



Application Number

25 - 12

## 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: FRED M OGLESBEE  
(Must be Property Owner)

Mailing Address: 2136 Blackoak Ave  
Columbus, Ohio 43229

Day Time Telephone Number: 614-562-0365

E-Mail Address: foglesbee@gmail.com

Street Address of Proposed Work: 110 E. College St

Lot Number/Legal Description:  
(If no address exists)

\* Current Zoning: R1 Current Land Use: Vacant lot  
Note: See zoning maps at Town Hall for correct zoning classification

\* Description of Work: Request to build single family residence. Home  
will consist of single story and a walkout basement. It will  
be framed with 2x6 walls and consist of 13 bedrooms and  
2 bath. It will have a covered front porch and sided in  
hardie board material in neutral color.  
Property is 56ft wide. Regulation state must be 105ft.  
Regulation state there's a minimum req. for 1500 sqft for home.  
We are requesting to build 1302 sqft house, 1302 sqft unfinished basement,  
basement could be finished in future.

\* Cost Estimate: \$375,000 Project Category (Descriptions on Next Page): III (3)

\* Contractor performing work: JL Moore, Inc.

\* Contractor's Business License #: WV000218



Application Number

28.12

**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 25 - 12

**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):*

<input type="checkbox"/>	<b>Category I:</b> Minor projects such as murals, awnings, porch railings, window boxes, satellite dishes, solar panels, gutters & downspouts, patios, sidewalks, hardscaping, signs, fences, storage sheds (not attached to the ground) and other minor changes and permit extensions. <div style="text-align: right;"><b>\$50.00</b></div>						
<input type="checkbox"/>	<b>Category II:</b> Window replacement, roof replacement, siding replacement, porch enclosure, driveways, carports, and decks. <div style="text-align: right;"><b>\$100.00</b></div>						
<input checked="" type="checkbox"/>	<b>Category III:</b> New construction of and/or additions to residential, commercial, and industrial structures. <div style="text-align: right;"><b>\$300 + \$0.50 per sq. ft.</b></div> New construction of garages & other accessory buildings (permanently attached to the ground). <div style="text-align: right;"><b>\$50 + \$0.10 per sq. ft.</b></div>						
<input type="checkbox"/>	<b>Category IV:</b> <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): <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> <table><tr><td><b>\$50.00</b></td><td>Accessory Buildings</td></tr><tr><td><b>\$150.00</b></td><td>Non-Contributing Structures (&lt; 50 years old)</td></tr><tr><td><b>\$500.00</b></td><td>Contributing Structures (≥ 50 years old)</td></tr></table>	<b>\$50.00</b>	Accessory Buildings	<b>\$150.00</b>	Non-Contributing Structures (< 50 years old)	<b>\$500.00</b>	Contributing Structures (≥ 50 years old)
<b>\$50.00</b>	Accessory Buildings						
<b>\$150.00</b>	Non-Contributing Structures (< 50 years old)						
<b>\$500.00</b>	Contributing Structures (≥ 50 years old)						



Application Number 25 - 12

**Checklist of Required Information for Applications Continued**

**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.

Application must be signed by owner or his/her agent.

Date: 7-7-25

Owner's Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Fred M. Exlesbee

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 \_\_\_\_\_

Date Paid \_\_\_\_\_



## **CORPORATION OF SHEPHERDSTOWN**

104 NORTH KING STREET  
P.O. Box 248  
SHEPHERDSTOWN, WEST VIRGINIA 25443-0248  
TEL: (304) 876-2312  
FAX: (304) 876-1473

### **NOTICE OF DECISION**

Date: May 20, 2025

Re: Application for Project Permit No. 25-12

J.L Moore, Michelle Shipley, Garry Shipley  
PO Box 1355  
Shepherdstown, WV 25443

Mr. and Mrs. Shipley,

Please be advised the Shepherdstown Planning Commission meeting in regular session on Monday May 19, 2025, voted to deny your request for a project permit to construct a single-family dwelling unit on the vacant lot known as Tax Map 3-122 located on College Street in Shepherdstown, WV. The Commission based its decision upon the following:

#### **FINDING OF FACTS:**

1. The application dated May 9, 2025, was complete, filed in a timely manner and all fees were paid,
2. The vacant parcel located at Tax Map 3-122 is zoned R-1 (Low Density Residential).
3. The application requested approval to construct a single-family dwelling unit on vacant parcel known as Tax Map 3-122 located on College Street in Shepherdstown WV.

4. Pursuant to Title 9, §9-508 Required lot area, lot width, and yards in residential districts (Amended February 13, 2007) the required minimum lot width within the R-1 district is 60 feet.
5. The lot located at Tax Map 3-122 is 56 feet wide.
6. *At its regular meeting of May 19, 2025, the Planning Commission reviewed the application, referred to §9-508 of the Title 9 Planning and Zoning Ordinance and voted unanimously to deny the application based on a failure to comply with the minimum lot width standard for single-family dwelling units located in the R-1 (Low Density Residential) zoning district.*

***Please be advised that in accordance with Title 9, §9-508, you have the right to appeal this determination with the Board of Zoning Appeals.***

Should you have any questions regarding this decision, please feel free to call the Corporation of Shepherdstown at 304-876-2312 or contact me directly at [gsisco@shepherdstown.gov](mailto:gsisco@shepherdstown.gov).

Respectfully,

A handwritten signature in blue ink, appearing to be 'Gino E. Sisco', with a long horizontal line extending to the right.

Gino E. Sisco  
Town Administrator  
Acting Planning and Zoning Administrator



# Board of Appeals Hearing Request

Application # 25-12

104 N King St  
PO Box 248 (for mailing)  
Shepherdstown, WV 25443

To be completed by applicant or their legal agent. Town staff and Board of Appeals members cannot give advice on the substance of your appeal. Only aggrieved persons may file an appeal. [Please reference Title 9, Section-1006.](#)

Property address for which appeal is being made: 110 College St Shepherdstown WV 25443

**Applicant's name:** J.L. Moore, Inc.  
**Mailing address:** PO Box 1355  
Shepherdstown WV 25443  
City State Zip  
**Telephone:** 304-279-2208 **Email:** ghshipley@hotmail.com

**Owner's name:** Fred M Oglesbee  
*(if not the Applicant)*  
**Mailing address:** 2136 Black Oak Ave  
*(if not the Applicant)*  
Columbus OH 43229  
City State Zip  
**Telephone:** 614-562-0365 **Email:** foglesbee@gmail.com  
*(if not the Applicant)*

## State your request with specifics:

1. Property is 56 ft wide. Regulations state that it must be 60 ft wide to build a single family residence.
2. Regulations state that there is a minimum requirement of 1500 sq ft for home. We are requesting to build a 1302 sq ft first floor fully finished, with a 1302 sq ft unfinished basement, which can be finished in the future by purchaser. We are making this request to keep the house affordable.

**Type of appeal:**  
*(Please indicate)*  
☒ Variance  
☐ Continuation of non-conforming use  
☐ Special Exception  
☒ Decision of Planning Commission

**Aggrieved person status:**  
*(Please indicate)*  
☒ A person who has been denied by the Planning Commission in whole or in part, the relief sought in any application or appeal  
☐ A person who will suffer peculiar injury, prejudice or inconvenience beyond that which other residents of the municipality may suffer

**Date:** \_\_\_\_\_

**Signature:** Garry Shipley  
(Applicant)  
**Print Name:** Garry Shipley

**Date:** 08/05/2025

**Signature:** Fred M Oglesbee  
(Owner)  
**Print Name:** Fred M Oglesbee

dotloop verified  
08/05/25 2:18 PM  
EDT  
G0Y1-JQEU-B2J4-IEFV



## Board of Appeals Hearing Request

104 N King St

PO Box 248 (for mailing)

Shepherdstown, WV 25443

Application # 25-12

### Definitions

#### **Variance**

The Planning Commission correctly applied the ordinance requirements to your request; however, you request a variance from the requirements of the ordinances.

#### **Special Exception**

The Planning Commission correctly applied the ordinance requirements to your request; however, the ordinance allows for a special exception in R-1 and R-2 districts. They are listed in Section 9-505 of the Planning and Zoning Ordinance.

#### **Continuation of non-conforming use**

Any lawful use of land or structures existing at the time of the adoption of Planning and Zoning Ordinance or subsequent amendment to the ordinances may be continued with limitations.

#### **Appeal of decision of the Planning Commission**

You disagree with the Planning Commission's decision. You feel the Planning Commission erred in applying the ordinance to your requests.

---

For Office Use:

Zoning Officer Comments:

N/A

Bond Paid

Date Paid