

# SHEPHERDSTOWN HISTORIC LANDMARKS COMMISSION

Monday, November 11, 2024

6:00 p.m.

TOWN HALL

104 NORTH KING STREET, SHEPHERDSTOWN

**1. Call to Order:**

**2. Approval of Previous Months' Minutes:**      October 14, 2024

**3. Visitors:**

**4. Conflicts of Interest:**

**5. Applications:**

24-09: 339 W. German Street

The commission will review the results of a second structural engineering report in reference to the proposed demolition of the primary structure situated on the lot.

24-23: 102 & 104 S. King Street

Construction of a 32' x 24' addition to the south of the existing structure connected by a 6' enclosed breezeway.

24-32: 111 Ray Street

Deconstruction of previously enclosed front porch and reversal to an open style with wood picket railing and the replacement of the front door with a wood door.

**6. Workshop Sessions:**

**7. Ongoing Business:**

**8. New Business:**

- Draft an HLC Purpose Statement
- Develop commission goals for 2025

**9. Adjournment:**

**PAINTER-LEWIS, P.L.C.**

CONSULTING ENGINEERS

817 Cedar Creek Grade, Suite 120  
Winchester, Virginia 22601

Tel.: (540) 662-5792  
Fax.: (540) 662-5793

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**Inspection Report:**

Inspection #1: General Residential Structural Inspection

**Project:** Existing Residential Structure  
339 West German Street  
Shepherdstown, West Virginia 25443

**Client** Mr. Andy Beall, Planning and Zoning Director  
Corporation of Shepherdstown  
104 North King Street  
P. O. Box 248  
Shepherdstown, West Virginia 25433  
Email: [abeall@shepherdstown.us](mailto:abeall@shepherdstown.us)

**Bldg. Permit No.:** Not Applicable  
**Date of Inspection:** August 21, 2024  
**Inspection Type:** General Structural Inspection  
**Contractor:** Not Applicable  
**Time:** 2:00 PM  
**Weather:** Mostly Sunny,  
Warm

REMARKS: Existing Residence - General Inspection:

**Objective:**

- The purpose of this inspection was to identify problem areas in the structural systems and make recommendations for the restoration or a determination if demolition is the best option for this building. This initial inspection was limited to the areas of structural concerns that could be easily accessed or identified in this residence via visual observation, only, without any destructive testing of the finished elements.

**Roof System and Attic Area:**

**Inspection #1: Observations and Recommendations**

- The roof system consists of a simple, gable-style roofing system for the two-story portion (main body) of the house and the one story side addition (addition). The attic area in the main body of this house is shallow and unfinished. Some areas were open, due to water infiltration and deterioration, which permitted the rafters and ceiling joists to be observed. The rafters typically consist of 1-3/4"x4" (actual) wood members spaced at approximately 19" on center (o.c.). The accompanying ceiling joists that formed the attic area of this residence were a combination of 2x6

and 2x8 nominal wood joists spaced at approximately 24" o.c. The individual, structural elements appeared to be undersized and in marginal condition, at best. There was excessive movement or undue stress in some of these elements and several areas of noted deterioration due to what appears to be active water infiltration and some fire damage. The one story addition was inaccessible, but appeared to have been constructed with a trussed roof system. The existing condition of the trussed roof could not be assessed at the time of this inspection.

- Typically, the roofing elements of the main body have deflected beyond the permissible limits, and are undersized by the Building Codes in use today. It should be noted that due to the age and historic character of this structure, these elements would be permitted to continue to be used because of the criteria set forth in the International Existing Building Code, provided that their structural integrity had not been compromised. As stated, there are concerns with this structural roofing system. In addition to the inadequacy of the rafter element sections, they have been damaged due to the continual water infiltration into and through this roofing system and the noted fire damage. Additionally, the connectivity of these elements is suspect and would need to be reinforced for future use.

- The finished roofing system consists of a standing seam metal roofing system. The roofing system was not inspected as part of this scope of work, but generally, it does not appear to be in good condition. There is clear evidence of current water infiltration and deterioration was observed in the metal roofing pans. It appears that this roofing system would need to be fully removed, the structural elements reinforced, as needed, and the roofing system be completely replaced with a new gutter and downspout system installed, as well.

- There is one interior chimney on the gable end of the main body of this building that is marginal for continued use. It has deteriorated; is out of plumb; has missing brick elements and mortar; and would need to be rebuilt. There was staining observed on and around the chimney and on the adjacent rafter elements. As noted, this is part of the evidence of the water infiltration which must be addressed immediately, to preserve this structure.

## **Second Floor Area:**

### **Inspection #1: Observations and Recommendations**

- The second floor system consists of standard wood joists with standard wood board sheathing. Typically, the finishes, in this area, consist of the exposed wood board sheathing for the floor system, and a drywall or plaster finish system on the walls and ceiling. The majority of the floor joists could not be seen; however, this floor appears to be in poor condition. The actual horizontal span length could not be determined, without further investigation, but these elements appear to be over-spanned. There was severe movement and unevenness throughout this floor system, to the point that the head height varies substantial throughout this level. The floor system slopes front to back and side to side. This is indicative of settlement and/or damage in the floor joist or wall elements that support these loads. Additionally, this floor system is excessively bouncy which leads to the conclusion that the joists are over-spanned.

- From the observations that could be made, this floor system is not in good condition and is unsound. There is excessive movement and appears to be undue stress in these elements, and there is the noted severe sagging in and sloping of the floors in this level.

- The wall structure of the second floor areas could be seen, but they appear to be rough-cut 2x4 framed walls. The walls are generally straight and plumb, but show areas of water infiltration and movement, due to cracking irregularities in the finished. It appears that this area would need to be

guttered, and these wall elements would probably need to be reinforced or replaced for any future use.

### **First Floor Area:**

#### **Inspection #1: Observations and Recommendations**

- The first floor, main level, floor systems of the main body and the addition, appear to be of similar construction, as indicated in the second floor diaphragm. The floor joists appear to consist of 2"x6" (actual) wood members spaced at approximately 26"-28" o.c., based on the observations made in the crawl space area. The horizontal span length is approximately sixteen feet (16') in length, with a total length of approximately eighteen feet (18'). Based on the bearing conditions, it can be assumed that the span length of the second floor system is approximately eighteen feet (18'), which supports the conclusion that these elements are over-spanned.
- From the observations made, these individual wood floor joist members appear to be in fair condition but are undersized and over-spaced for continued use. The sill elements supporting this floor system are severely damaged. They have rotted in some locations and have experienced section loss. This appears to be due to water infiltration and a high moisture levels that exist in the crawl space area of this building. A high moisture content can greatly reduce the structural capacity of the elements when subjected to constant moisture or exposure. This appears to have resulted in some of the excessive movements noted in these floor systems. The first floor system matches the conditions noted in the second floor. There is severe unevenness and sagging in this system; and it is very bouncy under foot traffic. The degree of movement and bounce appears to be even greater than what was noted in the upper level. As stated previously, the individual elements are over-spanned by the design standards in place today. The high moisture content in these joist elements and water infiltration make this condition worse; and therefore, this floor system is not functioning properly or as intended.
- The stairs that lead to the second floor level are usable, but need to be investigated further to ensure that they are safe for use. They are narrow and undersized and should be brought up to current standards.
- As stated above, and similar to the second floor area, the walls of the first floor could not be seen, but appear to be rough-cut 2x4 framing. The walls are finished with a combination of drywall, paneling, and plaster finishes. The walls are generally straight and plumb, but should be investigated further for future use or suitability.

### **Exterior, Elevations, Doors and Windows, and Foundation Systems:**

#### **Inspection #1: Observations and Recommendations**

- The exterior walls and finishes are in poor condition and in a state of disrepair. Generally, the siding appears to consist of lapped board siding or a lapped masonite siding on both the main body, two-story portion, and the one-story, side addition. It should be noted that the walls of the addition are masonry walls that have been furred to permit installation of the lapped siding. The siding is in poor condition. The siding in general has deteriorated, some pieces are missing, and there are holes and loose pieces throughout the building.
- The walls of the addition appear to be relatively sound due to the masonry construction, but the walls of the two-story, main body section are in poor condition. These wall systems have racked severely and are out of plumb. The doors do not close securely and in some cases, not at all. The windows have racked and some cannot be opened. This movement is severe and clearly visible.

This condition appears to be the result that no lateral restraint system was constructed as part of the main body of this residence.

- The foundation system of the addition appears to be mostly concrete masonry unit (CMU) block on a concrete strip footing. Of the areas that could be observed, this CMU system appears to be sound and in fair condition to good condition. The main body of this house has been constructed with a dry-stacked stone foundation with an excavated trench stone laid footing. There are several missing or loose stones and water infiltration is evident and prevalent throughout this foundation system. The wood sill plates have been laid on top of the wall to support the floor diaphragm. The water infiltration has severely damaged the sills, as noted above. There is no continuity in these structural systems which has led to the excessive movements, settlement, and racking of these structural systems.

- The crawl space area under the addition was not fully inspected because the access was very limited and considered unsafe. Additionally, based on our findings, it was not really necessary to review this interior crawl space area because of the inadequacies of the main body crawl space foundation, and its substandard foundation system. As stated, the main body foundation system was constructed with dry-stacked stone. Part of this system consisted of some areas of mortared stone and miscellaneous CMU elements, as well. It appears that this foundation system is bearing, primarily, on the subgrade surface and rock outcroppings with an inadequate or nonexistent stone footing system. The areas that did bear on soils did not appear to have adequate frost protection, in some locations.

- The yard areas, at the rear of this residence, generally, have positive drainage with more than adequate slope and fall away from the structure. The front elevations were tied directly to the street side walk and exhibited areas of negative drainage - water flowing towards and into the foundation system. Additionally, there was heavy vegetation growing over the walls of the addition which usually indicates that the root system is, potentially, causing damage to the wall and foundation system.

- Generally, this foundation system exhibits serious damage and movement; is misaligned due to this movement; does not properly support the superstructure of this residential structure; and is potentially unsafe in its current state, for continued use. It appears that constant neglect and lack of general maintenance are contributing to this continual damage and constant deterioration.

#### **Conclusions and Recommendations:**

- The roof and floor systems were determined to be undersized compared to the current, modern code requirements. These elements have moved excessively in some areas and show signs of severe deterioration. Connectivity between elements and the support systems of this residence is suspect, or nonexistent, and needs to be corrected. Similarly, the superstructure wall systems of the main body show damage due to water infiltration and have racked due to no, or an improper, lateral restraint system being installed. These walls are out of plumb and out of plane. Continual damage and movement appears to be a factor and will continue to adversely affect these systems.

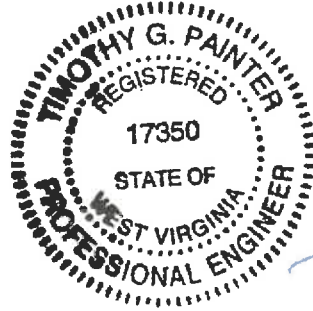
- The stone foundation system is very suspect and potentially unsafe for continued occupancy. The foundation system is inadequate and shows signs of severe lateral movement. Connectivity of the support systems and structural diaphragms is grossly inadequate and has contributed to the noted movements.

- With the constant water infiltration, damaged and deteriorated elements and systems, severe movements and racking in these structural systems, and basic neglect over time, we would

**recommend demolition, removal, and reconstruction** as the best option for the continued use of this land parcel as a residential use.

This report has been done in accordance with the International Residential Code for One- and Two-family Dwellings, 2021, and the standards and specifications of the local governing body. This investigation and any subsequent analyses of this project are limited to the members and systems, as specified above. No responsibility is hereby expressed or implied for the design or construction of the structural components and systems used in the construction of this residence.

If you would have any questions or would require further assistance please do not hesitate to contact me.



Respectfully submitted,

Timothy G. Painter, P. E.

May HLC



Application Number 24-09

### Application for Certificate of Appropriateness & Project Permit

#### Corporation of Shepherdstown, West Virginia

Should you have any questions regarding this application, please contact:  
Andy Beall (Phone 304-876-6858, E-Mail [abeall@shepherdstown.us](mailto:abeall@shepherdstown.us))

PLEASE PRINT OR TYPE CLEARLY

Applicant's Name: Ruth D. Brown  
(Must be Property Owner)

Mailing Address: P.O. Box 1071, Shepherdstown, WV 25443

Day Time Telephone Number: 304-279-2184

E-Mail Address: RuthdBrown51@gmail.com

Street Address of Proposed Work: 339 W. German St.

Lot Number/Legal Description: Lot 205, 339 W. German St.  
(If no address exists)

Current Zoning: \_\_\_\_\_ Current Land Use: Residential

Note: See zoning maps at Town Hall for correct zoning classification

Description of Work: Possible demolition of current house,

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Cost Estimate: \_\_\_\_\_ Project Category (Descriptions on Next Page): \_\_\_\_\_

Contractor performing work: \_\_\_\_\_

Contractor's Business License #: \_\_\_\_\_

A copy of the contractor's Shepherdstown business license or license application **MUST** be attached. The applicant is responsible for making sure all contractors working on this project have a Shepherdstown business license (which can be applied for at town hall). Work started without a business license could result in a stop work order on the project.



Application Number \_\_\_\_\_ - \_\_\_\_\_

**Application for Project Permit**  
**(Checklist of Required Information for Applications)**

Provide information required for appropriate category of work. Staff will ensure completion of checklist material prior to applications' inclusion on meeting agenda.

**Category I-** Minor Projects such as awnings, porch railings, window boxes, satellite dishes, solar panels, signs, fences, non-permanent storage sheds and other minor changes.

\_\_\_\_\_ PHOTOGRAPHS OR DRAWN ELEVATION VIEWS OF THE PROPOSED WORK SITES (clearly labeled), at reasonable scales, of the parts of the structure to be altered (again, clearly labeled in terms of which side of the structure, etc.) are needed.

\_\_\_\_\_ MATERIAL AND COLOR SAMPLES for exterior finishes

**Category II-** Driveways, decks, carports, porch enclosures and window, roof or siding replacement.

**Category III-** New construction of and/or additions to residential, commercial, and industrial structures.

**Category IV-** Demolition or Relocation of a Structure

**(Categories II and III):**

\_\_\_\_\_ SITE PLAN is required at common engineering (1" = 10' or 1" = 20', etc.) or architectural scales (1/4" = 1' or 1/8" = 1'). Specifically, these drawings shall include: North point, scale, date, property boundaries (lot lines), existing trees and/or significant planting (if work will disturb surroundings), street & parking lighting. (SAMPLE ATTACHED)

\_\_\_\_\_ Gross & net land area of property

\_\_\_\_\_ Setback from property boundaries

\_\_\_\_\_ Existing & proposed topography (only if regrading of the property is required)

\_\_\_\_\_ Existing & proposed accessory structures.

\_\_\_\_\_ Existing & proposed street right-of-way & entrance

\_\_\_\_\_ Sidewalk, handicap access, Category IV only

\_\_\_\_\_ MATERIAL AND COLOR SAMPLES for exterior finishes

\_\_\_\_\_ ELEVATIONS, drawings indicating height of proposed structures, materials, and window and door arrangements

\_\_\_\_\_ ZONING INFORMATION shall be defined in the application as required:

\_\_\_\_\_  Dwelling density- net (residential application only)

\_\_\_\_\_ Flood plain designation if any (mapping available in Town Hall)

\_\_\_\_\_ Cost estimates and property appraisals for applications seeking exemptions from Chapter 12- Floodplain provisions

**Category IV- Demolitions:**

\_\_\_\_\_  Historic designation of structures to be demolished (documents available in Town Hall)

\_\_\_\_\_ Complete description of structure(s) or part(s) of structure(s) to be demolished.

\_\_\_\_\_ At least one (1) structural report by a certified structural engineer. Applies to demolition requests for structures fifty (50) years or older.





Application Number \_\_\_\_\_ - \_\_\_\_\_

**Checklist of Required Information for Applications Continued**

**All Categories:**

\_\_\_\_\_ Copy of general contractor's Shepherdstown business license or license application.

**Section 9-905 Remedies and penalties**

The owner or agent of a building or premises in or upon which a violation of any provision of the Planning and Zoning Title has been committed or shall exist, or the leasee or tenant of an entire building or entire premise in or upon which violation has been committed or shall exist, or the agent, architect, building contractor or any other person who commits, takes part or assists in any violation or who maintains any building or premises in or upon which such violation shall exist, shall be guilty of a misdemeanor and shall be punished by a fine not to exceed one hundred (100) dollars. Each and every day that such violation continues may constitute a separate offense.

**Please read the following paragraph carefully and sign.**

**Attach documents specified in the checklist on the back of this application. I hereby certify that all information herein provided is true and accurate. I hereby authorize the inspection of the above premises by authorized agents of the Shepherdstown Planning Commission at any reasonable time in order to determine compliance with the Commission's approval. **I understand that my presence at the assigned application review meeting is required.** Application must be signed by owner or his/her agent.**

Date: 3/22/24

Owner's Signature: Ruth D. Brown

Print Name: Ruth D. Brown

**Fees shall be paid to the Town Treasurer/Clerk and must accompany the application. If work begins without the required permit, double the cost of said permit will be applied.**

Zoning Officer Comments:

Fee Paid \$150  
Date Paid 3/22/24

CHK # 169



Application Number \_\_\_\_\_ - \_\_\_\_\_

**THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:**

Section 9-902 of Chapter 8 paragraph XIV be amended as follows:

*Please check all boxes that may apply (Application Fees Due Upon Submittal):*

|   |
|---|
| <p><b><u>Category I:</u></b></p> <p>Minor projects such as murals, awnings, porch railings, window boxes, satellite dishes, solar panels, gutters &amp; downspouts, patios, sidewalks, hardscaping, signs, fences, storage sheds (not attached to the ground) and other minor changes and permit extensions.</p> <p style="text-align: right;"><b>\$50.00</b></p>   |
| <p><b><u>Category II:</u></b></p> <p>Window replacement, roof replacement, siding replacement, porch enclosure, driveways, carports, and decks.</p> <p style="text-align: right;"><b>\$100.00</b></p>   |
| <p><b><u>Category III:</u></b></p> <p>New construction of and/or additions to residential, commercial, and industrial structures.</p> <p style="text-align: right;"><b>\$300 + \$0.50 per sq. ft.</b></p> <p>New construction of garages &amp; other accessory buildings (permanently attached to the ground).</p> <p style="text-align: right;"><b>\$50 + \$0.10 per sq. ft.</b></p>   |
| <p><b><u>Category IV:</u></b></p> <p><b>Demolition or Relocation of a Structure:</b> Removal of any building feature(s) or razing of any structure(s) or relocation of a structure to new location. For either project, the applicant must submit the following in writing (in addition to an application):</p> <ol style="list-style-type: none"><li>Reason for the demolition/relocation (including historic documentation).</li><li>Describe the structure's condition in detail.</li><li>Describe the proposed reuse of the site, including full drawings of new structure &amp; landscaping.</li><li>Evidence of relevant funding or financial concerns.</li><li>Timeframe for project</li></ol> <p><b>\$50.00</b>      Accessory Buildings<br/><b>\$150.00</b>     Non-Contributing Structures (&lt; 50 years old)<br/><b>\$500.00</b>     Contributing Structures (≥ 50 years old)</p> |
| <p style="text-align: center;"><b>Certificate of Appropriateness Advertisement Fee: <span style="float: right;">\$15</span></b></p>   |

# Google Maps 338 Martinsburg Pkwy

Shepherdstown, West Virginia

Google Street View

Oct 2023 [See more dates](#)



Image capture: Oct 2023 © 2024 Google

ND

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**A.F. McCormick Structural Engineering**

Suite 208, Historic Entler Hotel  
129 East German Street  
PO Box 3604  
Shepherdstown, WV 25443

January 10, 2024

Ruth Brown  
PO Box 1071  
Shepherdstown, WV 25443

Re: Structural Assessment  
339 West German Street  
Shepherdstown, WV

Dear Ms. Brown:

At your request I visited the above-referenced house on December 4, 2023, to evaluate its structural condition and determine if the house could be stabilized and repaired, or if it is a candidate for demolition.

**Observations**

The house consists of a 17 by 21-foot two-story original portion over a crawlspace, and a small one-story concrete block addition to the east. The original house consists of frame or log walls covered with composite siding, widely spaced floor joists, and a stone foundation. The foundation is in extremely poor condition, with stones missing, and large bulges. Due to foundation settlement and deterioration of the wood in the floors and exterior walls, the floor slopes down approximately 10" from the front to rear of the house, and the entire structure leans to the west and rear approximately 5 degrees resulting in the west gable end leaning more than 18" out of plumb. The wood flooring was not visible from above because of a vinyl floor covering, but it moves perceptibly underfoot.

The roof framing consists of small pole rafters at 3 feet on-center, with several modern 2x4s added in places. Numerous areas of deteriorated framing and roof sheathing were noted. Attic floor joists are 2x8s at 3 feet on-center, with no interior bearing.

The second floor joists are 2x8s at a very wide spacing with no interior bearing. The ceiling height on the second floor averages less than 5'-9". First floor joists are 2x6s at 2 feet on-center, and are deteriorated and sagging significantly as well as generally sloping towards the rear. Several props have been added over time.

**Conclusion**

The extreme leaning and instability of the house and its overall very poor condition preclude any attempts at stabilization and repair. The house should be demolished.

If you have any questions regarding the above, or require further assistance, please contact me.

Respectfully submitted,



Alicia F. McCormick, P.E.  
afmc/let23-110

A. F. McCormick Structural Engineering  
PO Box 3604  
Shepherdstown, WV 25443

# Invoice

| DATE      | INVOICE # |
|-----------|-----------|
| 1/10/2024 | 3219      |

BILL TO

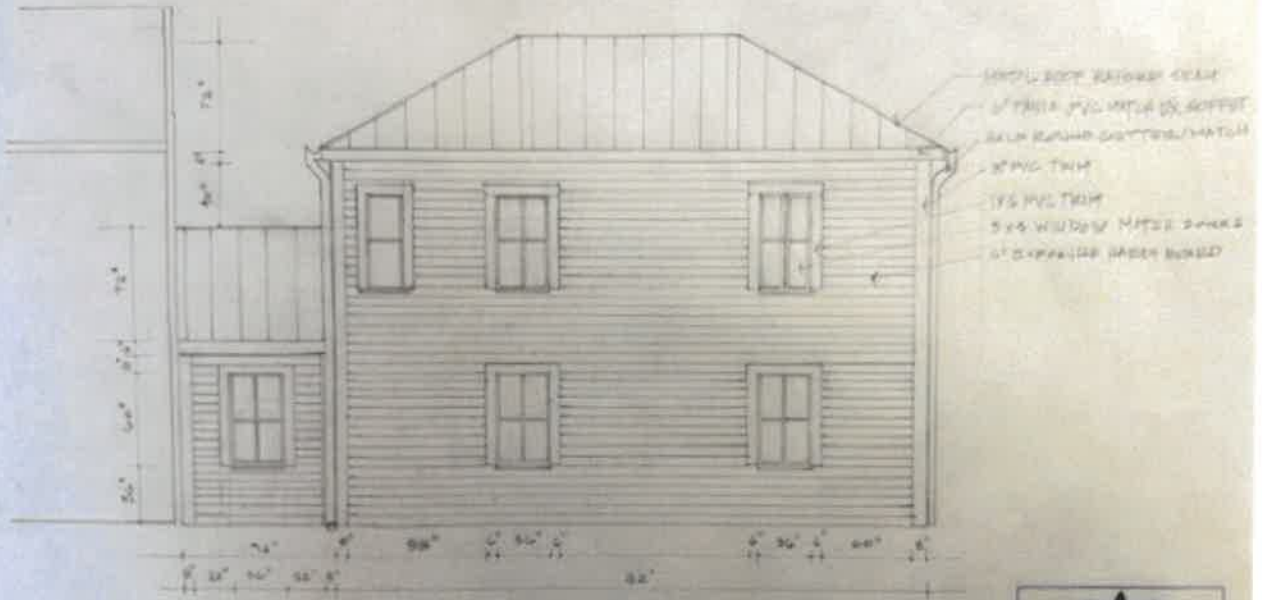
Ruth Brown  
PO Box 1071  
Shepherdstown, WV 25443

| DUE DATE  |
|-----------|
| 1/10/2024 |

| JOB/NUMBER               |
|--------------------------|
| 339 W. German St./23-110 |

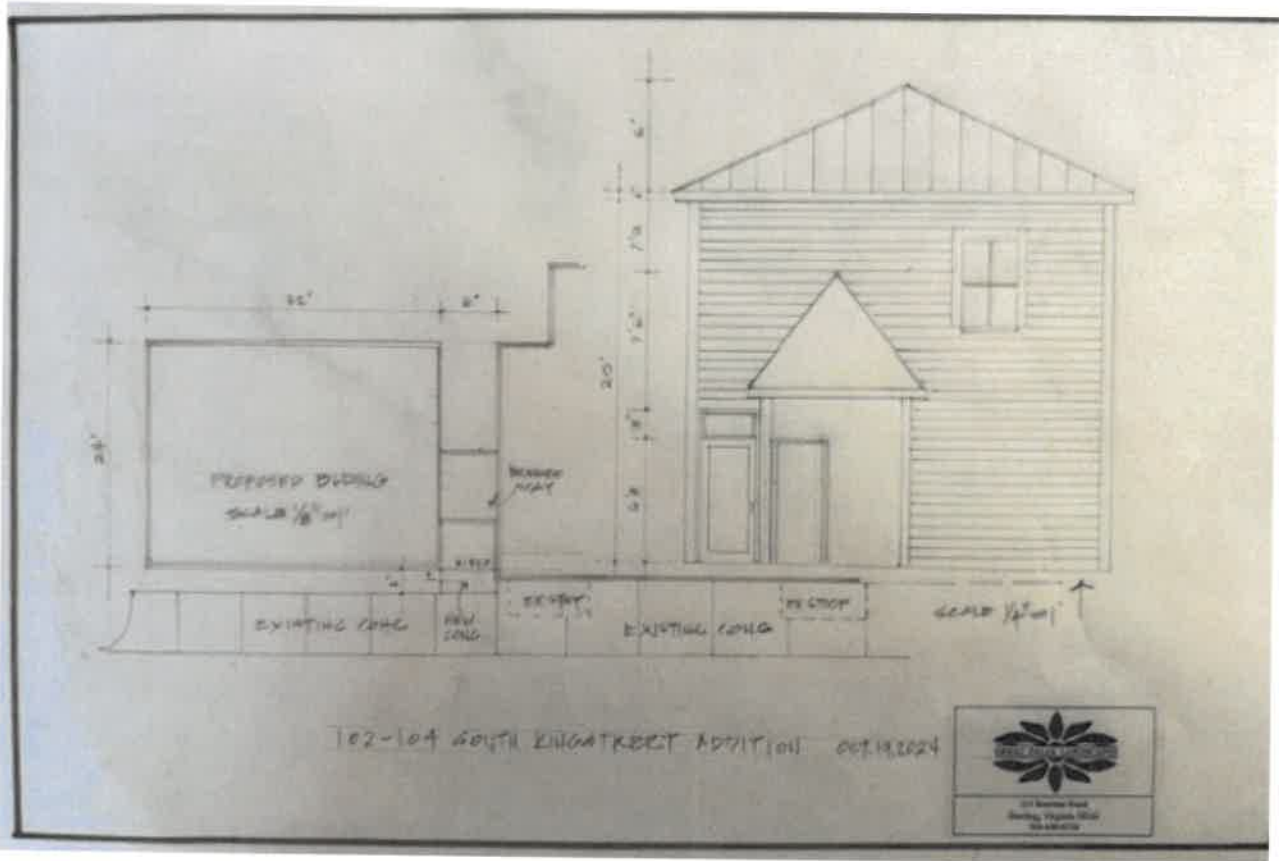
| DESCRIPTION                       | QTY | RATE   | AMOUNT          |
|-----------------------------------|-----|--------|-----------------|
| Inspection, Evaluation and Report | 2.5 | 170.00 | 425.00          |
| <b>Total</b>                      |     |        | <b>\$425.00</b> |

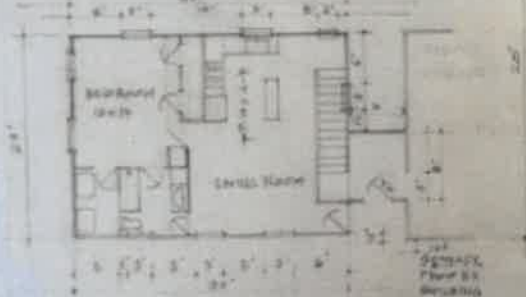
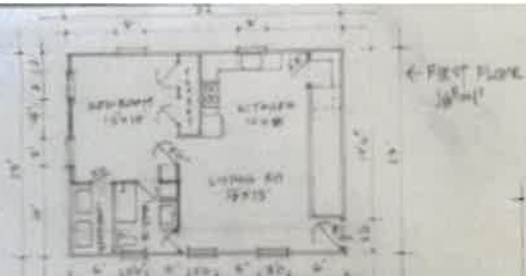
BACK SIDE VIEW SHEPARD TRAIL  
1/4" = 1'



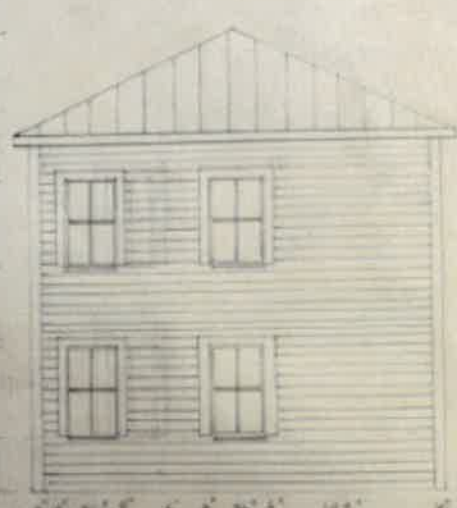
102-104 SOUTH KILL ST. SHEPARDSTOWN W. VA  
1/4" = 1' 10-10-2024







2ND FLOOR SHEPARDSTOWN  
SCALE 1/8"=1'



SIDE VIEW - SHEPARDSTOWN  
1/4"=1'



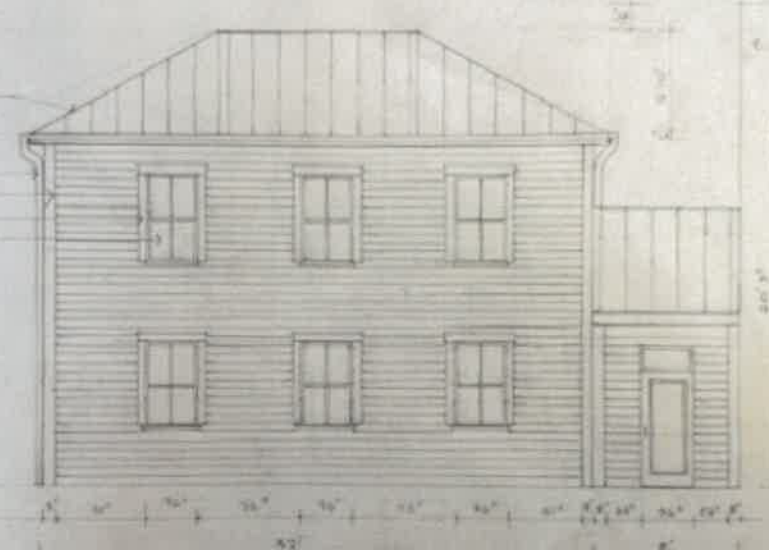
02-104 SOUTH KINGSTREET SHEPARDSTOWN W VA  
1/8"=1' SCALE

OCT 18 2024  
J. K. Smith



FRONTAL VIEW GRASPINDSTADU  
102-104 S KING STREET  
4'-1'

VERT. SMOOTH  
3/4" x 1 1/2" SMOOTH  
1/2" x 1 1/2" SMOOTH  
1" x 1 1/2" SMOOTH



EXISTING  
APERTURE  
20' 0"



REV. OCT 19 2024

Nov HLC



Application Number 24-32

### Application for Certificate of Appropriateness & Project Permit

#### Corporation of Shepherdstown, West Virginia

Should you have any questions regarding this application, please contact:  
Andy Beall (Phone 304-876-6858, E-Mail [abeall@shepherdstown.us](mailto:abeall@shepherdstown.us))

PLEASE PRINT OR TYPE CLEARLY

Applicant's Name: EJ Homes, LLC  
(Must be Property Owner)

Mailing Address: 121 W. Washington Street Charles Town, WV 25414

Day Time Telephone Number: agent contact: Ginger Oden 304-268-2328

E-Mail Address: ginger@dandridgerealtygroup.com

Street Address of Proposed Work: 111 Ray Street

Lot Number/Legal Description: 1 Ac Ray's Addition  
(If no address exists)

Current Zoning: R-1 Current Land Use: residential

Note: See zoning maps at Town Hall for correct zoning classification

Description of Work: open porch back up - remove enclosure (windows, siding, door) if posts underneath are there in good shape, we will save them. If not we will do similar for house style - see pictures of porches. We will put railings between post (picket style) because porch is close to height restriction from open. We also will put green metal roof on porch to match main roof color/shutters. We will get a nice wood door to put of front door to offer light and improve looks of house

Cost Estimate: \$5000.00 Project Category (Descriptions on Next Page): \_\_\_\_\_

Contractor performing work: Shirley's Complete Home Improvement, LLC

Contractor's Business License #: 2436-4901

A copy of the contractor's Shepherdstown business license or license application **MUST** be attached. The applicant is responsible for making sure all contractors working on this project have a Shepherdstown business license (which can be applied for at town hall). Work started without a business license could result in a stop work order on the project.



Application Number \_\_\_\_\_ - \_\_\_\_\_

**Application for Project Permit**  
**(Checklist of Required Information for Applications)**

Provide information required for appropriate category of work. Staff will ensure completion of checklist material prior to applications' inclusion on meeting agenda.

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- PHOTOGRAPHS OR DRAWN ELEVATION VIEWS OF THE PROPOSED WORK SITES** (clearly labeled), at reasonable scales, of the parts of the structure to be altered (again, clearly labeled in terms of which side of the structure, etc.) are needed.
- MATERIAL AND COLOR SAMPLES** for exterior finishes

**Category II- Driveways, decks, carports, porch enclosures and window, roof or siding replacement.**

**Category III- New construction of and/or additions to residential, commercial, and industrial structures.**

**Category IV- Demolition or Relocation of a Structure**

**(Categories II and III):**

- \_\_\_\_\_ **SITE PLAN** is required at common engineering (1" = 10' or 1" = 20', etc.) or architectural scales (1/4" = 1' or 1/8" = 1'). Specifically, these drawings shall include: North point, scale, date, property boundaries (lot lines), existing trees and/or significant planting (if work will disturb surroundings), street & parking lighting. (SAMPLE ATTACHED)
- \_\_\_\_\_ Gross & net land area of property
- \_\_\_\_\_ Setback from property boundaries
- \_\_\_\_\_ Existing & proposed topography (only if regrading of the property is required)
- \_\_\_\_\_ Existing & proposed accessory structures.
- \_\_\_\_\_ Existing & proposed street right-of-way & entrance
- \_\_\_\_\_ Sidewalk, handicap access, Category IV only
- \_\_\_\_\_ **MATERIAL AND COLOR SAMPLES** for exterior finishes
- \_\_\_\_\_ **ELEVATIONS**, drawings indicating height of proposed structures, materials, and window and door arrangements
- \_\_\_\_\_ **ZONING INFORMATION** shall be defined in the application as required:
  - \_\_\_\_\_ Dwelling density- net (residential application only)
  - \_\_\_\_\_ Flood plain designation if any (mapping available in Town Hall)
  - \_\_\_\_\_ Cost estimates and property appraisals for applications seeking exemptions from Chapter 12- Floodplain provisions

**Category IV- Demolitions:**

- \_\_\_\_\_ Historic designation of structures to be demolished (documents available in Town Hall)
- \_\_\_\_\_ Complete description of structure(s) or part(s) of structure(s) to be demolished.
- \_\_\_\_\_ At least one (1) structural report by a certified structural engineer. Applies to demolition requests for structures fifty (50) years or older.



Application Number \_\_\_\_\_

**Checklist of Required Information for Applications Continued**

**All Categories:**

\_\_\_\_\_ Copy of general contractor's Shepherdstown business license or license application.

**Section 9-905 Remedies and penalties**

The owner or agent of a building or premises in or upon which a violation of any provision of the Planning and Zoning Title has been committed or shall exist, or the leasee or tenant of an entire building or entire premise in or upon which violation has been committed or shall exist, or the agent, architect, building contractor or any other person who commits, takes part or assists in any violation or who maintains any building or premises in or upon which such violation shall exist, shall be guilty of a misdemeanor and shall be punished by a fine not to exceed one hundred (100) dollars. Each and every day that such violation continues may constitute a separate offense.

**Please read the following paragraph carefully and sign.**

Attach documents specified in the checklist on the back of this application. I hereby certify that all information herein provided is true and accurate. I hereby authorize the inspection of the above premises by authorized agents of the Shepherdstown Planning Commission at any reasonable time in order to determine compliance with the Commission's approval. **I understand that my presence at the assigned application review meeting is required.** Application must be signed by owner or his/her agent.

Date: 10-23-24

Owner's Signature: [Handwritten Signature]

Print Name: Liz McDonald, member

**Fees shall be paid to the Town Treasurer/Clerk and must accompany the application. If work begins without the required permit, double the cost of said permit will be applied.**

Zoning Officer Comments:

Fee Paid \$100.00

Date Paid 10/23/24



Application Number \_\_\_\_\_ - \_\_\_\_\_

**THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:**

Section 9-902 of Chapter 8 paragraph XIV be amended as follows:

Please check all boxes that may apply (*Application Fees Due Upon Submittal*):

|   |  |
|---|--|
|   | <p><b><u>Category I:</u></b></p> <p>Minor projects such as murals, awnings, porch railings, window boxes, satellite dishes, solar panels, gutters &amp; downspouts, patios, sidewalks, hardscaping, signs, fences, storage sheds (not attached to the ground) and other minor changes and permit extensions.</p> <p style="text-align: right;"><b>\$50.00</b></p>  |
|   | <p><b><u>Category II:</u></b></p> <p>Window replacement, <i>porch only</i> <u>roof replacement</u>, siding replacement, <i>open porch</i> <del>porch enclosure</del>, driveways, carports, and decks.</p> <p style="text-align: right;"><b>\$100.00</b></p>  |
|   | <p><b><u>Category III:</u></b></p> <p>New construction of and/or additions to residential, commercial, and industrial structures.</p> <p style="text-align: right;"><b>\$300 + \$0.50 per sq. ft.</b></p> <p>New construction of garages &amp; other accessory buildings (permanently attached to the ground).</p> <p style="text-align: right;"><b>\$50 + \$0.10 per sq. ft.</b></p>  |
|   | <p><b><u>Category IV:</u></b></p> <p><b>Demolition or Relocation of a Structure:</b> Removal of any building feature(s) or razing of any structure(s) or relocation of a structure to new location. For either project, the applicant must submit the following in writing (in addition to an application):</p> <ol style="list-style-type: none"> <li>1. Reason for the demolition/relocation (including historic documentation).</li> <li>2. Describe the structure's condition in detail.</li> <li>3. Describe the proposed reuse of the site, including full drawings of new structure &amp; landscaping.</li> <li>4. Evidence of relevant funding or financial concerns.</li> <li>5. Timeframe for project</li> </ol> <p><b>\$50.00</b>      Accessory Buildings<br/> <b>\$150.00</b>     Non-Contributing Structures (&lt; 50 years old)<br/> <b>\$500.00</b>     Contributing Structures (≥ 50 years old)</p> |
| <p><b>Certificate of Appropriateness Advertisement Fee: <span style="float: right;">\$15</span></b></p> |  |

## **NOTICE - Municipal Sales and Use Tax**

**Effective July 1, 2017**

**Re: Municipal Sales and Use Tax**

**Effective July 1, 2017 the Corporation of Shepherdstown will begin imposing a local Municipal Sales and Use tax at the rate of 1%. The new effective rate is the State sales tax rate of 6% plus the municipality's tax rate of 1% for a total tax rate of 7%. This local tax is one of the ordinance changes coming out of our Home Rule initiative, the readings for which were on June 14 and 28, 2016. Martinsburg, Ranson and Charles Town have already implemented a similar tax.**

**The Municipal Sales and Use Tax will be imposed on all taxable sales of tangible personal property and services within the corporate limits of the Corporation of Shepherdstown for which your business currently pays a States sales tax of 6%. Businesses will be required to report and remit the Municipal sale and use tax on the same form in which they use to report their Sales tax.**

- If filing electronically, your business will need to complete Schedule M of the West Virginia Sales and Use Tax Return Form.
- If filing hardcopy using Form WV/CST-200CU, your business will need to complete either Part III (Municipal Sales Tax) for Part IV (Municipal Use Tax).

In both instances the Municipal taxes is added to the State taxes for a single amount due by your business. The State collects Municipal taxes on behalf of the Corporation of Shepherdstown.

### **Exemptions**

Do not charge local sales tax on sales of taxable items when:

- Your customer gives you a fully completed Certificate of Exemption for state sales tax
- You ship or deliver the items to your customer outside the local area
- You sell direct-to-home satellite (DBS) services. These services are subject to state sales taxes, but not local sales taxes. (This is a federal preemption from the Telecommunications Act of 1996.)

Federal government, state and local agencies often are exempt from State and Municipal sales and use taxes, but in situations where they are exempt, they must claim the exemption by presenting a properly-executed exemption certificate. (See TSD-300 Sales and Use Tax Exemptions).

Additional information concerning the West Virginia State Tax Department's Municipal Sales and Use Tax is available on their website at [www.wva.state.wv.us/wvtax/](http://www.wva.state.wv.us/wvtax/). Or by calling their office (Mon – Fri from 8:00am – 5:00pm) at **(304) 558-3333 or 1-800-982-8297**.

For general questions, you may contact the Shepherdstown Town Clerk, Amy Boyd, at (304) 876-2398.

111 Ray Street Shepherdstown WV, 25443  
Front Porch Project

Our plan is to open the porch up similar to its earlier days. Someone has closed the porch with various materials and windows. See picture of existing porch in package. We want to remove these materials and see if the original posts are there to be saved. We would like to keep posts or put new wood posts if nothing is there. See the picture we created in this package. We will replace the front door and jamb on the house with a wood door similar to the time period. This will let so much light into the front two rooms of the house. We will repair / replace existing vinyl siding as needed on the house. The main house has a green metal roof and green shutters. We plan a green metal roof on the porch to tie the porch to the house.

The steps will be replaced with wooden steps centered on the porch. We will try to preserve the wood floor of the porch, replacing what is needed but keeping original as much as possible. We will mulch around the porch and add a few plants for curb appeal.



111 Ray Street - current porch enclosed





House with photo edited porch



example of door, posts, steps  
wood porch floor  
metal roof to match main house

| REVIEW BY | # | ID      | IMPLEMENTATION STRATEGY  | UPDATE | PRIORITY | REMOVE | N/A | COMMENTS    | STAFF COMMENTS / SUGGESTIONS |
|-----------|---|---------|--|--------|----------|--------|-----|-------------|------------------------------|
|           |   |         | <b>ECONOMIC DEVELOPMENT &amp; TOURISM</b>                          |        |          |        |     |             |                              |
|           | 1 | ED-1.2  | Establish High-Risk Improvement Programs                           | LOW    |          |        |     |             |                              |
|           |   |         | <b>HISTORIC PRESERVATION</b>                                       |        |          |        |     |             |                              |
|           |   | HP-1.1  | Historic Preservation Incentives                                   | MEDIUM |          |        |     |             |                              |
|           |   | HP-1.2  | Illustrated Architectural Guidelines                               | MEDIUM |          |        |     |             |                              |
|           |   | HP-1.3  | Legal Techniques for Sustainable Historic Preservation             | N/A    |          |        |     | COMPLETE    | REMOVE                       |
|           |   | HP-1.4  | Develop Educational Material, Resources and Workshops              | HIGH   |          |        |     | IN PROGRESS |                              |
|           |   | HP-2.1  | Protect Threatened Historic Properties                             | HIGH   |          |        |     | COMPLETE    | REMOVE                       |
|           |   | HP-2.2  | Maintain Historic District Integrity                               | N/A    |          |        |     | COMPLETE    |                              |
|           |   | HP-2.3  | Monitor Condition of Historic Structures                           | HIGH   |          |        |     | COMPLETE    | REMOVE                       |
|           |   | HP-2.4  | Define Historic District Inventory                                 | N/A    |          |        |     | COMPLETE    |                              |
|           |   | HP-3.1  | Adopt Demolition Impact Ordinance                                  | HIGH   |          |        |     |             |                              |
|           |   | HP-3.2  | Establish a Historic Preservation Fund                             | HIGH   |          |        |     |             |                              |
|           |   | HP-3.3  | Adopt Historic Preservation Exemptions                             | MEDIUM |          |        |     |             |                              |
|           |   |         | <b>HOUSING</b>   |        |          |        |     |             |                              |
|           |   | H-1.4   | Promote the use of Tax Credits for Historic Homes                  | HIGH   |          |        |     |             |                              |
|           |   | H-1.6   | Expand Opportunities for Accessory Dwellings                       | MEDIUM |          |        |     |             |                              |
|           |   | H-2.5   | Financial Incentives for Rehabilitating Substandard Historic Homes |        |          |        |     |             | COMBINE WITH HP-1.4          |
|           |   |         | <b>LAND USE &amp; COMMUNITY CHARACTER</b>                          |        |          |        |     |             |                              |
|           |   | LU-1.6  | Incentivize Compatible Architectural Renovation                    | LOW    |          |        |     |             | REMOVE                       |
|           |   | LU-3.5  | Plan for the Relocation or Burial of Downtown Overhead Utilities   | MEDIUM |          |        |     |             | MAKE HIGH PRIORITY           |
|           |   |         | <b>NATURAL &amp; ENVIRONMENTAL RESOURCES</b>                       |        |          |        |     |             |                              |
|           |   | NER-3.3 | Promote Small Scale Renewable Energy Generation                    |        |          |        |     | SEE NER-3.2 |                              |

NER-3.2 Generate Renewable Energy on Town Property  
 In recent years, the town has received substantial financial assistance to purchase and install solar panels on local government facilities and lands for the generation of electricity. Accordingly, this recommendation deems higher priority.  
**RECOMMENDATIONS:** That the Town Administrator and Town Council explore with local companies like Solar Hollar whether rooftop installations of Town government-owned buildings should be considered as well as installations on Town lands surrounding the town's water and sewage treatment facilities.