

Minutes
City of Huntington Board of Zoning Appeals
August 15, 2023

A meeting of the City of Huntington Board of Zoning Appeals was held on August 15, 2023 at 5:30 p.m. in the City Hall Council Chambers. *Ms. Proctor* called the meeting to order.

Members Present: Jacqueline Proctor, Steven Yates, Sara Loftus

Members Absent: Gina Browning, Dan Earl

Staff Present: Cade Williams, Planner II
Janney Lockman, City Planner
Nathaniel Crum, Planning Technician
Ericka Hernandez, Assistant City Attorney

Hearing no corrections or objections, *Ms. Proctor* approved the June Minutes, and all present were in favor.

Hearing no corrections or objections, *Ms. Proctor* approved the June Orders, and all present were in favor.

BZA 23-C-23

A petition for a conditional use permit for the expansion of an Indoor Self-Storage facility in an I-1 Light Industrial District. The Property is located at 630 8th Avenue.

Property Owner: Huntington Self Storage, PO Box 402, New Haven, MI
Petitioner: Huntington Self-Storage, PO Box 402, New Haven, MI

Ms. Lockman presented the Staff Report.

Kurt Fiebelkorn, 630 8th Avenue, began by answering some of the questions that the board had asked at the previous Board of Zoning Appeals meeting on June 20, 2023. Mr. Fiebelkorn stated the following, there are currently 76 units available for renting, 4 apartments and 1 office space. He further mentioned that the apartments that are currently occupied are technically suitable for living however, do need upgrades to the kitchen, bathroom, and various other small upgrades to be more suitable for comfortable living. There are currently 2 apartments that are occupied and there is a manager that lives in Huntington that takes over maintenance duties for both the storage and apartments. Mr. Fiebelkorn finishes his statement by stating he has not yet told the tenants about their current plans as they are waiting on the decision of the Board, and they plan to give adequate time to help find the tenants new housing.

Ms. Proctor – You are the owner, but will have someone in the City that manages the property?
Mr. Fiebelkorn stated that this is correct, he lives in Michigan but will have a manager of this property that lives in the City of Huntington.

Ms. Proctor – What do consider to be adequate time for the current tenants to move out?
Mr. Fiebelkorn explained that the lease legality is 30 days, however he would propose 2-3 months.

Ms. Loftus – What is the current amount that is being charged for rent?
Mr. Fiebelkorn claimed that the current amount being charged is about 450-475 dollars; the units are 1 bedroom and located in the rear of the building with little natural light.

Ms. Loftus – how long have you owned this property?

Mr. Fiebelkorn stated that they have owned the property since October of 2021; and the current tenants have been living there since the purchasing of the building.

Ms. Loftus commented that Petitioner is saying that the apartments need work and are not suitable, however there are still people that live in them currently. The necessary repairs and upgrades have not been done.

Mr. Fiebelkorn exclaimed that the apartments would need to be completely redone, doing this work would involve completely gutting the apartment. He then mentioned that this was an idea that they thought of a year ago however this would have taken a lot of work and money to completely redo all 4 apartments.

Mr. Yates – Are you saying that for you to charge the current rent amount or charge more in the future you would need to update these units?

Mr. Fiebelkorn stated that this is correct, if they were to consider charging more for rent they would need to renovate the apartments to make them more suitable/appealing.

Mr. Yates – If you were to redo the apartments would this cost more than to just turn them all into storage units?

Mr. Fiebelkorn, That is correct.

Ms. Proctor – When do the two leases expire?

Mr. Fiebelkorn, stated that the leases are currently month to month.

Ms. Proctor – Why do you want to change the current front façade?

Mr. Fiebelkorn explained that the balcony and roof that extend out from the front of the building over the public right of way is in rough shape and need some work. He then states that removing the balcony and roof is the best thing to do for them because of the shape that they are in and so that nothing will be encroaching into public right of way.

Ms. Proctor – To just make this completely sure, you are wanting to convert completely to storage and not be a residence at all?

Mr. Fiebelkorn, That is correct.

Ms. Loftus voiced her concern that the current residents are not in attendance.

Ms. Hernandez made a comment that they should have received notice that this meeting was taking place. Ms. Lockman responded that the Planning office does notice to the owner and the residence itself, however cannot guarantee that it was received and read by the resident.

Ms. Loftus also noted that changing the façade would also change the character of the building.

Mr. Yates – Stated that he does have concerns that the property owner is not communicating with the current residents, however it is his property and he should have the choice to be in the business that he chooses. He commented that the façade was not too much of a worry for him, as it is in bad shape and currently located in an industrial area.

Ms. Hernandez stated any conditions that are placed on the petition need to be directly related to the petition itself.

Mr. Fiebelkorn exclaimed that he will do everything in his power to help with the current resident's transition into new housing.

Mr. Yates made a motion to approve BZA 23-C-23 noting that Board asked Mr. Fiebelkorn to be considerate of the current tenants with the additional condition that the front façade materials be in line with current zoning ordinance, Ms. Loftus seconded the motion.

Roll Call BZA; Mr. Yates, Yes; Ms. Loftus, Yes; Ms. Proctor, Yes.

BZA petition for a conditional use was approved with a vote 3 Yes to 0 No.

BZA 23-V-25

A petition for a variance to the materials requirements for commercial parking lots to allow for a gravel parking lot in a C-1 Commercial District. The property consists of vacant parcels located from 1816 8th Ave., through 1836 8th Ave.

Property Owner/Petitioner: Quantum Properties, 707 7th St. W. Huntington, WV

Ms. Lockman presented the Staff Report.

Art Bell, 1900 8th Ave, stated that the location of this petition is Richwood Industries main railroad facility, where they manufacture industrial conveyor belts for coal mines. He continued by stating they are currently going through a rezoning process so they can build another building at this location to keep up with manufacturing demand and storage of their product. If the rezoning goes through they plan to build a 100 x 100 ft. building at this location however, for the time being they want to prep the site with gravel that can be used as parking. Mr. Bell claimed that they have Eastham and Associates working on a storm water mitigation plan, a small part of this plan includes setting the gravel site back at least 10ft. from 8th Avenue.

Ms. Proctor – What would you need to put under the gravel that would allow for the property level to tilt in the opposite direction?

Mr. Bell explained that you could use more gravel or build up a portion of the site with dirt, though this can be very costly. He went on to say instead of this method they plan to have about a 10ft. wide catch along 8th Avenue.

Ms. Loftus – Are you planning on having a fence built around the area?

Mr. Bell, Yes. He explained that the plan is to place the building on a portion of the gravel closest to the existing building.

Ms. Proctor – Would fencing help mitigate any potential water runoff from the gravel being placed?

Ms. Lockman stated the fence would not have much of an impact on the storm water management for the property.

Ms. Proctor – What is the estimated time frame for building this new structure?

Mr. Bell states that if everything is approved and the storm water management plan is accepted they plan on starting in a few months.

Ms. Proctor – Why use gravel instead of concreting the area?

Mr. Bell exclaimed that they did not want to spend a lot of money concreting the area for it to be torn up later to build the 100 x 100 ft. structure.

Ms. Loftus made a motion to approve BZA 23-V-25 with the condition that water mitigation plan is approved by Stormwater management, Mr. Yates seconded the motion.

Roll Call BZA; Mr. Yates, Yes; Ms. Loftus, Yes; Ms. Proctor, Yes.

BZA petition for a conditional use was approved with a vote 3 Yes to 0 No.

BZA 23-V-26

A petition for a variance to the minimum length and width requirement for factory built structures in the B&O Right-of-Way Zoning District. The property is located in the former B&O Right-of-Way between Waverly Rd. and Bradley Rd. and between Florence St. and Wayne St. and consists of Wayne County Tax District 6, Map 2, Parcels 429.23, 429.24, and 429.25.

Property Owner/Petitioner: Barnson Wikel, 12030 Venable Ave. Chesapeake, WV

Ms. Lockman presented the Staff Report.

Katelynn Priddy, 12030 Venable Ave. Chesapeake, WV, stated that in October of 2021 they purchased the land in hopes to place a manufactured home there. She explained that the land is not very deep and a smaller manufactured home would probably fit best on this property. She continues by saying for the last 2 years they have been in contact with the Planning office making sure they have everything they need for this petition. She finished her statement by mentioning that this would be the best option financially for them as it would be too expensive to build a home from the ground up.

Ms. Proctor – I thought that mobile homes are not allowed in the City?

Ms. Lockman – What prohibits manufactured homes is the 22 x 22 ft. length and width requirements.

Opposition to the Petition:

Susan Popp, 500 Wayne St., she exclaimed that 35 years ago something very similar to this petition came before the Board and it was deemed that the property was too small for a home. She also asked the question if this petition affects all of the properties on this roadway or just the property for this petition.

Ms. Lockman commented on some of the questions, the only things that would be allowed in this B&O Right-of-Way is a single-family house, utility installation, community garden, municipal or government facility, communication tower, or childcare center. This property is required to provide off-street parking. Lastly, this variance only applies to the property that is seeking the variance.

Julie Wood, 3835 Bradley Road, she stated that she has lived on this street for about 50 years and believes that a single-wide manufactured home is not suitable for this property and the neighborhood. She also believes that there is no water hookup at this location.

Karla Meadows, 3821 Bradley Road, agreed with the statements of the previous individuals. She also exclaimed that they had thought about purchasing the property in the past but did not because they are not allowed to build a garage or storage unit.

Ms. Lockman commented that a garage or storage shed would be considered an accessory structure which cannot be built onto a lot without a primary structure.

Ms. Loftus made a comment that they had the opportunity to purchase the lots and chose not to buy them.

Ms. Loftus – These properties are zoned residential and publicly known to be residential?

Ms. Lockman, Yes.

Ms. Proctor – Who currently owns the property?

Ms. Lockman, Branson Wikel the petitioner owns the property.

Ms. Loftus – They purchased the property with the understanding that it was a residential property and anyone could have bought the property for that purpose?

Ms. Lockman, Yes.

Mr. Yates – Can you talk about the requirements for the permanent foundation and perimeter enclosure regarding manufactured homes?

Ms. Lockman, Any manufacture home needs to have footers and foundation that is installed to the appropriate depth.

Mr. Yates – Do you plan to have a similar design to the other manufactured home located in this block?

Ms. Priddy explained that they love the design of the manufactured home located in this area and would want to mimic the design as much as possible.

Ms. Lockman mentioned that the site plan shows that the manufactured home will be setback 10ft. from Bradley Road and 15ft. from Waverly Road.

Ms. Loftus – The home will have parking located in the side yard, permanent foundation, only one structure will be located on the property, and it is only allowed to be a single-family use?

Ms. Lockman, that is all correct.

Ms. Proctor – Are there water utility hookups and if not how would that be accessed?

Ms. Priddy stated that when they purchased the land it was contingent on the fact that there were all utilities available for hookup, and they have checked with all utility companies.

Ms. Proctor – You would be responsible for not only the cost of installing but also restoring the area for hookups that may need to be installed.

Ms. Priddy claimed that she understood completely and any damages that occurred by them placing their home at this site would be covered.

Ms. Priddy commented that they planned to move the home to this property in early spring pending approval.

Mr. Yates motions to approve BZA 23-V-26, Ms. Loftus seconded the motion.

Roll Call BZA; Mr. Yates, Yes; Ms. Loftus, Yes; Ms. Proctor, Yes.

BZA petition for a conditional use was approved with a vote 3 Yes to 0 No.

Good and Welfare

Ms. Lockman introduced the Planning and Zoning office's newest employee Cade Williams.

Ms. Lockman also announced that there are a few upcoming public meetings regarding the City of Huntington's Comprehensive Plan. This includes an Open House on August 31 from 4-7pm at the Huntington's Convention and Visitor's Bureau, August 17 will be the Downtown neighborhood meeting at Huntington Kitchen at 6pm, and August 22 will be the West Huntington neighborhood meeting at St. Peters Episcopal Church at 6:30pm.

Ms. Proctor adjourns the meeting at 7:25 p.m.

Date approved: 9/18/23
Chairperson: Jacqueline Proctor Prepared by: Cade Williams
Jacqueline Proctor, Chair Cade Williams, Planner II