washington is adjacent to the subject parcel (it is also located on the left/east side of the subject parcel). Per the language of it's deed in Deed Book 1251, Page 297, there is an alley in the rear of the property. This alley provides that connection to Baylor Street.

The applicant has provided a survey dated January 18, 2023 showing that the alley is Baylor Street.

For parcel development and subdivision purposes, lots must have road frontage. Required frontage for a single-family home in the OTR Zoning District is 70 feet.

The Subdivision and Land Development Ordinance defines certain terms as:

"FRONTAGE – *Abutting lot boundary line that abuts a Public Street, Road, or highway, or rural right-of-way*".

"RIGHT-OF-WAY, STREET – *A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a Street, highway, thoroughfare, parkway, Road, avenue, boulevard, lane, Alley, or however designated.*"

PROPERTY VIEW

A view of the property from W. Washington Street. Image from Google Maps, dated July 2021.



There is now a shed on site in the rear of the property with junk and other material, as can be seen in this aerial image from the Jefferson County WV GIS Site:



VARIANCES

A variance is a relaxation of the terms of the Zoning Ordinance where the Board of Zoning Appeals makes the findings specified in Zoning Ordinance Section 1321.11; a deviation from the minimum standards of the Zoning Ordinance and shall not involve permitting land Uses that are otherwise prohibited in the Zoning District nor shall it involve changing the Zoning District classification of a parcel of land. W.Va. Code Chapter 8A-7-11.

REVIEW CRITERIA

In order to issue a Variance, the Board must make the following written findings regarding the following:

A. *Will not adversely affect the public health, safety or welfare, or the rights of Adjacent Property Owners or residents;*

1. **Minimum lot size.**
   The division of the parcel into two parcels which do not meet minimum lot size does not in itself present any adverse effects on public health, welfare, or safety.

   If the parcel that fronts Baylor St alley was to be developed, it would have that alley as a means of ingress and egress, and a driveway could be designed to connect to Baylor St.

   There is one issue arises with the residual parcel which fronts Washington Street. Because the division of the lots would result in the residue parcel only having frontage along W. Washington St, a driveway would be required to access onto W. Washington St. in order to provide the required two off-street parking spaces for a single family home.

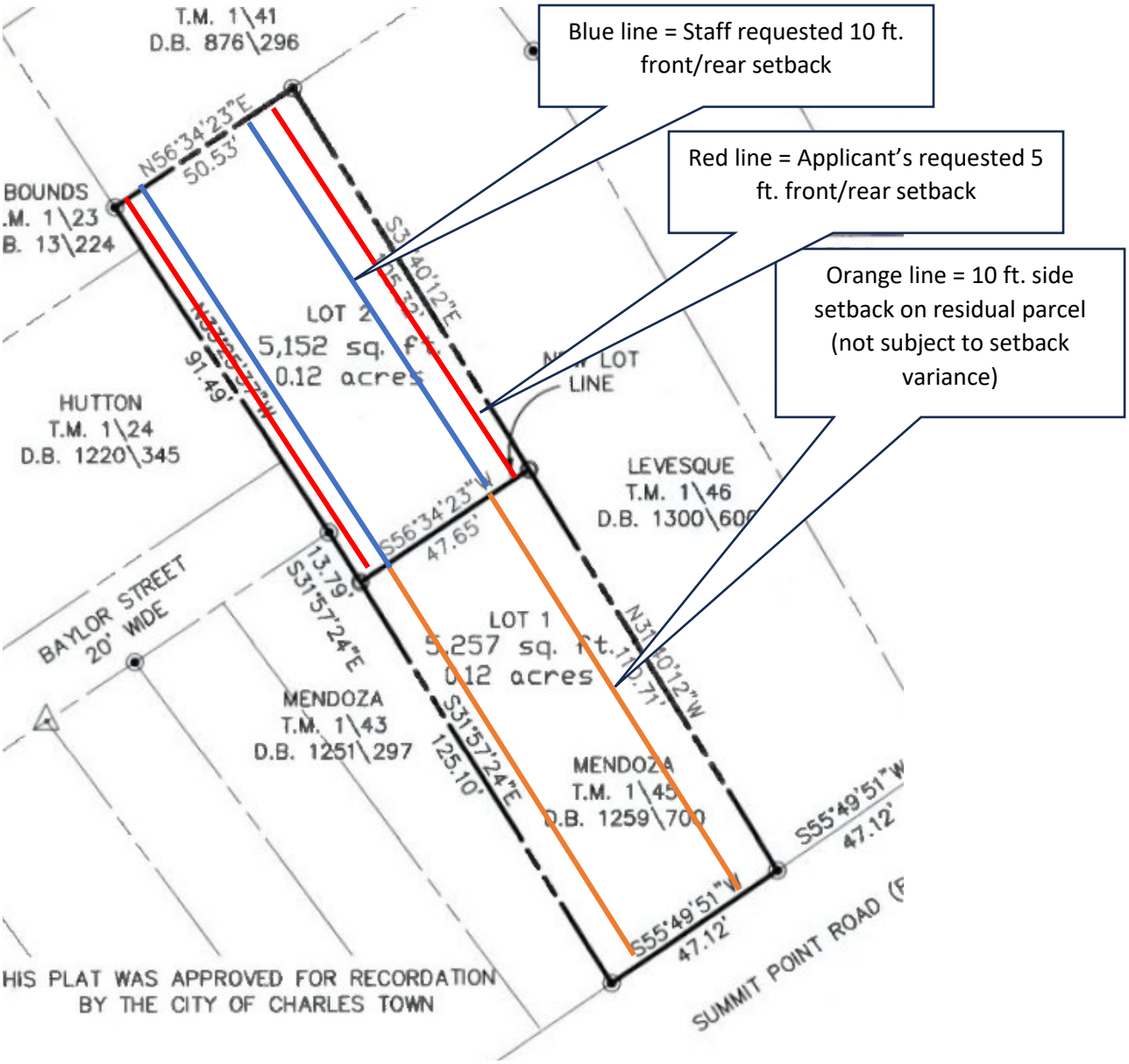
   There is a grade difference of a couple of feet between the road and the ground level of the residual parcel. The City requires that that driveways not exceed a grade of 10%. A driveway entrance onto W. Washington Street would be reviewed by the West Virginia Department of Transportation – Division of Highways. That agency would determine if the driveway had sufficient line of sight for safe usage.

2. **Reduced setbacks**
   Required setbacks are 20 ft. for both front and rear property lines. Because a front yard is one which faces a right-of-way, the front yard is the yard adjacent to the Baylor Street alley. The combined setback distance is 40- ft for rear and front yards. Because the lot is only between 47-50 feet wide, the buildable area is only 7-10 feet wide.

   The proposed variance does not adversely affect the general public health, safety, or welfare. It would be appropriate to allow reduced setbacks in the front and rear yard of 10 ft. The intent of this to have the front and rear setbacks on the new parcel be the same distance as the side yard setbacks of the residual lot which fronts W. Washington Street. This provides for relief for the applicant, additional yard space for the future occupants, and will line up the buildable areas of the homes on the new and residual parcels.

   See the image on the next page:

NOT TO SCALE



B. *Arises from special conditions or attributes which pertain to the property for which a Variance is sought and which were not created by the Person seeking the Variance;*

Minimum lot size and reduced setbacks – joint response.

The applicant has created neither a hardship nor special conditions. The applicant seeks to divide the lots to build single-family detached homes.

C. *Would eliminate an Unnecessary Hardship and permit a reasonable Use of the land;*

Minimum lot size and reduced setbacks – joint response.

The applicant could develop the lot as it exists and build one single-family home on the property. The proposed variance would allow for two small single family detached homes to be built upon small lots. This would be in an existing neighborhood, and would provide infill development.

D. *Will allow the intent of the Zoning Ordinance to be observed and substantial justice done.*

Minimum lot size and reduced setbacks – joint response.

Per the OT-R *Purpose* statement:

"*The purpose of the OT-R District is to* ***recognize existing and older residential neighborhoods*** *within the City of Charles Town that are characterized as having* ***smaller Lots, smaller Setbacks****, traditional grid Street pattern and* ***access by Street or alley****.*

These provisions for the OT-R District are designed to ***protect the character*** *of these residential neighborhoods while* ***permitting their maintenance and improvement****. These standards also seek to encourage* ***sensitively designed infill*** *in keeping with the existing character…*"

The applicant's requested variance is in accordance with the intent of the Zoning Ordinance to provide sensitively designed infill in a residential neighborhood.

CONCLUSION

The applicant is seeking the following variances:

	Required	Proposed	Variance
Minimum lot size	10,000	New Parcel: 5,152 sq. ft. Residual Parcel: 5,257 sq. ft.	New Parcel: 4,848 sq. ft. Residual Parcel: 4,743 sq. ft
Front Setback	20 ft.	5 ft.	15 ft.
Rear Setback	20 ft.	5 ft.	15 ft.

RECOMMENDATION

Approval, subject to conditions:

1. That the front and rear setbacks for the new parcel be reduced to 10 feet each.

BZA Variance No. _____

Board of Zoning Appeals

Application for Variance

To assist staff in the review of a variance application to the Board of Zoning Appeals (BZA), the applicant must supply all of the information contained in this application form. This application must be signed by **all owners** of the real estate which is the subject of the application. The owners may designate one or more professional agents to represent them in the application process using the spaces provided on this form.

Incomplete applications will be subject to scheduling delay. Applicants are encouraged to meet with staff prior to filing. A public hearing will be scheduled within 45 days of the receipt of a completed application.

Approval of a variance by the BZA does not relieve the applicant from other requirements including, but not limited to, signs, building, zoning and use permits or site plans.

As part of this application, the following must be provided:

1. $150.00 Application Fee.
2. A plat or building location survey of the subject property drawn to scale (see requirements below on Page 3).
3. As applicable, Building Permit, Zoning Permit, and Sign Permit Applications. Site plans (where applicable) may be submitted after the BZA application has been approved at the public hearing.

It is the **applicant's responsibility** to make a good-faith effort to provide the Zoning Administrator, as applicable, with a current list containing the accurate names and mailing addresses of all interested parties. For purposes of this provision, "interested parties" shall mean Landowners of Adjacent Property. The applicant shall provide the addresses in order to comply with Section 1321.10.G of the Zoning Ordinance.

Legal Notices

The following shall occur at least 15 days prior to the Public Hearing: notice of the hearing shall be advertised by the Board of Zoning Appeals as a Class I legal advertisement in the local newspaper, posting of a sign upon the property, and letters to adjacent and confronting land owners within 100 feet of the subject property.

Definition of a Variance

A variance is a deviation from the minimum standards of the zoning ordinance and shall not involve permitting land uses that are otherwise prohibited in the zoning district nor shall it involve changing the zoning classifications of a parcel of land.

The Charles Town Zoning Ordinance

A relaxation of the terms of the Zoning Ordinance where the Board of Zoning Appeals makes the findings specified in Section 1321.11(E)(3); a deviation from the minimum standards of the Zoning Ordinance and shall not involve permitting land Uses that are otherwise prohibited in the Zoning District nor shall it involve changing the Zoning District classification of a parcel of land. W.Va. Code Chapter 8A-7-11.

The West Virginia State Code

Section 8A-7-11 of the Code of West Virginia further provides that:

The Board of Zoning Appeals shall grant a variance to the Zoning Ordinance if it finds that **all** of the following can be met and the variance:

1. Will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
2. Arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance;
3. Would eliminate an unnecessary hardship and permit a reasonable use of the land; **and**
4. Will allow the intent of the zoning ordinance to be observed and substantial justice done.

Plat Requirements

A plat or building location survey must contain the following information in order for the property to be thoroughly evaluated for conformance with all City Ordinances:

1. Plat must be drawn to scale.
2. Name of Engineer, Surveyor, or Architect who prepared plat.
3. Signature and Seal of Engineer, Surveyor, or Architect.
4. Date of plat and dates of any revisions.
5. Legend/Table on plat listing the following:
   a. Zoning of Subject Parcel
   b. Zoning of Subject Parcel
   c. Tax Map and Parcel Number
   d. Parcel Address
   e. Owner/Applicant's name and address
   f. Scale
6. North Arrow.
7. Parcel boundaries showing bearings and distances.
8. Size of parcel.
9. Location and dimensions of all existing and/or proposed buildings including accessory structures and additions.
10. Height and number of stories for all structures, if applicable.
11. Location of existing and/or proposed easements and well and septic where applicable.
12. Location of Floodplain where applicable.
13. Parking spaces/parking lots with calculations showing what is required and proposed, if applicable.
14. All setbacks in table format and drawn on the plat including what is required versus what is existing/proposed.
15. Landscaping as required in the Zoning Ordinance, if applicable.
16. Names of adjacent streets.
17. Tax Map/Parcel numbers and uses for all adjacent parcels, including those across the street/road.
18. List with any documentation of any previously approved variances, special exceptions, appeals, court decisions, conditions, proffers, or waivers granted for the subject property.
19. Any additional items deemed necessary by the Zoning Administrator.

BZA Variance No. _____

1. DATE February 5th, 2024

2. APPLICANT'S NAME* Alexander Salgado

   Address: 601 Eagle Ave Charles Town WV 25414

   Telephone Number (703) 675-6193 Fax Number (___)

   Email Address alexsalgato@gmail.com

3. PROPERTY OWNER'S NAME Alexander Salgado

   Address: 601 Eagle Ave Charles Town WV 25414

   Telephone Number (703) 675-6193 Fax Number (___)

   Email Address alexsalgato@gmail.com

4. LEGAL DESCRIPTION OF THE SUBJECT PROPERTY (List all parcels that apply)

   Property Address: Lot 45 West Washington Street Charles town WV 25414

   Tax Map # and Parcel(s): tax map: 1, parcel 03 1004500000000

   Deed Book and Page #: 1259/705

   Property Area in Square Feet or Acres: .25 acres

5. DESCRIPTION OF THE EXISTING (OR FORMER) USE(S) OF THE PROPERTY AND CURRENT ZONING:

   lot is empty and zoning is old town residential

6. DESCRIPTION OF THE PROPOSED USE(S) OF THE PROPERTY: (Include the hours of operation and the activities to be conducted on the site. Be as specific about your proposed use as possible.)

   Would like to request to split or divide the .25 acres into (2) .12 acre each parcel. This will allow me to build 2 home (26'x39') house plan attached to this application the 2 new homes will have the required 10' set backs on the side and 20' set back and front as well Each home will have their own drive way/ entrance (1) throw West Washington Street and the other from Baylor Street

*Applicants include: Property owner(s), Engineer(s), Surveyor(s), or Consultant(s)

7. DESCRIPTION OF ANY PROPOSED WORK TO BE DONE TO THE PROPERTY: (i.e. – building additions, ADA compliance, etc.)

to build 2 homes (26'x39') on parcel 45 however would like to have parcel 45 split into (2) .12 parcel. The 2 new parcel will have their driveway (see attached surveyed)

8. DESCRIPTION OF THE VARIANCE REQUEST:

would like to have parcel 45 split into (2) .12 parcel each so that may build 2 new affordable home.

9. LIST THE APPLICABLE SECTION(S) OF THE ZONING ORDINANCE FROM WHICH THE VARIANCE IS REQUESTED:

Table 1322.11, OT-R District Bulk and Area Regulations

10. IS THIS REQUEST CONSISTENT WITH THE PURPOSE AND INTENT OF THE CITY OF CHARLES TOWN ZONING ORDINANCE? Why or why not?

yes, I believe my request is reasonable and will not hinder adjacent properties and more importantly will help improve our community on West Washington Street

11. IN YOUR OPINION, WOULD THE VARIANCE ADVERSELY AFFECT THE PULIC HEALTH, SAFETY OR WELFARE, OR THE RIGHTS OF ADJACENT PROPERTY OWNERS OR RESIDENTS?

I believe the request is reasonable, as it will not harm the health, safety or welfare of adjacent property in fact I believe you granting this request will improve the quality and provide a more diverse of our community in West Washington Street. This block has been long ignore and has not been improve for decades My Contribution, to build and renovate 4 house in this block has increase diversity, property Value, it brings great joy to see people from all walks of life leaving on the west Washington Street. In the summer I see people walking to downtown its just wonderful to see that.

12. IN YOUR OPINION, EXPLAIN HOW THE VARIANCE REQUEST ARISES FROM SPECIAL CONDITIONS OR ATTRIBUTES WHICH PERTAIN TO THE PROPERTY FOR WHICH A VARIANCE IS SOUGHT AND WHICH WERE NOT CREATED BY THE PERSON SEEKING THE VARIANCE:

13. IN YOUR OPINION, HOW WOULD GRANTING THE VARIANCE ELIMINATE AN UNNECESSARY HARDSHIP AND PERMIT A REASONABLE USE OF THE LAND?

My Contribution, to build 2 new homes in this parcel will increase diversity, property value,to provide affordable home for people from all walks of life leaving on the west Washington Street.

14. IN YOUR OPINION, WOULD THE VARIANCE ALLOW THE INTENT OF THE ZONING ORDINANCE TO BE OBSERVED AND SUBSTANTIAL JUSTICE DONE?

my opinion yes

15. HAS THE PROPERTY BEEN THE SUBJECT OF ANY COURT ACTION?

☐ Yes (Please specify nature of all proceedings and current status and attach any documents showing court decisions, etc.)

No

☑ No

16. PARCEL HISTORY (List all pending or previously approved applications on the subject parcels inventoried above, including previous site plan applications if this application is a site plan amendment)

Application No.	Project Name and Phase	Status	Approval Date

17. INTERESTED PARTY ADDRESSES, FOR PUBLIC NOTICE (including across street) (Interested parties are defined as adjacent properties within 100 feet).

Owner	# and Street	City, State, Zip

BZA Variance No. _____

APPLICANT CERTIFICATION

I certify that, to the best of my knowledge, the submitted information and statements are true and correct. I also certify that I have received and read Article 1321 and relevant provisions of the Charles Town Zoning Ordinance outlining the City's Board of Zoning Appeals application and approval procedures.

Signature of Applicant

_____ Date 02-05-2024

Signature of Owner(s) (If different than Applicant)

_____ Date _____

Please submit an original completed petition to the following:

Zoning Administrator
City of Charles Town
101 E. Washington Street
Charles Town, WV 25414

FOR CITY USE ONLY

Application Number:_____ Date Application Received:_____

Zoning District: _____

Fee: $_____ Check No._____ Receipt No._____

BZA Hearing Date:_____ Decision:_____

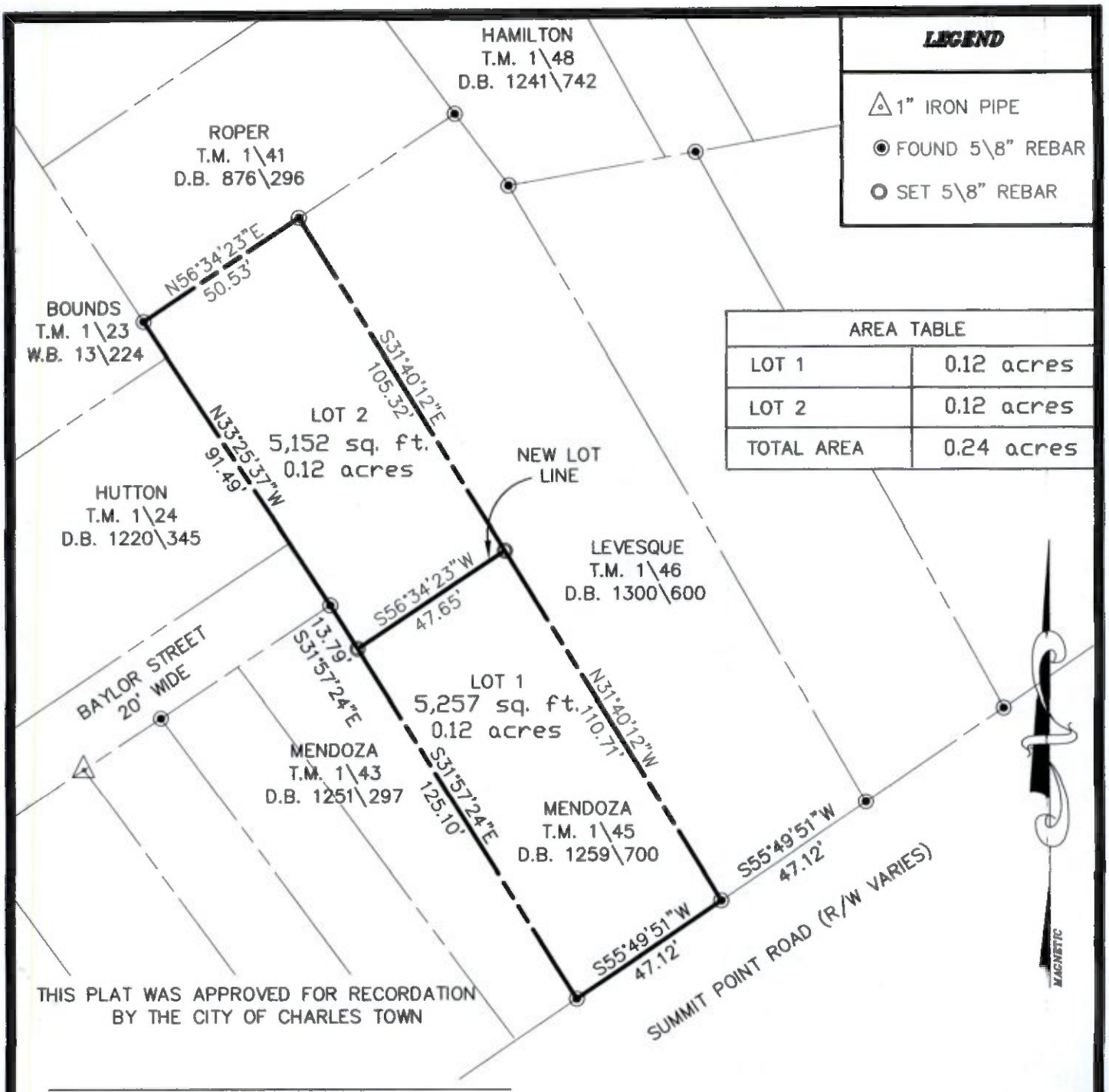
Comments:_____

_____

_____

_____

_____



THIS PLAT WAS APPROVED FOR RECORDATION
BY THE CITY OF CHARLES TOWN

ZONING ADMINISTRATOR

NOTES:

THIS PROPERTY IS NOT MAPPED IN AN AREA DESIGNATED AS A SPECIAL FLOOD AREA, AS SHOWN ON FEMA PANEL 54037C0136E. DATED 12\18\2009.

THE CHANGES TO THESE LOT LINES DO NOT CREATE A SETBACK VIOLATION OR INCREASE THE NON-CONFORMITY OF ANY SETBACK VIOLATION.

PROPERTY IS CURRENTLY ZONED: OLD TOWN RESIDENTIAL

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND (TAX MAP 1 PARCEL 45) IS WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

ALEXANDER SALGADO MENDOZA

CHRISTINA M. SALGADO

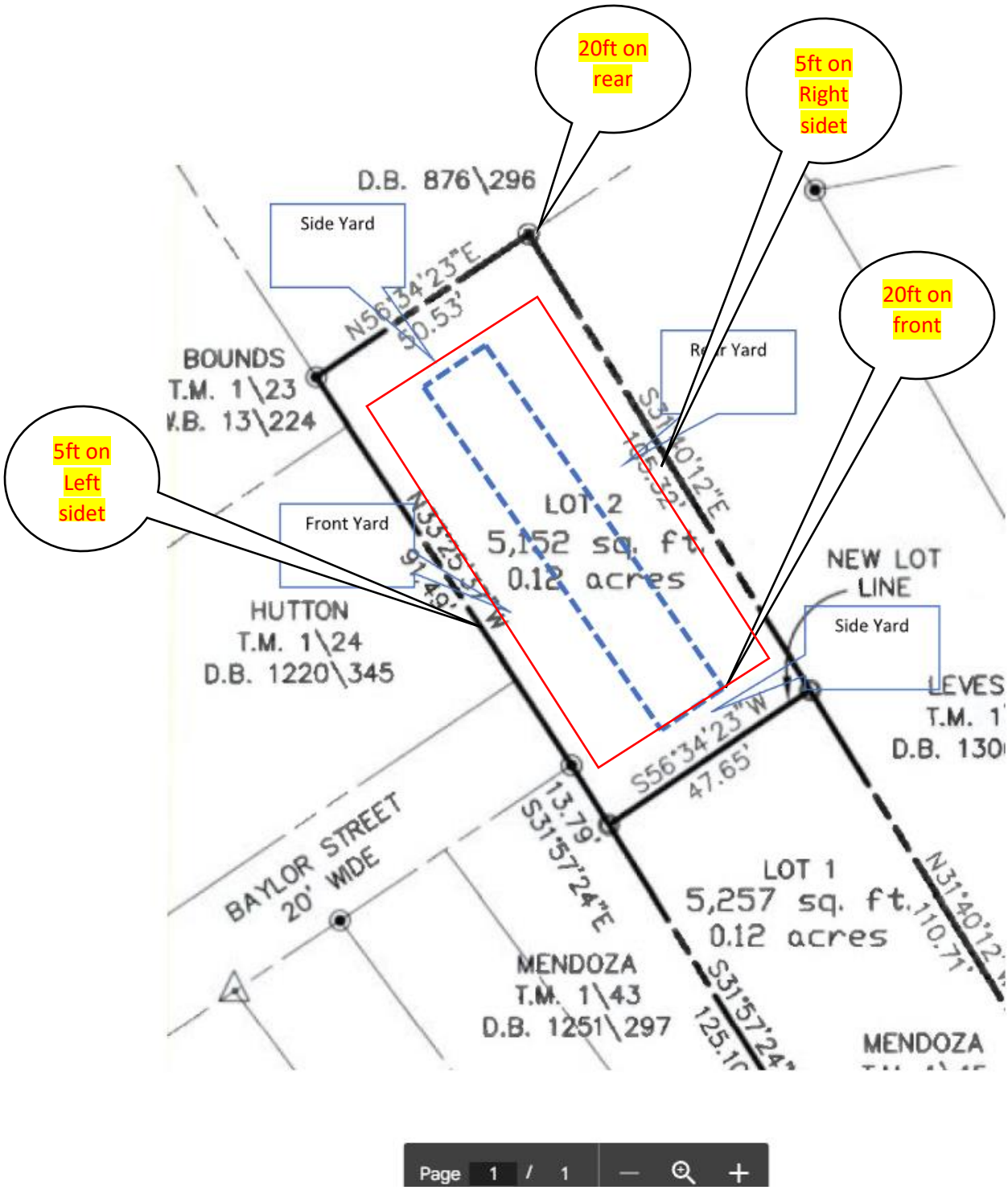
MINOR SUBDIVISION

PLAT SHOWING BOUNDARY LINE PARTITION OF TAX MAP 1 PARCEL 45 STANDING IN THE NAME OF ALEXANDER SALGADO MENDOZA AND CHRISTINA M. SALGADO, AS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF JEFFERSON COUNTY IN DEED BOOK 1259, PAGES 700 AND 705 LOCATED IN CHARLES TOWN CORPORATION, JEFFERSON COUNTY, WV.

DWG # SALGADO DATE-1/18/23

GRAPHIC SCALE

40 0 20 40 80 160


20ft on rear
5ft on Right sidet
20ft on front
5ft on Left sidet
D.B. 876\296
Side Yard
N56°34'23"E
50.53'
BOUNDS
T.M. 1\23
D.B. 13\224
Rear Yard
S31°40'12"E
Front Yard
LOT 2
5,152 sq. ft.
0.12 acres
NEW LOT LINE
Side Yard
HUTTON
T.M. 1\24
D.B. 1220\345
LEVES
T.M. 1
D.B. 130
S56°34'23"W
47.65'
BAYLOR STREET
20' WIDE
13.79'
S31°57'24"E
LOT 1
5,257 sq. ft.
0.12 acres
N31°40'12"
110.71'
MENDOZA
T.M. 1\43
D.B. 1251\297
S31°57'24"
MENDOZA

Page 1 / 1

THE FOLLOWING NOTES ARE SUGGESTED MINIMUM REQUIREMENTS ONLY. DUE TO A VARIANCE OF CODES PER REGION, PLEASE REFER AND COMPLY WITH ALL YOUR LOCAL CODES. CONSULT WITH LOCAL ENGINEERS FOR ALL STRUCTURAL REQUIREMENTS.

ABBREVIATIONS:

C.J. _____ CEILING JOIST
CLG. _____ CEILING
C.M.U. _____ CONCRETE MASONRY UNIT
C.O. _____ CASED OPENING
CONC. _____ CONCRETE
CONT. _____ CONTINUOUS
C.T. _____ CERAMIC TILE
DBL. _____ DOUBLE
DBL. JST. _____ DOUBLE JOIST
E.W. _____ EACH WAY
F.J. _____ FLOOR JOIST
FTG. _____ FOOTING
HVAC _____ HEATING/VENTILATION/AIR CONDITIONING
JST. _____ JOIST
LAM. _____ LAMINATED
L.V.L. _____ LAMINATED VENEER LUMBER
MAS. _____ MASONRY
MAX. _____ MAXIMUM
MECH. _____ MECHANICAL
MIL _____ 0.001 INCH
MIN. _____ MINIMUM
N.T.S. _____ NOT TO SCALE
O.C. _____ ON CENTER
P.C. _____ PULL CORD
P.T. _____ PRESSURE TREATED
PSF _____ POUNDS PER SQUARE FOOT
PSI _____ POUNDS PER SQUARE INCH
R/A _____ RETURN AIR
REQ'D. _____ REQUIRED
REINF. _____ REINFORCING
RM. _____ ROOM
R.O. _____ ROUGH OPENING
S.F. _____ SQUARE FEET
S.Y.P. _____ SOUTHERN YELLOW PINE
SHWR. _____ SHOWER
T&G _____ TONGUE AND GROOVE
W.H. _____ WATER HEATER
WWM _____ WELDED WIRE MESH

FLOOR JOISTS – ALLOWABLE SPANS

#2 Southern Yellow Pine
LIVE LOAD=40 psf
DEAD LOAD=20 psf

JOIST SPACING	JOIST SIZE 2x8	2x10	2x12
12" O.C.	14'–2"	16'–11"	19'–10"
16" O.C.	12'–4"	14'–8"	17'–2"

CEILING JOISTS – ALLOWABLE SPANS

#2 Southern Yellow Pine
LIVE LOAD=20 psf
DEAD LOAD=10 psf

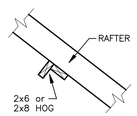
JOIST SPACING	JOIST SIZE 2x6	2x8	2x10
12" O.C.	15'–6"	20'–1"	23'–11"
16" O.C.	13'–6"	17'–5"	20'–9"

RAFTERS – ALLOWABLE SPANS

#2 Southern Yellow Pine
LIVE LOAD=30 psf
DEAD LOAD=20 psf

RAFTER SPACING	RAFTER SIZE 2x6	2x8	2x10	2x12
12" O.C.	12'–11"	16'–8"	19'–11"	23'–4"
16" O.C.	11'–2"	14'–5"	17'–3"	20'–2"

ROOF BRACING DETAIL



Plans are designed to comply with the INTERNATIONAL RESIDENTIAL BUILDING CODE. These building codes may or may not be the same as the codes and regulations in the locale where the Customer will construct the plans. Our plans are designed to comply with building codes at the time they were originally drawn. Many states and counties amend the codes for their area. It is the responsibility of the purchaser and/or builder to see that the structure is built to meet the codes of your area. Customer hereby indemnifies and holds Mixson Graphics LLC, its principals, employees and agents, harmless from any claim, loss or liability resulting from the failure of the plans to comply with local building codes or regulations or for any other breach of this Agreement attributable in whole or in part to Customer or its builder.

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MIXSON GRAPHICS LLC ASSUMES NO LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS BY OTHERS.

GENERAL NOTES:

1. THESE PLANS ARE DESIGNED TO COMPLY WITH THE 2012 INTERNATIONAL RESIDENTIAL CODE AND DESIGNED FOR CONDITIONS IN INLAND SOUTH CAROLINA AND THE SOUTH–EASTERN UNITED STATES. CODE REQUIREMENTS AND SPECIFIC BUILDING DEPARTMENT REQUIREMENTS VARY FROM AREA TO AREA, THEREFORE IT IS IMPOSSIBLE TO WARRANT COMPLIANCE TO REGULATIONS IN ANY SPECIFIC AREA. YOU SHOULD CONSULT WITH LOCAL BUILDING OFFICIALS TO DETERMINE THE SUITABILITY OF THESE PLANS TO YOUR SPECIFIC SITE AND APPLICATION. IT IS THE RESPONSIBILITY OF THE PURCHASER AND/OR BUILDER TO ADAPT THESE PLANS TO LOCAL REQUIREMENTS. MIXSON GRAPHICS PLANS DO NOT CARRY AN ARCHITECTS OR ENGINEERS SEAL.
2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES, REGULATIONS, AND FHA/VA MPS.
3. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT SITE BEFORE BEGINNING CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO MIXSON GRAPHICS FOR JUSTIFICATION AND/OR CORRECTION BEFORE PROCEEDING WITH WORK. CONTRACTORS SHALL ASSUME RESPONSIBILITY FOR ERRORS THAT ARE NOT REPORTED.
4. CONTRACTOR SHALL INSURE COMPATIBILITY OF THE BUILDING WITH ALL SITE REQUIREMENTS.
5. ALL FOUNDATION AND STRUCTURAL MEMBERS SHOULD BE VERIFIED AND STAMPED BY AN ENGINEER IN THE STATE WHERE CONSTRUCTION IS OCCURRING DUE TO A WIDE VARIANCE IN LOCAL CODES, SOIL BEARING CONDITIONS, FROST LINE DEPTH, GEOLOGICAL AND WEATHER CONDITIONS, ETC. THE CONTRACTOR IS RESPONSIBLE FOR ADJUSTING AND VERIFYING ALL STRUCTURAL DETAILS AND CONDITIONS TO MEET ALL LOCAL CODES AND TO INSURE A QUALITY AND SAFE STRUCTURE.
6. ALL WOOD, CONCRETE, AND STEEL STRUCTURAL MEMBERS SHALL BE OF A GOOD GRADE AND QUALITY AND MEET ALL NATIONAL, STATE, AND LOCAL BUILDING CODES WHERE APPLICABLE.
7. ALL COLUMNS OR SOLID FRAMING SHOULD BE DESIGNED TO CARRY LOADS AND SHOULD EXTEND DOWN THRU THE LEVELS BELOW AND TERMINATE AT THE BASEMENT FLOOR OR AT OTHER BEARING POINTS DESIGNED TO CARRY THE LOAD.
8. SQUARE FOOTAGES ARE FOR HEATED FLOOR AREA. STAIRS ARE ONLY COUNTED WITH THE FIRST FLOOR. PROJECTIONS FOR FIREPLACES ARE NOT INCLUDED.
9. ALL DIMENSIONS SHOULD BE READ OR CALCULATED AND NEVER SCALED.
10. DIMENSIONS ARE MEASURED FROM FACE OF STUD. CONTRACTOR SHALL VERIFY ALL DIMENSIONS. PLEASE CONTACT US IF ERRORS ARE FOUND.
11. HVAC SYSTEM TO BE DESIGNED ACCORDING TO LOCAL LOCAL CLIMATE CONDITIONS.

FOUNDATION NOTES:

1. ALL EXTERIOR WALL FOOTINGS ARE 8" x 20" UNLESS OTHERWISE NOTED.
2. ALL INTERIOR PIERS ARE 8" x 16" C.M.U. CAPPED WITH 4" SOLID MASONRY ON 1–STORY STRUCTURES or 8" SOLID MASONRY ON 2–STORY STRUCTURES UP TO 32" HIGH. ALL PIERS OVER 32" HIGH MUST BE FILLED SOLID WITH MORTAR.
3. CONCRETE SHALL BE 3,000 PSI @ 28 DAY STRENGTH UNLESS OTHERWISE NOTED.
4. ALL REBAR SPLICES SHALL BE 24" MINIMUM UNLESS OTHERWISE NOTED.
5. TERMITE PROTECTION SOIL TREATMENT BY BUILDER UNLESS OTHERWISE NOTED.
6. CHIMNEY FOOTING SHALL BE 12" LARGER THAN FOOTPRINT AND 12" THICK UNLESS OTHERWISE NOTED.
7. METAL ANCHOR STRAPS MAY BE USED IN PLACE OF ANCHOR BOLTS AND MUST BE INSTALLED PER MANUFACTURERS SPECIFICATIONS.
8. ALL FOOTINGS SHALL BE ON FIRM UNDISTURBED SOIL OF NO LESS THAN 3000 psf AND 12" BELOW FROST LINE. EXACT SIZE AND REINFORCING MUST BE DETERMINED BY LOCAL SOIL CONDITIONS. VERIFY DESIGN WITH LOCAL BUILDING OFFICIALS OR LOCAL ENGINEER.
9. IF BACKFILL EXCEEDS 4' AGAINST ANY FOUNDATION WALL, REINFORCE AS PER CODE.
10. BRICK BONDING 16" O.C. VERTICALLY

FRAMING NOTES

1. ALL FRAMED WALL DIMENSIONS ARE BASED ON 2 x 4 STUDS UNLESS OTHERWISE NOTED.
2. PROVIDE DOUBLE JOISTS BELOW ALL PARTITIONS PARALLEL TO JOIST DIRECTION.
3. ALL JOISTS AND RAFTERS SHALL BE ALIGNED OVER STUDS BELOW.
4. PROVIDE PURLINS AT MID–HEIGHT OF ALL WALLS.
5. ALL HEADERS SHALL BE (2)–2x10's WITH 1/2" PLYWOOD FLITCH PLATE UNLESS OTHERWISE NOTED.
6. PROVIDE 1x4 CROSS BRIDGING AT MID POINT OF SPAN OR 8'–0" O.C. MAXIMUM IN ALL FLOORS.
7. ALL EXTERIOR CORNERS (INSIDE AND OUTSIDE CORNERS) SHALL BE BRACED WITH 1/2" CDX PLYWOOD. NAILING SCHEDULE SHALL BE 8d COMMONS AT 6" O.C. AT ALL EDGES AND 8d COMMONS AT 12" O.C. AT ALL INTERMEDIATE STUDS. (OPTION – APPROVED DIAGONAL CORNER BRACES BOTH DIRECTIONS AT ALL CORNERS).
8. ALL COLUMNS OR SOLID FRAMING SHALL EXTEND DOWN THRU ALL LEVELS AND TERMINATE AT THE BASEMENT FLOOR AND BE SUPPORTED BY A THICKENED SLAB, GRADE BEAM, OR FOOTING DESIGNED TO CARRY LOAD.
9. PROVIDE DOUBLE 2x8 STRONGBACK AT MID SPAN FOR CEILING JOISTS WITH SPAN GREATER THAN 10'–0".
10. PROVIDE COLLAR TIES AT UPPER 1/3 OF VERTICAL DISTANCE BETWEEN RIDGE BOARD AND CEILING JOISTS AT 4'–0" O.C. MAXIMUM.
11. HIP, VALLEY RAFTERS, AND RIDGE BOARDS SHALL BE ONE "2x" SIZE LARGER THAN RAFTERS.
12. ROOF DECKING SHALL BE 1/2" CDX PLYWOOD MINIMUM.
13. WHERE PRE ENGINEERED FLOOR AND ROOF TRUSSES ARE USED, TRUSS MANUFACTURER MUST PROVIDE SHOP DRAWINGS WHICH BEAR SEAL OF REGISTERED ENGINEER IN STATE IN WHICH WORK IS TO BE PERFORMED.
14. ALL CEILING JOISTS AND RAFTER BRACING TO BEAR ON LOAD BEARING WALLS DESIGNED TO CARRY LOAD THRU ALL LEVELS AND TERMINATE AT BASEMENT FLOOR AND BE SUPPORTED BY THICKENED SLAB GRADE BEAM OR FOOTING DESIGNED TO CARRY LOAD.
15. ALL BASEMENT WALLS, BEAMS, AND COLUMNS TO BE DESIGNED BY LOCAL STRUCTURAL ENGINEER AND MEET ALL LOCAL CODES.
16. ALL SOLID FRAMING, COLUMNS, BEAMS, ETC., TO BE DESIGNED BY LOCAL STRUCTURAL ENGINEER AND MEET ALL LOCAL CODES.
17. MINIMUM INSULATION REQUIREMENTS:

    EXTERIOR WALLS: _____ R–13

    ATTIC CEILING and VAULTS: _____ R–30

    CRAWL SPACE FLOORS: _____ R–19

    SLAB EDGE UNDERSIDE: _____ 1" x 24" MIN. CONT.

EXTERIOR ELEVATION NOTES:

1. AN ASSUMED GRADE IS SHOWN. THE ACTUAL FINISHED GRADE WILL VARY. THE LOT SHALL BE GRADED AS TO DRAIN SURFACE WATER AWAY FROM FOUNDATION WALLS. THE GRADE SHOULD BE A MINIMUM 6 INCHES WITHIN THE FIRST 10 FEET AWAY FROM THE FOUNDATION WALLS.
2. ALL PORCHES, BALCONIES, PATIOS, DECKS, OR ANY OTHER RAISED FLOOR SURFACES 30 INCHES OR MORE ABOVE FINISHED GRADE ARE REQUIRED TO HAVE GUARDRAILS/HANDRAILS.
3. APPROVED CORROSION–RESISTANT FLASHING SHALL BE PROVIDED IN THE FOLLOWING AREAS: TOPS AND SIDES OF ALL EXTERIOR WINDOWS AND DOORS, THE INTERSECTION OF CHIMNEYS OR OTHER MASONRY CONSTRUCTION WITH FRAME OR STUCCO WALLS, WITH PROJECTING LIPS ON BOTH SIDES UNDER STUCCO COPINGS, UNDER AND AT THE ENDS OF MASONRY, WOOD OR METAL COPINGS AND SILLS, CONTINUOUSLY ABOVE ALL PROJECTING WOOD TRIM, WHERE EXTERIOR PORCHES, DECKS, OR STAIRS ATTACH TO A WALL OR FLOOR ASSEMBLY OF WOOD–FRAME CONSTRUCTION, AT WALL AND ROOF INTERSECTIONS.

LICENSE AGREEMENT

Grant of License: In consideration of payment for these construction documents, Mixson Graphics LLC dba Southern Heritage Home Designs grants you, the Licensee, a nonexclusive right to use and to construct structures from these documents. Southern Heritage Home Designs reserves all rights not expressly granted to Licensee.

Copies: One plan set copy provided in print and PDF format. Your license agreement allows you to make additional copies of the plans as needed for your project.

Local Conditions: These documents have been drawn to conform to the International Residential Building Code in effect at the time that they were drawn and to meet generally accepted requirements. However, Southern Heritage Home Designs cannot ensure that they will be appropriate for your specific conditions or that they will meet all the requirements of your local coding agency. It is the responsibility of the Licensee to see that they do. Southern Heritage Home Designs recommends consultation with a local design or building professional prior to submission of permit application.

Liability: Neither Southern Heritage Home Designs nor anyone else who has been involved in the creation, production, or delivery of these plans shall be liable for any direct, indirect, consequential, or incidental damages.

Purchases: All sales are final.

STOCK PLAN GENERAL NOTES AND DISCLAIMERS:

1) These drawings have been prepared to to conform to the International Residential Building Code in effect at the time the plans were drawn and to meet generally accepted professional standards and practices. These plans have been designed for conditions in the southeastern United States, without knowledge of or reference to the Licensee's specific site or geographical location. Local site conditions, such as frost depth, soil bearing capacity, seismic and wind zones, exposure, etc. may vary. Local code requirements for life–safety requirements may vary. The strength of materials (such as lumber) available locally may vary. Therefore, supplemental to these documents, it is the Licensee's responsibility to consult with their local builder, professional designer, or structural engineer to ensure that these documents meet all current federal, state/provincial and local codes, ordinances/bylaws and regulations, etc., and are appropriate to specific site conditions. Compliance with such requirements shall take precedence over these documents.

2) Any use of this information without adaptation to changes in codes, standards, site conditions and other factors is at the Licensee's sole risk. Southern Heritage Home Designs assumes no responsibility for changes made to these plans by others and makes no warranties, either expressed or implied, in the use of these plans. The Licensee agrees to defend and indemnify Southern Heritage Home Designs for all claims, costs, losses, or damages resulting from the use of these documents.

3) Before beginning construction, it is the Licensee's responsibility to check all dimensions and details, and verify conformance with governing code requirements for the geographic area in which the house is to be built. All structural, mechanical and electrical requirements shall also be reviewed before construction begins. Codes govern over drawings and dimensions govern over scale. Please notify the designer of dimensional discrepancies.

4) Southern Heritage Home Designs has not been engaged for construction supervision of any kind and assumes no responsibility to ensure that the construction conforms to these plans, nor has any responsibility for construction means, methods, techniques, sequences, procedures or safety precautions in connection with the work.

5) The Designer retains ownership of the construction documents, the design, and all subsequent copies of the documents regardless of the form of the original and other copies. This is not a sale of the original documents or the design whatsoever.

6) These drawings and specifications are copyrighted. Unauthorized copying of these documents is expressly forbidden. The Licensee is granted the right to make copies as needed of the one building per plan purchase. Any other copying is unauthorized. The Licensee may be held legally responsible for any copyright infringement that is caused or encouraged by the failure to adhere to the terms of this agreement.

PLAN 1436-C The ABBEVILLE "C"



PLAN SCHEDULE

CO COVER SHEET
A1 FOUNDATION PLAN
A2 FIRST FLOOR PLAN
A3 SECOND FLOOR PLAN
A4 ELEVATIONS
A5 ELECTRICAL PLANS
A6 ROOF PLAN / DETAILS

General Notes

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To the best of his knowledge, the designer has prepared these plans in conformance with the construction codes governing at the time and in the area indicated. Although every reasonable effort has been made to insure accuracy of these plans, the builder and owner should audit verify all conditions, dimensions, details, and specifications prior to beginning construction. The designer will not be liable for errors or omissions after construction begins.

No.	Revision/Issue	Date

COVER SHEET - PLAN 1436-C
The ABBEVILLE "C"
1/4" = 1'–0"

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Project Name and Address
Plan 1436-C
The Abbeville "C"

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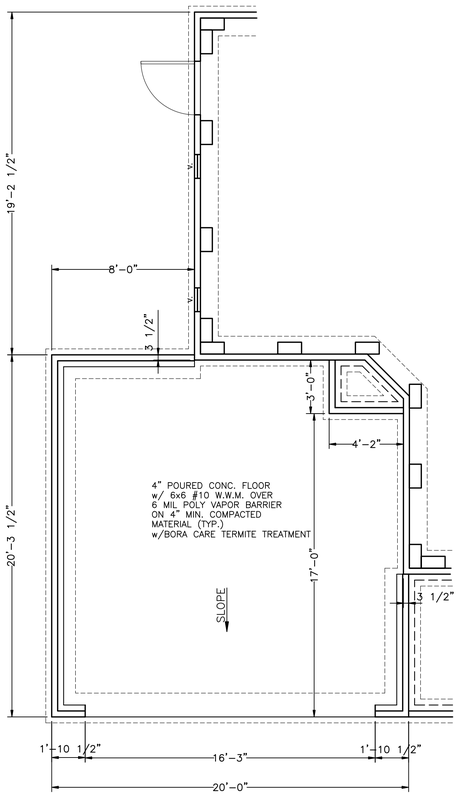
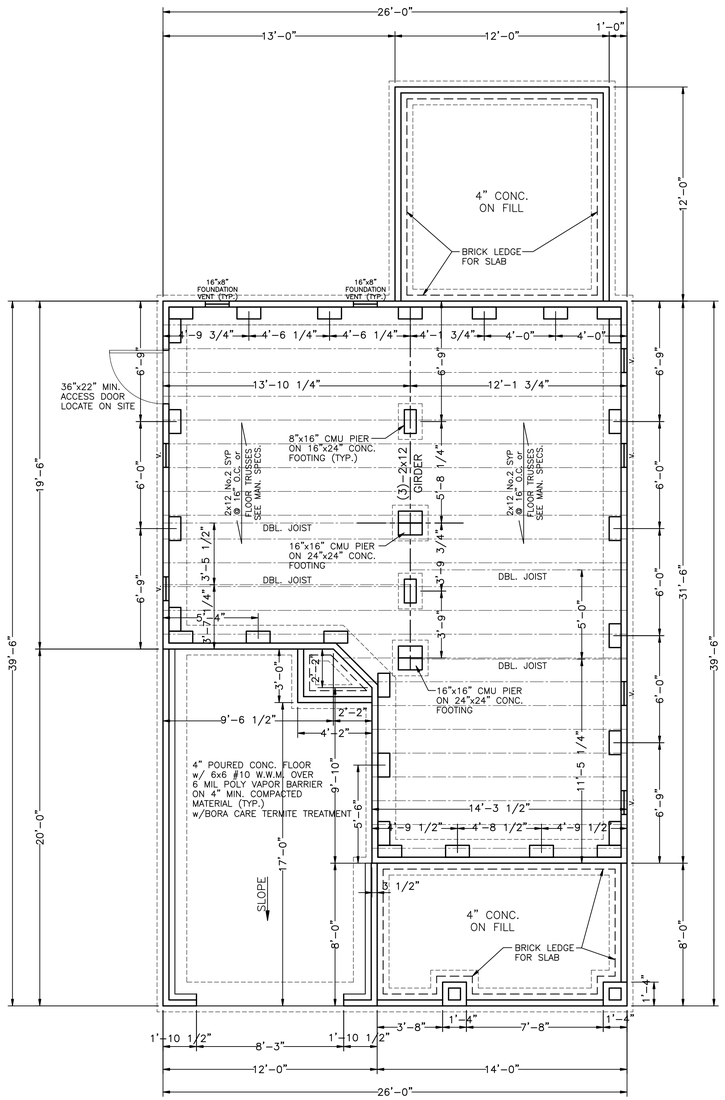
Sheet CO
Project Plan 1436–C The Abbeville "C"
Date 10/08
Scale 1/4" = 1'–0"



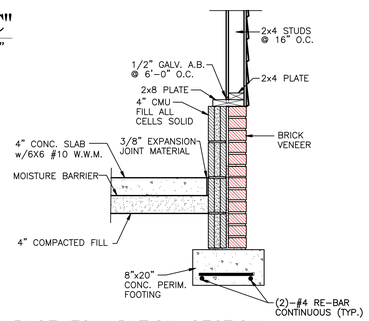
OPTIONAL 2-CAR GARAGE

SCALE: 1/4" = 1'-0"



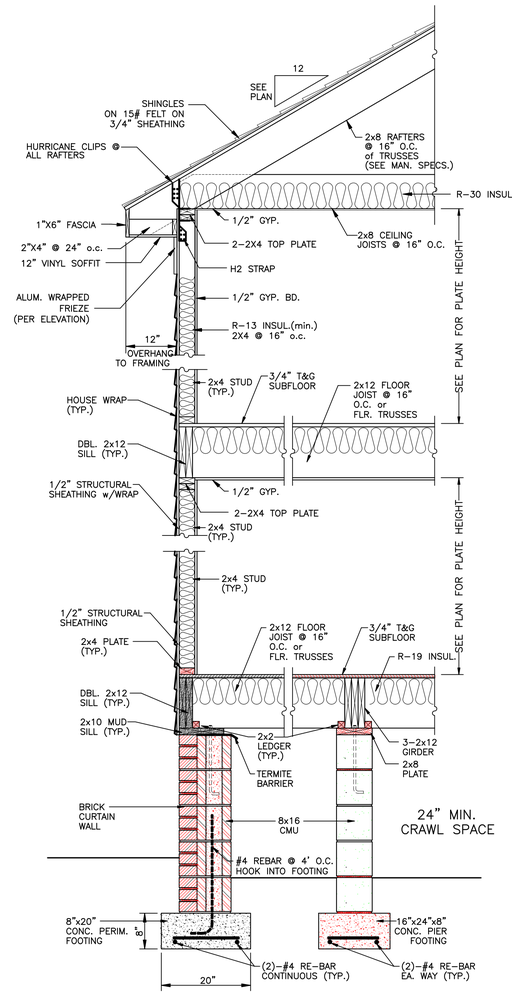
FOUNDATION PLAN "C"

SCALE: 1/4" = 1'-0"



GARAGE FOUNDATION SECTION

SCALE: 3/4" = 1'-0"



TYPICAL WALL SECTION - CRAWL SPACE

SIDING SCALE: 3/4" = 1'-0"

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General Notes

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To the best of his knowledge, the designer has prepared these plans in conformity with the currently applicable residential building codes in effect at the time. Although every reasonable effort has been made to ensure accuracy, the designer assumes no responsibility for errors or omissions in these plans. The client, prospective purchaser, and/or owner shall verify all conditions, dimensions, details, and specifications prior to construction. The designer are not be liable for human error after construction begins.

No.	Revision/Issue	Date

FOUNDATION PLAN - PLAN 1436-C
The ABBEVILLE "C"

1/4" = 1'-0"

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Project Name and Address
Plan 1436-C
The Abbeville "C"

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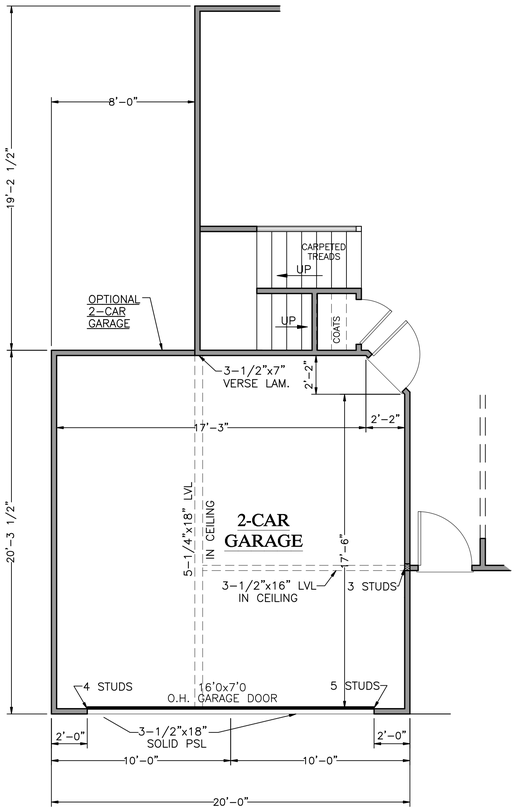
Project Plan 1436-C The Abbeville "C"

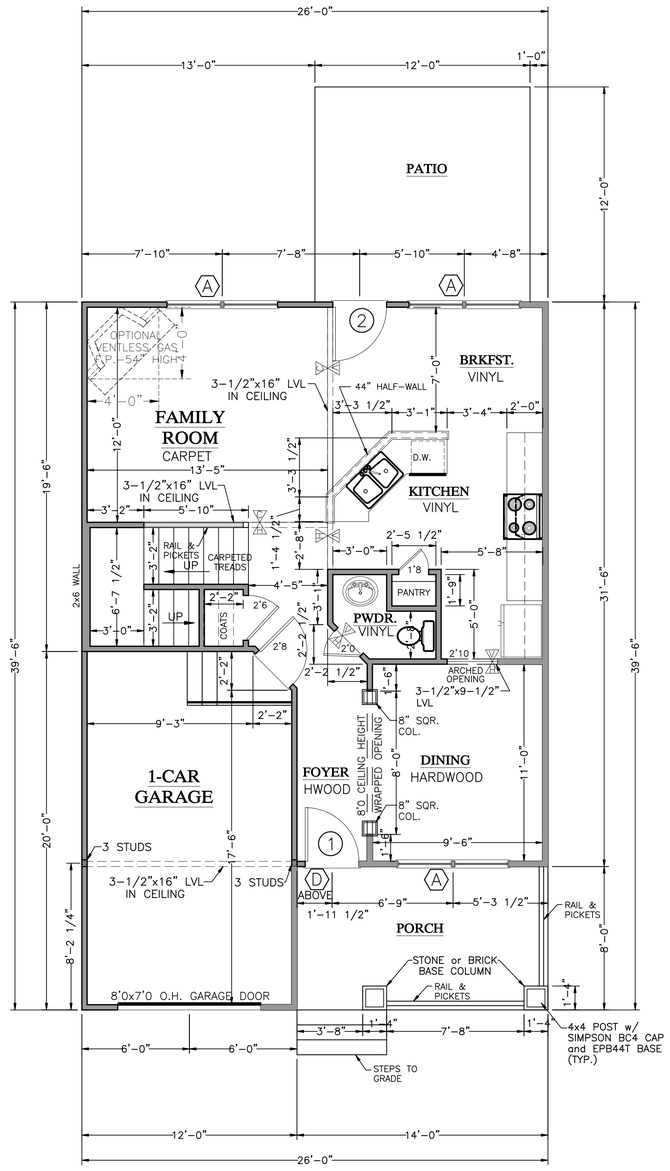
Date 10/08

Scale 1/4" = 1'-0"



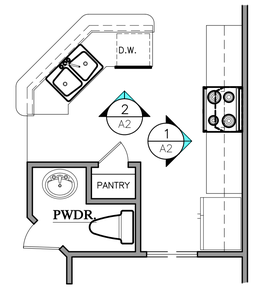
OPTIONAL 2-CAR GARAGE

SCALE: 1/4" = 1'-0"



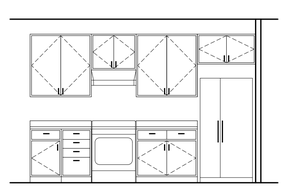
FIRST FLOOR PLAN "C"

SCALE: 1/4" = 1'-0"



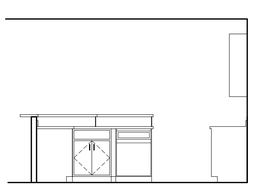
KITCHEN PLAN

1/4" = 1'-0"



1 ELEVATION (A2)

1/4" = 1'-0"



2 ELEVATION (A2)

1/4" = 1'-0"

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SQUARE FOOTAGE SUMMARY:

FIRST FLOOR:	679 Sq. Ft.
SECOND FLOOR:	757 Sq. Ft.
TOTAL HEATED:	1436 Sq. Ft.
1-CAR GARAGE:	234 Sq. Ft.
2-CAR GARAGE:	396 Sq. Ft.
FRONT PORCH:	112 Sq. Ft.
OPT. SCREENED PORCH:	144 Sq. Ft.

WINDOW SCHEDULE

WINDOW	SIZE	FRAME TYPE	REMARKS
A	3'0x6'0 PAIR	VINYL	
B	3'0x5'0	VINYL	
C	3'0x5'0 PAIR	VINYL	
D	3'0x1'0	VINYL	FIXED, TRANSOM
E	4'0x4'0	VINYL	FIXED, TEMPERED
F	4'0x1'0	VINYL	FIXED, TEMPERED

DOOR SCHEDULE

DOOR	SIZE	TYPE	REMARKS
1	3'0x6'8	FIBERGLASS	
2	3'0x6'8 15-LITE	STEEL	

General Notes

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FIRST FLOOR PLAN - PLAN 1436-C
The ABBEVILLE "C"

1/4" = 1'-0"

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The Abbeville "C"

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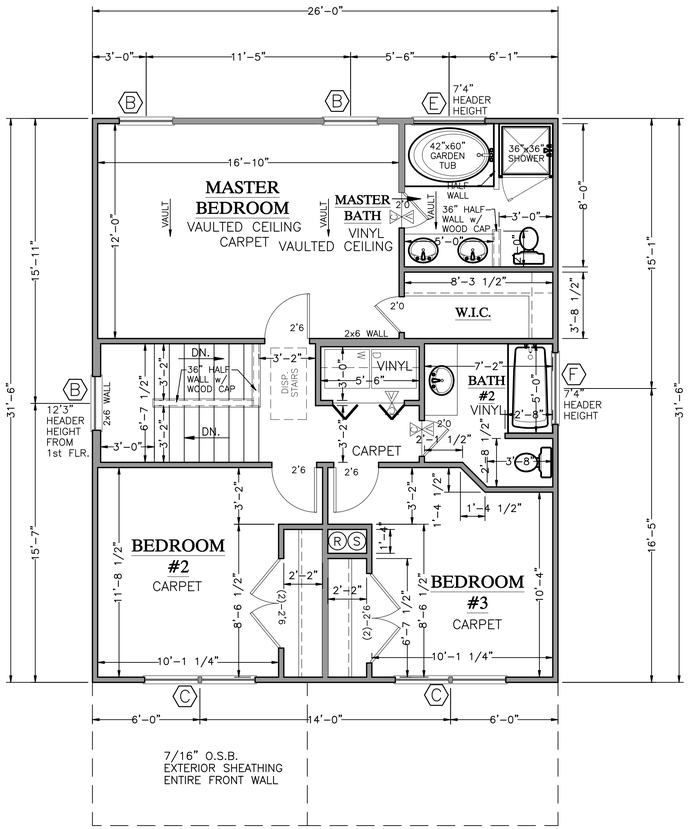
Project Plan 1436-C The Abbeville "C"

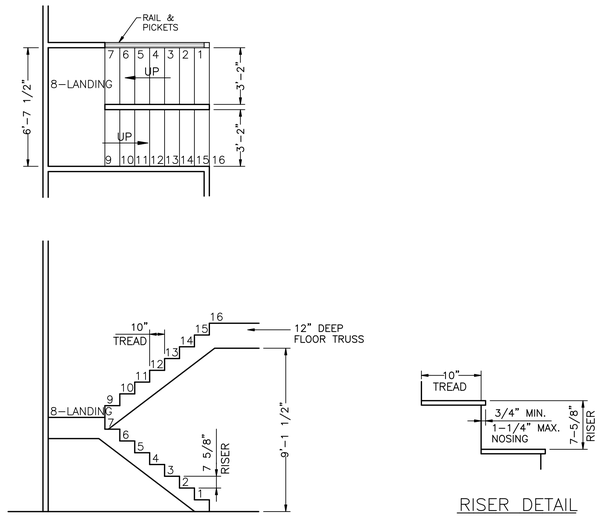
Date 10/08

Scale 1/4" = 1'-0"



SECOND FLOOR PLAN "C"

SCALE: 1/4" = 1'-0"



STAIR LAYOUT

SCALE: 1/4" = 1'-0"

RISER DETAIL

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WINDOW SCHEDULE

WINDOW	SIZE	FRAME TYPE	REMARKS	HEADER
A	3'0x6'0 PAIR	VINYL		3-1/2"x9-1/2" LSL
B	3'0x5'0	VINYL		3-1/2"x5-1/2" LSL
C	3'0x5'0 PAIR	VINYL		3-1/2"x9-1/2" LSL
D	3'0x1'0	VINYL	FIXED, TRANSOM	3-1/2"x5-1/2" LSL
E	4'0x4'0	VINYL	FIXED, TEMPERED	3-1/2"x5-1/2" LSL
F	4'0x1'0	VINYL	FIXED, TEMPERED	3-1/2"x5-1/2" LSL

General Notes

Drawings, specifications and related items are, and remain the property of the Designer and shall not be used in whole or in part for any other project without the Designer's written authorization. Visual contact with these plans shall constitute prima facie evidence of the acceptance of these restrictions. Possession of plans does not authorize continued use of same for construction purposes. Any unauthorized use, sale, reuse or modification will be at the user's sole risk without liability to the Designer and the user shall indemnify the Designer for all damages suffered thereby.

To the best of his knowledge, the designer has prepared these plans to conform to the currently enforced residential building codes at the time of design for the construction site as specified by the customer. However, the Designer does not warrant or represent that these plans will be error free. Although every reasonable effort has been made to insure the accuracy of these plans, the owner and/or client shall verify all conditions, dimensions, details, and specifications prior to construction begins. Designer will not be liable for human error or omission in these plans. It is the responsibility of the owner and/or client to have all dimensions and conditions verified by the general contractor prior to construction. Designer will not be liable for any changes made during construction that are not approved by the designer. Designer will not be liable for human error other than errors in these plans. Any errors found in these plans shall be reported to the designer immediately. Designer will not be liable for any consequential damages that may result from the use of these plans in any manner for any purpose without written consent of the designer.

SECOND FLOOR PLAN - PLAN 1436-C
The ABBEVILLE "C"
1/4" = 1'-0"

No.	Revision/Issue	Date

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Plan 1436-C
The Abbeville "C"

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Sheet A3
Project Plan 1436-C The Abbeville "C"
Date 10/08
Scale 1/4" = 1'-0"



FRONT ELEVATION "C"

SCALE: 1/4" = 1'-0"



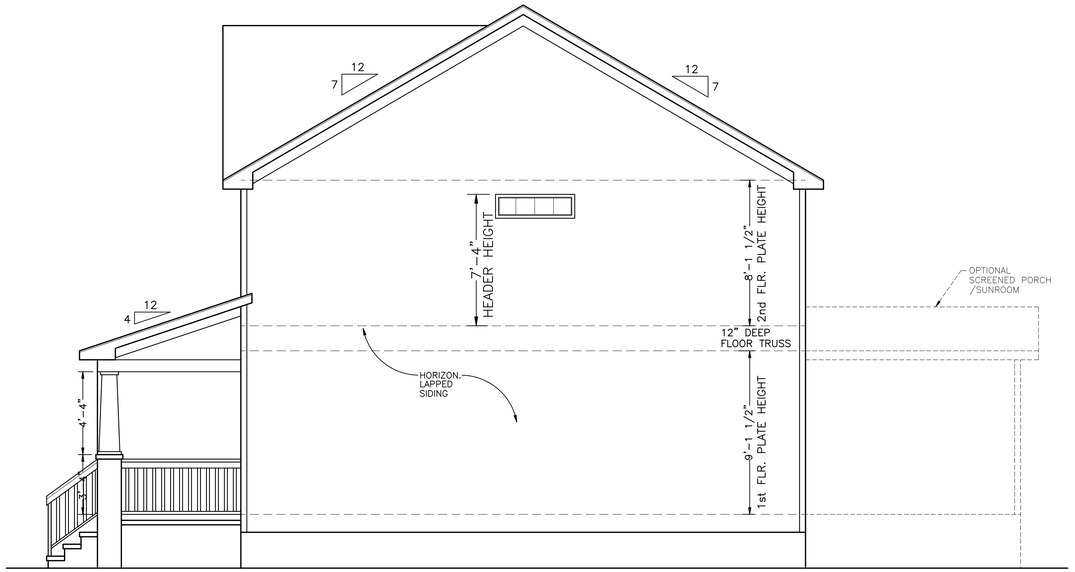
FRONT ELEVATION "C" w/2-CAR GARAGE

SCALE: 1/4" = 1'-0"



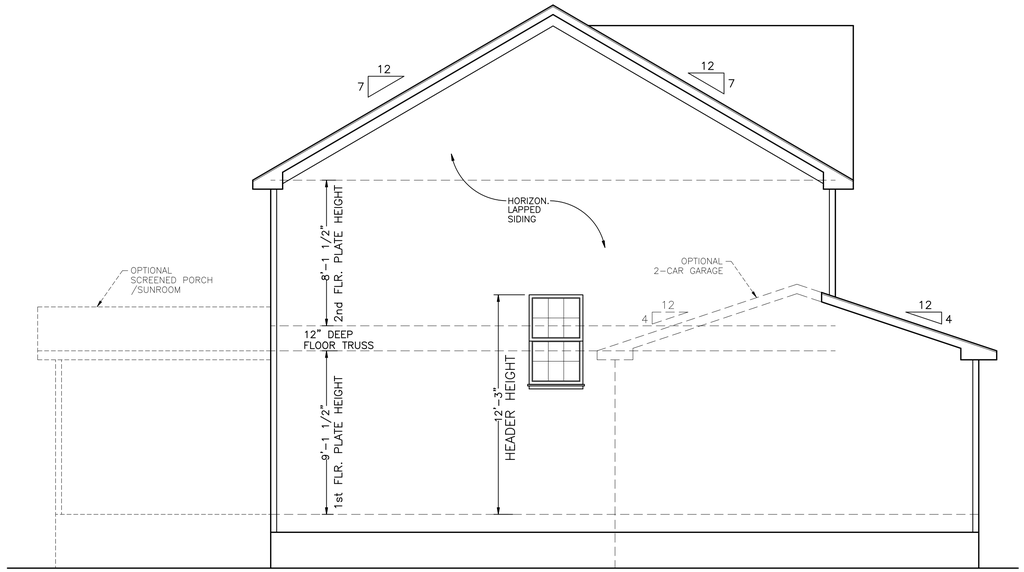
REAR ELEVATION "C"

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION "C"

SCALE: 1/4" = 1'-0"



LEFT ELEVATION "C"

SCALE: 1/4" = 1'-0"

Plans are designed to comply with the INTERNATIONAL RESIDENTIAL BUILDING CODE. These building codes may or may not be the same as the codes and regulations in the locale where the Customer will construct the plans. Our plans are designed to comply with building codes at the time they were originally drawn. Many states and counties amend the codes for their area. It is the responsibility of the purchaser and/or builder to see that the structure is built to meet the codes of your area. Customer hereby indemnifies and holds Mixson Graphics LLC, its principals, employees and agents, harmless from any claim, loss or liability resulting from the failure of the plans to comply with local building codes or regulations or for any other breach of this Agreement attributable in whole or in part to Customer or its builder.

Because local codes and regulations and even methods of construction vary across the nation and internationally, certain alternative planning may be necessary to adapt the plan to your area. For this reason heating and plumbing are not included with our plans. You should be able to meet with these subcontractors to select and plan the system that is most appropriate for your area. Some municipalities may require plan review by a licensed Architect or Structural Engineer of your area. After plan purchase from Mixson Graphics LLC, the customer is responsible for additional expenses incurred through meeting municipality requirements or other requirements for construction.

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To the best of his knowledge, the designer has prepared these plans to comply with the client's specifications and local building codes in effect at the time of preparation. However, the designer has taken steps to avoid errors, omissions, and mistakes, the contractor and/or owner should review all plans, elevations, and specifications. The designer will not be liable for human error after construction begins.

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ELEVATIONS - PLAN 1436-C
The ABBEVILLE "C"

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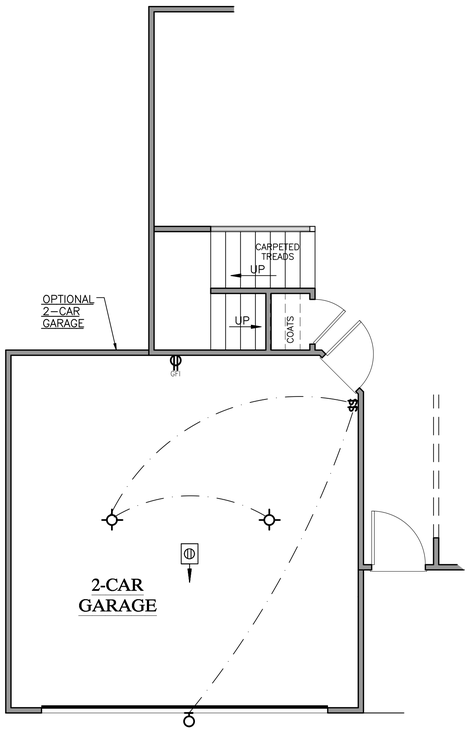
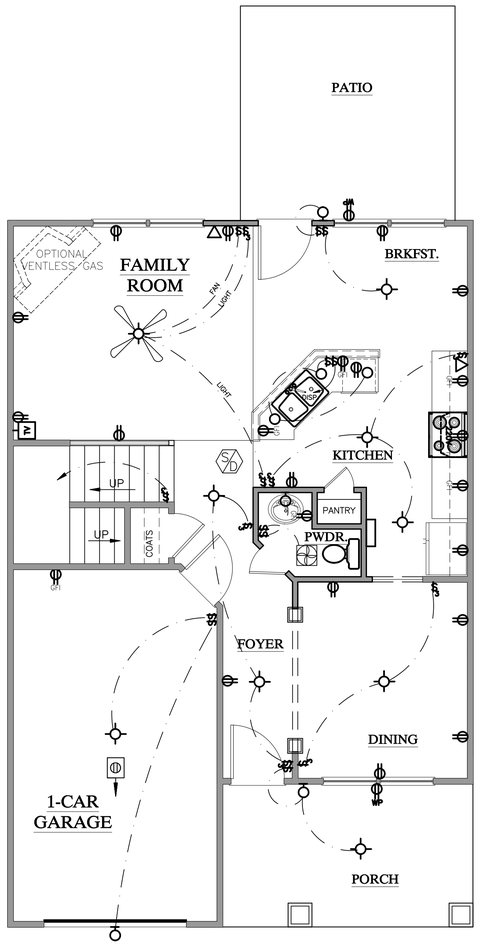
Project: Plan 1436-C The Abbeville "C"
Date: 10/08
Scale: 1/4" = 1'-0"



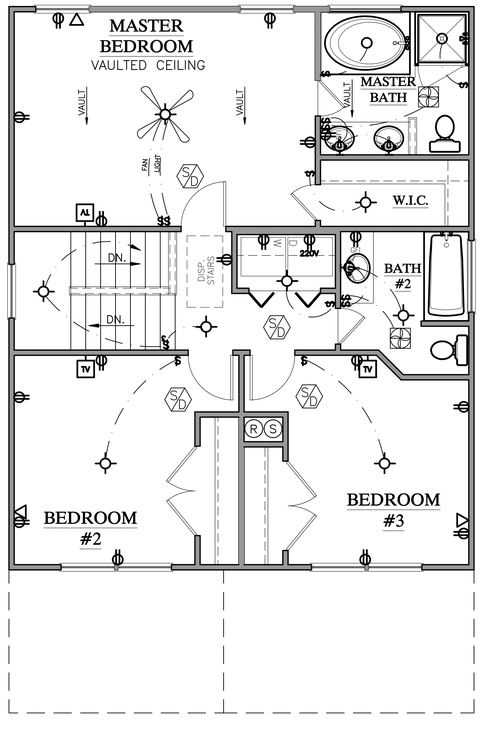
OPTIONAL 2-CAR GARAGE

SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

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ELECTRICAL SYMBOL KEY

- DUPLEX RECEPTACLE
- 220V DUPLEX RECEPTACLE
- WATER PROOF RECEPTACLE
- GROUND FAULT INTERRUPT RECEPTACLE
- 1-POLE SWITCH
- 3-POLE SWITCH
- WALL LIGHT
- RECESSED CEILING LIGHT
- SURFACE CEILING LIGHT
- CEILING FAN W/ LIGHT
- SMOKE DETECTOR
- EXHAUST FAN
- TV CABLE JACK
- TELEPHONE JACK
- GARAGE DOOR OPENER
- DOOR BELL
- PANEL BOX
- CONDUIT

General Notes

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To the best of his knowledge, the designer has prepared these plans to comply with the current applicable building codes in effect at the time. Although every reasonable effort has been made to eliminate errors, omissions, inconsistencies, ambiguities, design errors, contradictions, discrepancies, and/or specification, the designer will not be liable for human error after construction begins

ELECTRICAL PLANS - PLAN 1436-C
The ABBEVILLE "C"

1/4" = 1'-0"

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Plan 1436-C
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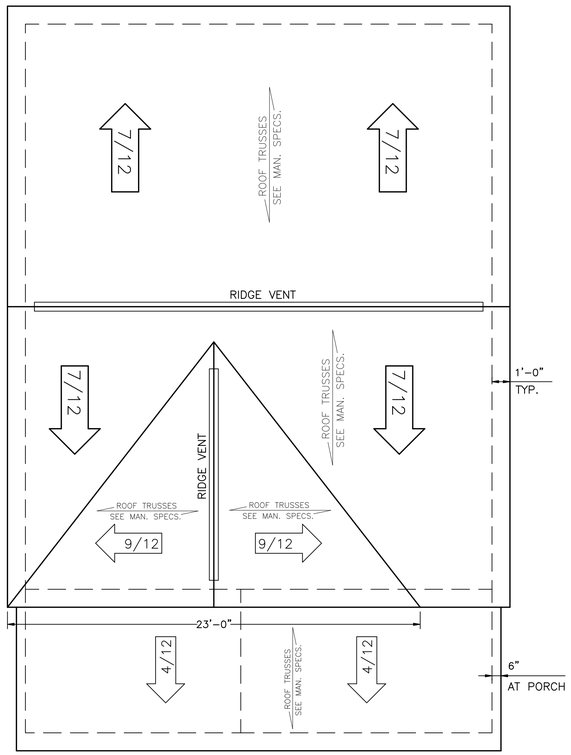
Project Plan 1436-C The Abbeville "C"

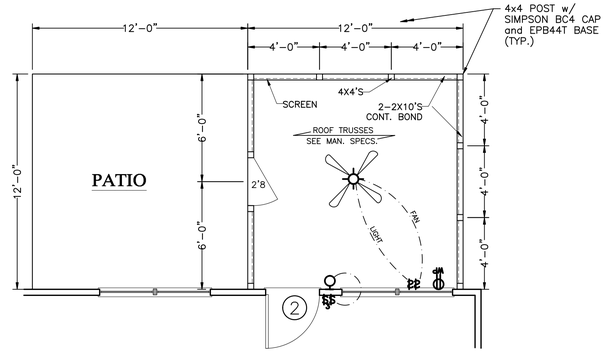
Date 10/08

Scale 1/4" = 1'-0"

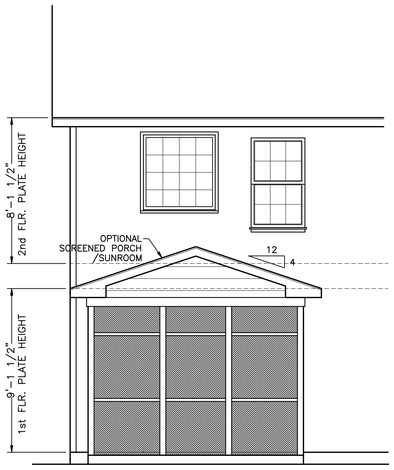


ROOF PLAN "C"

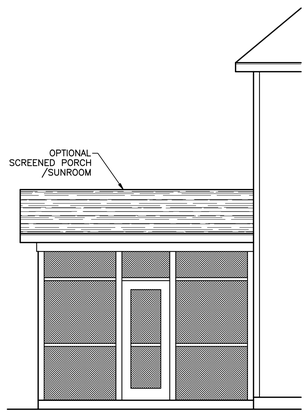
SCALE: 1/4" = 1'-0"



PLAN



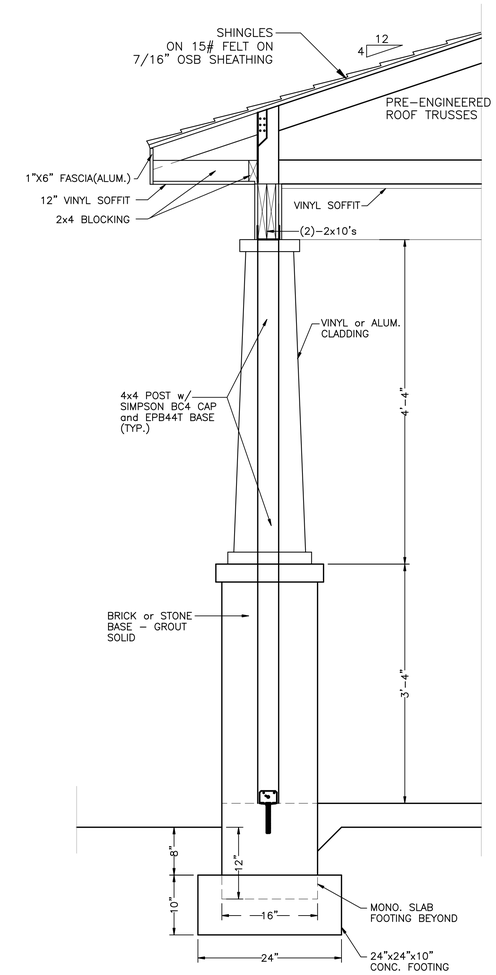
REAR ELEVATION



SIDE ELEVATION

OPT. SCREEN PORCH

SCALE: 1/4" = 1'-0"



TYPICAL COLUMN DETAIL

SCALE: 1/2" = 1'-0"

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ROOF PLAN/DETAILS - PLAN 1436-C
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