



## Agenda

Huntington Board of Zoning Appeals  
Tuesday, August 19, 2025 - 5:30pm

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1. Call to Order
2. Roll Call
3. Approval of the July 2025 Minutes
4. Approval of the July 2025 Orders
  - BZA 25-09
  - BZA 25-13
  - BZA 25-14
  - BZA 25-15
  - BZA 25-16

5. New Petitions

### **BZA 25-17**

*Petitioner:* Tacie Jones, 321 S Walnut St., Huntington, WV 25705

*Property Owner:* Mike Shilot, 115 S Walnut St., Huntington, WV 25705

*Property Location:* 111 S Walnut St., Huntington, WV 25705

*Issue:* A petition for a variance to increase the prevailing setback required in an R-1 Single-Family Residential District.

### **BZA 25-18**

*Petitioner:* Covenant School, 2400 Johnstown Rd., Huntington, WV 25701

*Property Owner:* DirecTV Customer Services Inc., 1010 Pine St., St. Louis, MO, 63101

*Property Location:* 2300 5<sup>th</sup> St. Rd., Huntington, WV 25701

*Issue:* A petition to allow for a conditional use of a private school in a C-2 Highway Commercial District.

5. Announcements/Discussion
6. Adjournment

**Minutes  
City of Huntington Board of Zoning Appeals  
July 15, 2025**

A meeting of the City of Huntington Board of Zoning Appeals was held on July 15, 2025 at 5:30 p.m. in the City Hall Council Chambers. *Mr. Yates* called the meeting to order and *Ms. Roland* confirmed a quorum was present.

Members Present: Steven Yates, Sara Loftus and Whitney Gesner

Members Absent: Gina Browning and Dan Earl

Staff Present: Kenzie Roland, Planner I  
Steve Curry, Planner II  
Ericka Hernandez, Assistant City Attorney  
Sam Ransbottom, Assistant City Attorney

*Ms. Loftus* motioned to approve June 2025 Minutes. *Ms. Gesner* seconded.

BZA Roll Call: *Ms. Gesner*, Yes; *Ms. Loftus*, Yes; *Mr. Yates*, Yes.

June 2025 Minutes were approved with a vote 3 Yes to 0 No.

*Ms. Loftus* motioned to approve the June 2025 Orders. *Ms. Gesner* seconded.

BZA Roll Call: *Ms. Loftus*, Yes; *Ms. Gesner*, Yes; *Mr. Yates*, Yes.

June 2025 Order was approved with a vote 3 Yes to 0 No.

*Ms. Loftus* motioned to amend the current agenda to move BZA 25-14 to be the first petition heard. *Ms. Gesner* seconded.

*Ms. Hernandez* recused herself from BZA 25-14 and exited City Council Chambers. *Mr. Ransbottom* took the place of *Ms. Hernandez*.

BZA Roll Call: *Ms. Loftus*, Yes; *Ms. Gesner*, Yes; *Mr. Yates*, Yes.

**BZA 25-14**

*Petitioner:* Josh Dygert - DjM Architecture, LLC, 433 Waverly Rd., Huntington, WV 25704

*Property Owner:* Holy Spirit Orthodox Church - Steve Nicholas, Committee Chair

*Property Location:* 1 Woodhaven Dr., Huntington, WV 25701

*Issue:* A petition for an expansion of an existing conditional use, religious institution in an R-1 residential district.

*Mr. Curry* read the Staff Report.

Josh Dygert of DjM Architecture, LLC, 433 Waverly Rd., explained that they originally submitted plans in 2023. The current design is on a significantly smaller footprint than previously submitted. Mr. Dygert stated that the new design is well within the limitations of the City of Huntington Ordinance.

*Ms. Loftus* motioned to approve BZA 25-14. *Ms. Gesner* seconded.

BZA Roll Call: *Ms. Gesner*, Yes; *Ms. Loftus*, Yes; *Mr. Yates*, Yes.

BZA 25-14 was approved with a vote 3 Yes to 0 No.

*Ms. Hernandez* re-entered City Council Chambers, and *Mr. Ransbottom* exited.

**BZA 25-09**

*Petitioner:* Mark Kazee, 3254 Piedmont Rd, Huntington, WV 25704

*Property Owner:* Mark Kazee and Patti Renee Landers, 3254 Piedmont Rd, Huntington, WV 25704

*Property Location:* 3254 Piedmont Rd, Huntington, WV 25704

*Issue:* A petition for a variance to increase the height of a fence in a C-1 Neighborhood Commercial District.

*Mr. Curry* read the Staff Report.

Mark Kazee, 3254 Piedmont Rd, explained he would like to raise the fence to 6 feet of privacy fence with an additional 15 inches of lattice on top, for a potential pool and security to keep others out of the yard.

*Mr. Yates* stated that the traffic report requested was the board's only concern when continued from the June 17, 2025 meeting.

*Ms. Loftus* motioned to approve BZA 25-09. *Ms. Gesner* seconded.

BZA Roll Call: *Ms. Loftus*, Yes; *Ms. Gesner*, Yes; *Mr. Yates*, Yes.

BZA 25-09 was approved with a vote 3 Yes to 0 No.

**BZA 25-15 and 25-16**

*Petitioner:* Goodwill Industries of KYOWVA Area, Inc., 1102 Memorial Blvd W., Huntington, WV 25701

*Property Owner:* Goodwill KYOWVA Adams Avenue, LLC, 1102 Memorial Blvd W., Huntington, WV 25701

*Property Location:* 446 Adams Ave., Huntington, WV 25701

*Issue 1:* A petition for a variance to increase the maximum height of a free-standing sign.

*Issue 2:* A petition for a variance to increase the allotted number of free-standing signs per parcel.

Ms. Roland read the Staff Report.

Alissa Stewart Sparks, 1102 Memorial Blvd., stated that they have completely renovated the parcel they are going to occupy and described the signs.

*Mr. Yates* confirmed with staff that the variance was only needed because the “free standing signs” had not been in operation for over a year.

*Ms. Gesner* questioned staff about the amount of “free standing” signs as well as the maximum height for the parcel in question.

Staff clarified, one per parcel, maximum height of 20 ft.

*Ms. Loftus* made a motion to approve BZA 25-15. *Ms. Gesner* seconded.

BZA Roll Call: *Ms. Loftus*, Yes; *Ms. Gesner*, Yes; *Mr. Yates*, Yes.

BZA 25-15 was approved with a vote 3 Yes to 0 No.

*Ms. Loftus* made a motion to approve BZA 25-16. *Ms. Gesner* seconded.

BZA Roll Call: *Ms. Loftus*, Yes; *Ms. Gesner*, Yes; *Mr. Yates*, Yes.

BZA 25-16 was approved with a vote 3 Yes to 0 No.

### **BZA 25-13**

*Petitioner/Property Owner:* City of Huntington, P.O. Box 1659, Huntington, WV 25717

*Property Location:* 96 3<sup>rd</sup> Ave W., Huntington, WV 25701

*Issue:* A petition for a conditional use to operate a shelter/mission in an I-1 Light Industrial/Commercial District.

Ms. Roland read the Staff Report.

Jan Rader, Senior Advisor to the Mayor, explained the reasoning for the conditional use, the facility and their plans for the future.

*Ms. Loftus* inquired about how people will make it to the shelter, and *Ms. Rader* explained services are in place to provide assistance with transportation.

*Mr. Yates* asked how the shelter plans to address safety concern issues. *Ms. Rader* explained the shelter’s view on how they will mitigate vagrants.

Brett Wellman, Valley Health, Chief Community Officer Nurse Practitioner, explained the security measures they will take to assist the surrounding community.

*Ms. Loftus* asked staff if the neighbors and surrounding businesses were notified, staff confirmed.

Alissa Stewart Sparks, 1102 Memorial Blvd., spoke in favor of the petition.

*Ms. Loftus* motioned to approve BZA 25-13. *Ms. Gesner* seconded.

BZA Roll Call: *Ms. Loftus*, Yes; *Ms. Gesner*, Yes; *Mr. Yates*, Yes.

BZA 25-13 was approved with a vote 3 Yes to 0 No.

*Mr. Yates* adjourned the meeting at 6:04 p.m.

Date approved: \_\_\_\_\_

Chair: \_\_\_\_\_ Prepared by: \_\_\_\_\_  
Steven Yates, Vice Chair Katie Parsons, Planner I

BEFORE THE BOARD OF ZONING APPEALS, HUNTINGTON, CABELL AND WAYNE  
COUNTIES, WEST VIRGINIA

**BZA 25-09**

*In re:* A petition for a variance to increase the height of a fence in a C-1 Neighborhood Commercial District.

*Petitioner:* Mark Kazee, 3254 Piedmont Rd., Huntington, WV 25704

*Property Owner:* Mark Kazee and Patti Renee Landers, 3254 Piedmont Rd., Huntington, WV 25704

*Subject Property:* 3254 Piedmont Rd., Huntington, WV 25704

Individual Speaking on Behalf of Petition: Mark Kazee, 3254 Piedmont Rd., Huntington, WV 25704.

Individual Speaking in opposition of Petition: Ronald Graham, 3408 Hughes St., Huntington, WV 25704.

**ORDER**

Mark Kazee appeared before the City of Huntington Board of Zoning Appeals on June 17, 2025 and July 15, 2025 to provide testimony related to BZA 25-09. Other citizens were permitted to voice their positions as well, per the practice of this Board, and Ronald Graham did not return to provide testimony for the petition.

**FINDINGS OF FACT**

After reviewing all documentary evidence submitted and hearing testimony at the July 15th, 2025 meeting, the Board finds as follows:

1. The property location is 3254 Piedmont Rd., Huntington, WV 25704.
2. Mark Kazee is the petitioner and the property owner.
3. The petitioner's property sits at the corner of Court Street West and Piedmont Road.
4. Corner lots have two front yards.
5. This petition was CONTINUED on the June 17, 2025 Board of Zoning Appeals meeting.
6. The Board of Zoning Appeals had requested at June 17, 2025 hearing a traffic information related to the location of the petition.
7. The Planning Department staff were able to obtain traffic records dating back 18 months.
8. Only one accident was reported, unrelated to the streets adjacent the petitioner's property.

9. Planning Department staff also noted current Public Works signage that indicated “No Parking on this side of street” as well as “No Parking from here to corner”.
10. This property is currently zoned C-1 Neighborhood Commercial District. The future land use map of Plan2035 designates this area as Traditional Residential.
11. Petitioner was permitted to replace existing fence, at the existing height, and now is seeking a variance to allow for the same height, roughly 7 feet, on a new portion of fence.
12. The new fence will not extend past the front of the house that faces Piedmont Road.
13. None of the houses on Court Street in the immediate vicinity of 3254 Piedmont Rd. are oriented to Court Street.

### **STANDARD OF REVIEW**

When considering a **Variance**, the Board must consider:

1. The requested variance will not adversely affect the public health, safety, or welfare, or the rights of the adjacent property owners or residents;
2. That the variance arises from special conditions or attributes which pertain to the property for which a variance is sought. Such special conditions may not be created by the person seeking the variance;
3. That the variance would eliminate an unnecessary hardship and permit a reasonable use of the land; and
4. That the variance will allow the intent of the Zoning Ordinance to be observed and substantial justice done.

### **CONCLUSIONS OF LAW**

This matter concerns the increase in the height maximum for a fence located in the front yard of a C-1 Neighborhood Commercial District property. City of Huntington Ordinance §1341.19(C)(2)(a) states that any fence in the front yard shall not exceed four feet in height. The petitioner’s property sits at the corner of Court Street West and Piedmont Road; therefore, the petitioner’s property, by ordinance, has two front yards. *Id.* §1315(Y). Properties on corner lots face stricter zoning standards due to having two front yards and often cannot utilize portions of their lot in the same way as their neighbors. Treating corner lots as having two front yards helps with traffic safety at the intersection and aids with neighborhood aesthetics by keeping continuity of the setbacks of each street.

In this case, granting the variance would not adversely affect the public health, safety, or welfare because the fence will not extend so far as to interfere with the line-of-sight of driver approaching the intersection. The street signage and history of only one accident in the last 18-months also helps protect the driving public in this area. Regarding the rights of the adjacent property owners or residents, the neighbors on Piedmont Road should be minimally affected, and, since almost none of the houses on Court Street orient that way, the neighbors on Court Street should also be minimally affected.

Even though there is legitimate reason behind the two-front yard ordinance, it still creates a special condition for the petitioner. Permitting the requested variance regarding fence height in a front

yard would eliminate an unnecessary hardship and permit a reasonable use of the land, allowing the intent of the Zoning Ordinance to be observed, so long as the fence is installed as it was drawn on the site plan we received.

### **DECISION**

**WHEREFORE**, based upon the findings of fact from the full testimony heard at the hearing and all other documentary evidence presented, the Board **APPROVES** petition BZA 25-09 for a **Variance**.

Within 30 days of this Order, any person aggrieved with this decision may appeal by filing a verified petition for a writ of certiorari with the circuit clerk of the county where the subject property is located.

The Clerk of the Board of Zoning appeals is directed to forward a true and correct copy of this entered Order to the petitioner and all known interested parties.

ENTERED

\_\_\_\_\_  
Date

Chairperson: \_\_\_\_\_ Prepared by: \_\_\_\_\_  
Dan Earl, Chair Katie Parsons, Planner I

BEFORE THE BOARD OF ZONING APPEALS, HUNTINGTON, CABELL AND WAYNE  
COUNTIES, WEST VIRGINIA

**BZA 25-13**

*Petitioner/Property Owner:* City of Huntington, P.O. Box 1659 Huntington, WV 25717  
*Subject Property:* 96 3<sup>rd</sup> Ave W

*In re:* A petition for a conditional use to operate a shelter/mission in an I-1 Light  
Industrial/Commercial District.

Individual Speaking on Behalf of Petition: Jan Rader, P.O. Box 1659 Huntington, WV 25717  
Brett Wellman, 21 Twin Oaks Dr., Huntington, WV 25701  
Alissa Stewart-Sparks, 1102 Memorial Blvd, Huntington, WV 25701

**ORDER**

On July 15, 2025, Ms. Rader, on behalf of the City of Huntington, appeared before the City of Huntington Board of Zoning Appeals to request approval for a conditional use to operate a shelter/mission in an I-1 Light Industrial/Commercial District. Other citizens were permitted to voice their positions as well, per the practice of this Board, and Mr. Wellman and Ms. Stewart-Sparks provided their testimony.

**FINDINGS OF FACT**

After reviewing all documentary evidence submitted and hearing testimony at the July 15, 2025 meeting, the Board finds as follows:

1. Jan Rader, on behalf of the City of Huntington, is the petitioner.
2. The City of Huntington is the property owner.
3. The subject property is located at 96 3<sup>rd</sup> Ave W.
4. This property is located within the I-1 Light Industrial/Commercial District.
5. This property is located within a light industrial and commercial district on the Future Land Use Map.
6. The property at 96 3<sup>rd</sup> Ave W was previously used as storage for the Huntington Police Department, and is undergoing renovations to operate as a shelter.
7. The petitioner is seeking a conditional use to operate a shelter in an I-1 Light Industrial/Commercial District.
8. The petitioner intends to partner with other health partners to operate the shelter.
9. Services are in place to provide those using the shelter assistance with transportation.
10. Mr. Wellman, a partner from Valley Health Systems, spoke in favor, stated the shelter would be properly operated to avoid negative effects to neighboring properties.

11. Ms. Stewart-Sparks, a neighboring business operator and property owner, spoke in favor, stated she has not experienced a problem related to theft or vandalism to her property near the proposed location of the shelter.

### **STANDARD OF REVIEW**

When considering a **Conditional Use Permit**, the Board must consider:

1. The effect upon the Comprehensive Plan;
2. Public health, safety, morals, and general welfare;
3. Potential injury to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted;
4. The effect upon the normal and orderly development and improvement of surrounding properties for uses already permitted in the district;
5. Adequate provisions for utilities, access roads, drainage, and other necessary facilities; and
6. Adequate ingress and egress so designed to minimize traffic congestion in the public street.

### **CONCLUSIONS OF LAW**

“The purpose of the I-1 district is to provide an area where various light industrial activities can be accommodated without creating undesirable or incompatible situations with surrounding land uses.” City of Huntington Ordinance §1333.01. A shelter/mission is defined as

“A facility whose general purpose is to provide temporary food, clothing or sleeping arrangements to persons, families, or parts of families on a temporary occupancy who are homeless or displaced. Short term counseling during stay may also be provided. The shelter shall have appropriate supervisory personnel. Such facility must meet all applicable standards of the department of health, State Fire Marshal, and any other federal, state, county or city agency which has regulatory power over the said facility.”

*Id.* at 1315.02(S). A shelter/mission is conditionally permitted in an I-1 Light Industrial/Commercial District. *Id.* §1320.04.

The City’s Comprehensive Plan describes light industrial and commercial districts, in part, as providing “lower intensity industrial area that allows creative reuse of industrial sites that can complement certain residential areas.” Plan 2035 at p. 81. It also states that “large-scale multi-family development is encouraged in this area. *Id.*

The proposed use appears to be in line with the way the Comprehensive Plan envisions this area, mixing high-density residential with commercial and lower intensity industrial uses, and therefore should have minimal effect on the normal and orderly development and improvement of surrounding properties for uses already permitted in the district. Since the property’s footprint and structure are changing little, with most changes occurring inside the building, and since most of the patrons will not be driving, we expect no negative impact on drainage or traffic in the area.

We recognize that safety for the surrounding properties is a concern, however, the shelter operational plan included a plan to mitigate safety risks outside of the property; therefore, we do not anticipate any potential injury to the use and enjoyment of other properties in the immediate vicinity, nor do we expect this use to have a negative impact on the public health, safety, and general welfare. In fact, the public is typically best served when vacant space becomes occupied.

Therefore, it is our opinion that a conditional use to operate a shelter is appropriate for this location.

### **DECISION**

**WHEREFORE**, based upon the findings of fact from the full testimony heard at the hearing and all other documentary evidence presented, the Board **APPROVES** petition BZA 25-13 for a **Conditional Use**.

Within 30 days of this Order, any person aggrieved with this decision may appeal by filing a verified petition for a writ of certiorari with the circuit clerk of the county where the subject property is located.

The Clerk of the Board of Zoning appeals is directed to forward a true and correct copy of this entered Order to the petitioner and all known interested parties.

ENTERED

\_\_\_\_\_  
Date

Chairperson: \_\_\_\_\_ Prepared by: \_\_\_\_\_  
Dan Earl, Chair Kenzie Roland, Planner I

BEFORE THE BOARD OF ZONING APPEALS, HUNTINGTON, CABELL AND WAYNE  
COUNTIES, WEST VIRGINIA

**BZA 25-14**

*Property Owner:* Holy Spirit Antiochian Church, 1 Woodhaven Drive. Huntington, WV

*Petitioner:* DJM Architecture, LLC, Josh Dygert, 4333 Waverly Road, Huntington, WV

*Subject Property:* 1 Woodhaven Drive

A petition for a conditional use permit an expansion of a Religious Use in an R-1 Single-Family Residential District.

Individual Speaking on Behalf of Petition: Josh Dygert

Other Interested Parties: None

**ORDER**

On July 15th, 2025, Mr. Dygert appeared before the City of Huntington Board of Zoning Appeals to provide testimony related to BZA 25-14. Other citizens were permitted to voice their positions as well, per the practice of this Board, and no individual provided testimony.

**FINDINGS OF FACT**

After reviewing all evidence at the July 15, 2025 meeting and hearing testimony from Mr. Dygert, the Board finds as follows:

1. DJM Architecture is the petitioner.
2. Holy Spirit Antiochian Church is the property owner.
3. The petition is a conditional use request to expand a religious use to build a chapel.
4. The chapel will be 22' x 31' with a 6' x 8' canopy and bell tower.
5. The bells of religious institutions are exempt from the City of Huntington's noise ordinances, per City of Huntington Article 527.07(a)(7).
6. The chapel will be setback 20' from the property line.
7. There is no intention to increase the total occupancy load, the chapel will not be used at the same time as the normal service.
8. There will be no increase in parking.
9. The church has been at this location since 2001.
10. The property is zoned R-1 Single-Family Residential.
11. The lots are approximately 72,240 sf.

**STANDARD OF REVIEW**

When considering a **Conditional Use Permit**, the Board must consider:

1. The effect upon the Comprehensive Plan;
2. Public health, safety, morals, and general welfare;

3. Potential injury to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted;
4. The effect upon the normal and orderly development and improvement of surrounding properties for uses already permitted in the district;
5. Adequate provisions for utilities, access roads, drainage, and other necessary facilities
6. Adequate ingress and egress so designed to minimize traffic congestion in the public street.

### **CONCLUSIONS OF LAW**

“The purpose of the R-1 district is to establish and maintain areas where the use consists of largely single-family residential use at low densities generally in a range of five to nine units per acre. These areas are to be developed compatible and respectful of the scale, texture and quality of existing housing and related uses.” City of Huntington Ordinance § 1321.01. A church is a conditional use in an R-1 Residential District. City of Huntington Ordinance, § 1320.04, and any expansion triggers the public hearing process. *Id.* § 1359.01(C), (G)(1).

The expansion proposal will include a new chapel that will be connected to the original building that has been located on this property since 2001. The City of Huntington’s Plan 2025 recognizes 5<sup>th</sup> street as a potential commercial development area, and development here can have the least impact on residential communities. The proposed location is the most ideal location for an expansion as a large majority of the property is a Special Flood Hazard Area, and does not require any type of earth work, such as digging into a hillside. Therefore we believe that there will not be any injury to the use and enjoyment of other properties in the immediate vicinity or any effect upon the normal and orderly development and improvement of surrounding properties. It is our opinion that the proposed Conditional Use is appropriate for this location.

### **DECISION**

**WHEREFORE**, based upon the findings of fact from the full testimony heard at the hearing and all other documentary evidence presented, the Board **APPROVES** petition BZA 25-14 for a **Conditional Use**.

ENTERED

\_\_\_\_\_  
Date

Chairperson: \_\_\_\_\_ Prepared by: \_\_\_\_\_  
Dan Earl, Chair Steve Curry, Associate Planner

BEFORE THE BOARD OF ZONING APPEALS, HUNTINGTON, CABELL AND WAYNE  
COUNTIES, WEST VIRGINIA

**BZA 25-15**

*Petitioner:* Goodwill Industries of KYOWVA Area, Inc. 1102 Memorial Blvd W Huntington,  
WV 25701

*Property Owner:* Goodwill KYOWVA Adams Avenue, LLC, 1102 Memorial Blvd W  
Huntington, WV 25701

*Subject Property:* The property is located at 446 Adams Ave.

*In re:* A petition for a variance to increase the maximum height of a free-standing sign.

Individual Speaking on Behalf of Petition: Alissa Stewart-Sparks

**ORDER**

On July 15, 2025 Alissa Stewart-Sparks appeared before the City of Huntington Board of Zoning Appeals to provide testimony related to BZA 25-15. Other citizens were permitted to voice their positions as well, per the practice of this Board, and no one provided testimony.

**FINDINGS OF FACT**

After reviewing all evidence at the July 15, 2025 meeting and hearing testimony from Ms. Stewart-Sparks, the Board finds as follows:

1. Goodwill Industries of KYOWVA Area, Inc. is the petitioner.
2. Goodwill KYOWVA Adams Avenue, LLC is the property owner.
3. The property is located at 446 Adams Ave.
4. The parcel is approximately 425 feet by 140 feet along Adams Ave, with an additional piece measuring at 200 feet by 135 feet along Washington Ave.
5. The petitioner intends to reuse the pre-existing sign structures.
6. The total approximate height of the sign structures are 27.6 feet.
7. There are two free-standing signs on the same parcel.
8. The sign structures are non-conforming.
9. The sign structures were last used in 2023 by the previous business, Aldi.
10. The property is zoned in a C-2 Commercial Highway District.

**STANDARD OF REVIEW**

When considering a **Variance**, the Board must consider:

1. The requested variance will not adversely affect the public health, safety, or welfare, or the rights of the adjacent property owners or residents;

2. That the variance arises from special conditions or attributes which pertain to the property for which a variance is sought. Such special conditions may not be created by the person seeking the variance;
3. That the variance would eliminate an unnecessary hardship and permit a reasonable use of the land; and
4. That the variance will allow the intent of the Zoning Ordinance to be observed and substantial justice done.

### **CONCLUSIONS OF LAW**

This matter concerns the increase in the height maximum of a free-standing sign in a commercial district. City code §1345.07 restricts the height of a free-standing sign to twenty (20) feet in a commercial district. The purpose of the sign ordinance is

“to preserve and protect the public safety, comfort and welfare of users of streets and sidewalks in the City of Huntington by regulating signs of all types, to enhance community appearance, reduce visual clutter and blight, protect property values, promote recreational value of public travel and the economic development of the City of Huntington, to limit the size, number and location of signs which may obstruct the vision of motorists, create distractions and increase traffic accidents, to acknowledge the appropriate display of signs as necessary to public service and to the conduct of competitive commerce, to establish size and design standards, and to maintain signs in a safe manner.”

City of Huntington Ordinance §1345.01.

Due to the signs being constructed before the current version of the zoning ordinance was enacted, they are considered “non-conforming.” If a nonconforming use is discontinued for over a year or longer, it is considered to be abandoned. City of Huntington Ordinance §1345.01. After being abandoned, any future such land, building or structure shall be in conformity with the provisions of this ordinance...” *Id.*

Since the petitioner intends to use the existing nonconforming sign structures, which have been in place for many years without issue, for its signage, the current height of the free-standing signs is unlikely to adversely affect the public health, safety, or welfare, or the rights of the adjacent property owners. The petitioner purchased this parcel with existing sign structures in place at their current height; therefore, the sign height is not a special condition of the petitioner’s own making. Permitting this variance to exceed the maximum height of a free-standing sign would allow use of pre-existing, vacant signs and would allow the intent of the Zoning Ordinance to be observed and substantial justice done.

### **DECISION**

**WHEREFORE**, based upon the findings of fact from the full testimony heard at the hearing and all other documentary evidence presented, the Board **APPROVES** petition BZA 25-15 for a **Variance**.

Within 30 days of this Order, any person aggrieved with this decision may appeal by filing a verified petition for a writ of certiorari with the circuit clerk of the county where the subject property is located.

The Clerk of the Board of Zoning appeals is directed to forward a true and correct copy of this entered Order to the petitioner and all known interested parties.

ENTERED

\_\_\_\_\_  
Date

Chairperson: \_\_\_\_\_ Prepared by: \_\_\_\_\_  
Dan Earl, Acting Chair Kenzie Roland, Planner I

BEFORE THE BOARD OF ZONING APPEALS, HUNTINGTON, CABELL AND WAYNE  
COUNTIES, WEST VIRGINIA

**BZA 25-16**

*Petitioner:* Goodwill Industries of KYOWVA Area, Inc. 1102 Memorial Blvd W Huntington,  
WV 25701

*Property Owner:* Goodwill KYOWVA Adams Avenue, LLC, 1102 Memorial Blvd W  
Huntington, WV 25701

*Subject Property:* The property is located at 446 Adams Ave.

*In re:* A petition for a variance to increase the allotted number of free-standing signs per parcel.

Individual Speaking on Behalf of Petition: Alissa Stewart-Sparks

**ORDER**

On July 15, 2025 Alissa Stewart-Sparks appeared before the City of Huntington Board of Zoning Appeals to provide testimony related to BZA 25-16. Other citizens were permitted to voice their positions as well, per the practice of this Board, and no one provided testimony.

**FINDINGS OF FACT**

After reviewing all evidence at the July 15, 2025 meeting and hearing testimony from Ms. Stewart-Sparks, the Board finds as follows:

1. Goodwill Industries of KYOWVA Area, Inc. is the petitioner.
2. Goodwill KYOWVA Adams Avenue, LLC is the property owner.
3. The property is located at 446 Adams Ave.
4. The parcel is approximately 425 feet by 140 feet along Adams Ave, with an additional piece measuring at 200 feet by 135 feet along Washington Ave.
5. The petitioner intends to reuse the pre-existing sign structures.
6. The total approximate height of the sign structures are 27.6 feet.
7. There are two free-standing signs on the same parcel.
8. The sign structures were last used in 2023 by the previous business, Aldi.
9. The property is zoned in a C-2 Commercial Highway District.

**STANDARD OF REVIEW**

When considering a **Variance**, the Board must consider:

1. The requested variance will not adversely affect the public health, safety, or welfare, or the rights of the adjacent property owners or residents;
2. That the variance arises from special conditions or attributes which pertain to the property for which a variance is sought. Such special conditions may not be created by the person seeking the variance;

3. That the variance would eliminate an unnecessary hardship and permit a reasonable use of the land; and
4. That the variance will allow the intent of the Zoning Ordinance to be observed and substantial justice done.

### **CONCLUSIONS OF LAW**

This matter concerns the allotted number of free-standing signs per parcel in a commercial district. City code §1345.07 restricts the allotted number of free-standing signs per parcel to one (1). The purpose of the sign ordinance is

“to preserve and protect the public safety, comfort and welfare of users of streets and sidewalks in the City of Huntington by regulating signs of all types, to enhance community appearance, reduce visual clutter and blight, protect property values, promote recreational value of public travel and the economic development of the City of Huntington, to limit the size, number and location of signs which may obstruct the vision of motorists, create distractions and increase traffic accidents, to acknowledge the appropriate display of signs as necessary to public service and to the conduct of competitive commerce, to establish size and design standards, and to maintain signs in a safe manner.”

City of Huntington Ordinance §1345.01.

Due to the signs being constructed before the current version of the zoning ordinance was enacted, they are considered “non-conforming.” If a nonconforming use is discontinued for over a year or longer, it is considered to be abandoned. City of Huntington Ordinance §1345.01. After being abandoned, any future such land, building or structure shall be in conformity with the provisions of this ordinance...” *Id.*

The petitioner plans to repurpose both of the signs for its new business instead of erecting new ones. Our only concern was the reasoning for the variance. Since both signs have been in place at this location without any negative outcome, continuing to have the same two signs at this location is unlikely to adversely affect the public health, safety, or welfare, or the rights of the adjacent property owners. The petitioner purchased this parcel with two signs structures already in place; therefore, having two signs is not a special condition of the petitioner’s own making. Permitting this variance to permit two free-standing signs on one parcel would allow use of pre-existing, vacant signs and would allow the intent of the Zoning Ordinance to be observed and substantial justice done.

### **DECISION**

**WHEREFORE**, based upon the findings of fact from the full testimony heard at the hearing and all other documentary evidence presented, the Board **APPROVES** petition BZA 25-16 for a **Variance**.

Within 30 days of this Order, any person aggrieved with this decision may appeal by filing a verified petition for a writ of certiorari with the circuit clerk of the county where the subject property is located.

The Clerk of the Board of Zoning appeals is directed to forward a true and correct copy of this entered Order to the petitioner and all known interested parties.

ENTERED

\_\_\_\_\_  
Date

Chairperson: \_\_\_\_\_ Prepared by: \_\_\_\_\_  
Dan Earl, Acting Chair Kenzie Roland, Planner I

**Staff Report:** A petition to increase the prevailing setback required in an R-1 Single-family Residential District.

**Legal Ad  
BZA 25-17**

*Issue:* A petition to increase the prevailing setback required in an R-1 Single-family Residential District.

*Petitioner:* Tacie Jones, 321 S. Walnut St., Huntington, WV 25705

*Property Owner:* Mike Shilot, 115 S. Walnut St., Huntington, WV 25705

*Property Location:* 111 S. Walnut St., Huntington, WV 25705

**Introduction**

The petitioner wishes to increase the prevailing setback required to avoid building on a spring located in the front portion of the parcel.

**Existing Conditions / Background**

Currently the property is vacant, and has the remnants of a former driveway and concrete steps that used to lead to a home on the property. The lot has been vacant since at least 2022 and was purchased from the City of Huntington as a land bank property in 2023 by Mr. Shilot.

**Proposed Conditions**

The petitioner, Ms. Jones, is seeking a variance to allow her to build her home on the back portion of the proposed property to avoid a spring located in the front of the property. If the variance is approved, Ms. Jones would be permitted to build a home with a setback that sets back further

than the homes adjacent on either side of the property, as well as the majority of the block.

**Zoning Ordinance**

Per §1321.02, the front yard min/max setback requirement is prevailing.

**Variance**

In making its decision, the Board of Zoning Appeals shall consider the following:

1. Whether the proposed variance would adversely affect the public health, safety, or general welfare;
2. Whether the proposed variance request arises from special conditions or attributes pertaining to the property and not created by the property owner;
3. Whether the proposed variance would eliminate an unnecessary hardship and permit a reasonable use of the land; and
4. Whether the proposed variance would allow the intent of the Zoning Ordinance to be observed and substantial justice be done?

**Comprehensive Plan**

Plan2035 designates this area as Hills Residential. Characteristics of this district include:

1. Primarily single-family and two-family homes with some multi-family units along major transportation corridors.

2. Medium density with a range of 2-8 units per acre.
3. Small-and-medium-sized lots ranging between 5,000 and 11,000 square feet.
4. Mix of grid and curvilinear streets defined by the terrain.
5. Sidewalks interspersed.
6. Housing intermixed with dense woodlands.
7. Commercial uses are sparse but closer in proximity than suburban/rural residential districts.



*View of the petitioned property from S Walnut St. looking east.*

## Pictures



*View of petitioned property from the alley way in the rear looking southwest to S Walnut St.*



*View of the petitioned property looking southwest showing the slope located at the proposed setback location.*

## Staff Comments

According to §1321.02 the front yard setback requirement is prevailing along the block face. The R-1 Single-family Residential development ordinance refers to §1315.06(B) to determine prevailing setback which states: “The prevailing front yard setback line is the mean front yard line of all principal buildings along a block face and which are located in the same zone...”

Per §1315.06(B)(d), the recommended setback for a residential use only structure is a minimum setback of 20% of the lot depth and a maximum setback of 30% of the lot depth. The total depth of the proposed lot is 127.44’, making the minimum setback of 20% of the lot depth 25.5’, and the maximum setback of 30% lot depth 38.2’. According to the petitioner’s site plan, the front yard setback of the home would be around 75.44’ from the front property line.

The petitioner states that there is an issue with moisture located in the front part of the parcel, and due to this they are requesting the variance of the prevailing setback to build on the back part of the parcel.

### **Staff Recommendation**

The variance in which the petitioner is requesting does not affect public health, safety or the general welfare of the surrounding properties. The petitioner claims a hardship and special condition attributed to the property itself, and due to this staff recommends approving the petitioner's variance request.

### **Summary / Findings of Fact**

1. Tacie Jones is the petitioner.
2. Mike Shilot is the property owner.
3. The petitioner is requesting a variance to increase the prevailing setback.
4. The current zoning for the parcel is R-1 Single-family Residential District.
5. FLUM designates this area as Hills Residential.

### **Attachments**

- Application
- Letter
- Site Plan
- Aerial map
- Zoning map
- Future Land Use map



## PLANNING & ZONING

City of Huntington  
**Planning & Zoning**  
P.O. Box 1659 | Huntington, WV 25717  
(304) 696-5540, option 3  
planningdept@huntingtonwv.gov

### Variance of Zoning Regulations Application

**Applicant Name:** Tacie Jones Phone: 703-431-8586

Mailing Address (city, state, zip): 321 S Walnut St. Huntington, WV 25705

Email: taciejones@gmail.com

**Property Owner (if applicable):** Mike Shilot Phone: \_\_\_\_\_

Mailing Address (city, state, zip): \_\_\_\_\_

Please list the Location (address) and Description (Tax Map Number, Parcel, and Lot,):

111 S. Walnut St. Huntington, WV 25705 - Tax Map 63, Parcel 414, PARID 05 63041400000000

#### **Variance request pursuant to:**

Article 1321 and/or Figure 02 of the City of Huntington Zoning Ordinance.

Description of the variance being requested:

I am in the process of purchasing the lot listed above for new construction and am requesting a variance to the maximum set back from the front property line to avoid building over a spring and the moisture concerns and health issues that could occur in that situation.

#### **The following exhibits are to be attached and made part of this application:**

- Site plan the property involved (if applicable); drawn to scale, showing all boundary lines and the placement of existing and/or proposed structures, and with all dimensions shown (setbacks, buildings, etc.).
- Valid State and Federal Photo ID.
- Any and all documentation and evidence to support the request.
- Citizen letters to the Board (if applicable) must be notarized.
- One hundred sixty dollars (\$160) non-refundable filing fee for each variance sought.

All of the above documentation shall be submitted in full to the Planning and Zoning office by 7/17/25 in order to be placed on the next Board of Zoning Appeals (BZA) agenda. An incomplete submittal will delay the applications review by the BZA.

*I/We, the undersigned, am/are aware that a public hearing by the Board of Zoning Appeals will be held on Tuesday, 8/19/25. It is my responsibility to attend (or send a representative) to the above meeting to present plans and to answer any questions regarding the request for a Variance. All meetings are held at 5:30 p.m. in the City Council Chambers of Huntington City Hall.*

\_\_\_\_\_  
Signature

7/8/25  
Date

For office use only	
Received:	Project Name:



## PLANNING & ZONING

City of Huntington  
**Planning & Zoning**  
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(304) 696-5540, option 3  
planningdept@huntingtonwv.gov

### Variance of Zoning Regulations Application

#### ATTACHMENT A

In making its decision to approve or deny a Variance request, The Board of Zoning Appeals must consider four criteria. Please provide a written statement on how the proposed Variance will affect each of the following considerations:

1. Effect upon public health, safety, or general welfare, or the rights of adjacent property owners or residents:

Please see attached letter.

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2. What is the special condition or attribute of the property for which the variance is sought (must not be created by the person seeking the variance):

Please see attached letter.

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3. How an approval of the Variance would eliminate an unnecessary hardship and permit a reasonable use of the land:

Please see attached letter.

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4. How would an approval of the Variance allow for the intent of the Zoning Ordinance to be observed and substantial justice done:

Please see attached letter.

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City of Huntington | Planning and Zoning  
P.O. Box 1659 | Huntington, WV 25717

July 8, 2025

RE: Variance for 111 S Walnut Street

Dear Board of Zoning Appeals Members,

The following responds to questions 1-4 of ATTACHMENT A for my Variance of Zoning Regulations Application. I am in the process of purchasing a lot to build a crawlspace foundation and install a modular home. This application requests to exceed the maximum front yard setback requirement on the vacant lot located at 111 S Walnut Street, Huntington, WV.

1. Regarding health and safety, this proposed variance seeks to avoid building on a portion of the lot with excessive moisture to also avoid the heightened potential risk for subsequent microbial and mold growth known to cause health-related issues.
2. The special condition I am seeking a variance for is an area of excessive moisture at the front half of the proposed lot. This wet area is likely from an underground spring and exacerbated by a downward slope from the back of the lot and subsequent run off conditions. It is my understanding that the area on S Walnut Street was once known as Spring Hill because of the karst terrain and many underground water sources. If I were to build at the maximum front yard setback on this lot, the home would sit directly over this moist area in the soil.
1. If approved, this variance would eliminate the hardship of building on a site with potential health and safety hazards. It would permit reasonable use of the land by allowing me to build a new home on an otherwise vacant lot and allowing the home to be sited in the elevated position at the rear of the lot. This would make for a safer home and for gravity to aid in proper drainage rather than add to the dangerous conditions that would arise from building directly on top of an existing wet area.
2. In observing the intent of the zoning ordinance and substantial justice, this variance would allow for a safer construction site for the new home, avoiding potential moisture and mold issues while maintaining all additional setbacks from the sides and rear of the home to the property lines. Additionally of note, there is precedence on the street for homes that exceed the maximum setback for the front yard. 143 S Walnut, 137 S. Walnut, and 211 S Walnut are all positioned toward the back of their lots.

I sincerely thank you for your consideration.

Best Regards,



Tacie Jones

Assistant Professor, New Media  
School of Art and Design  
College of Arts and Media  
Marshall University

## DEVELOPMENT SITE PLAN

Property Owner: Mike Shilot

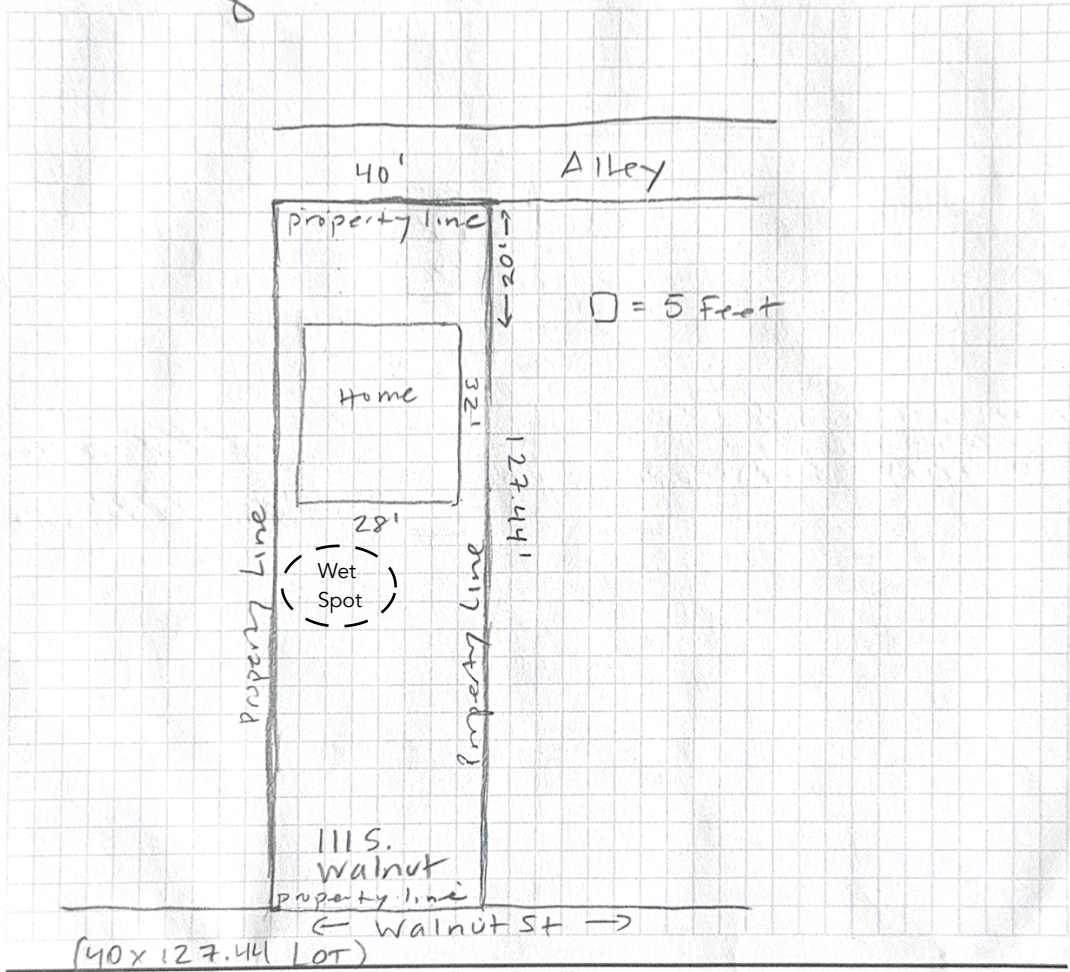
Site Address: 111 S. Walnut Huntington, WV

### Label and include:

- Property lines
- Location of existing structures on the property
- Location and dimension of proposed structure(s)

I, the undersigned, acknowledge this is a true and accurate representation of the proposed development to the best of my knowledge.

Signature: [Signature]



For office use

### Planning and Zoning Review

- ☐ Approved
- ☐ Denied

### Public Works Review

- ☐ Approved
- ☐ Denied

Reviewed by: \_\_\_\_\_

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

# Aerial Map



**111 S Walnut St.**

**Cabell County Tax District 05, Map 63**

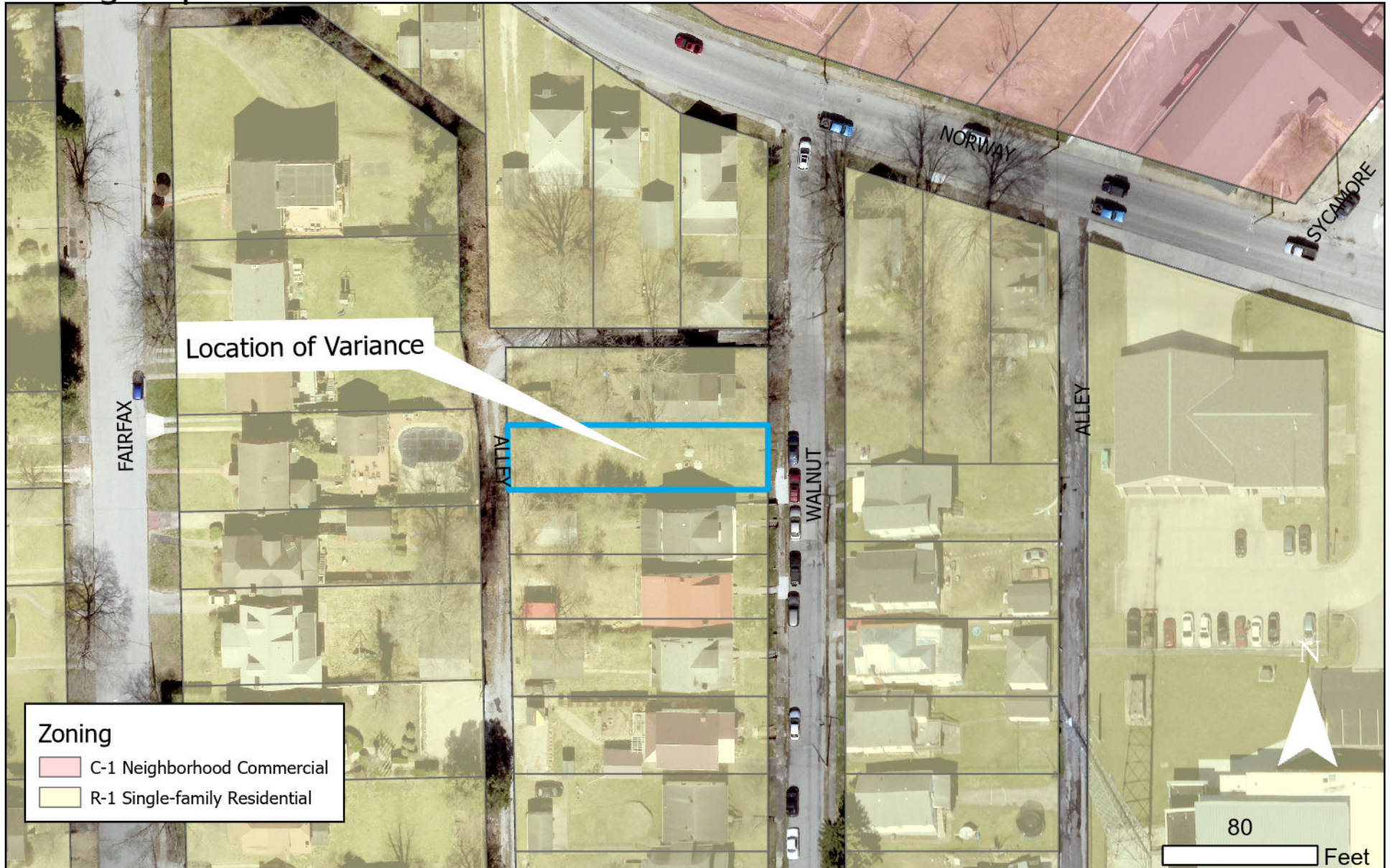
**Parcel 414**

**BZA 25-17**

**A petition for a variance to increase the prevailing setback required in an R-1 Single-Family Residential District.**



# Zoning Map



**111 S Walnut St.**

**Cabell County Tax District 05, Map 63**

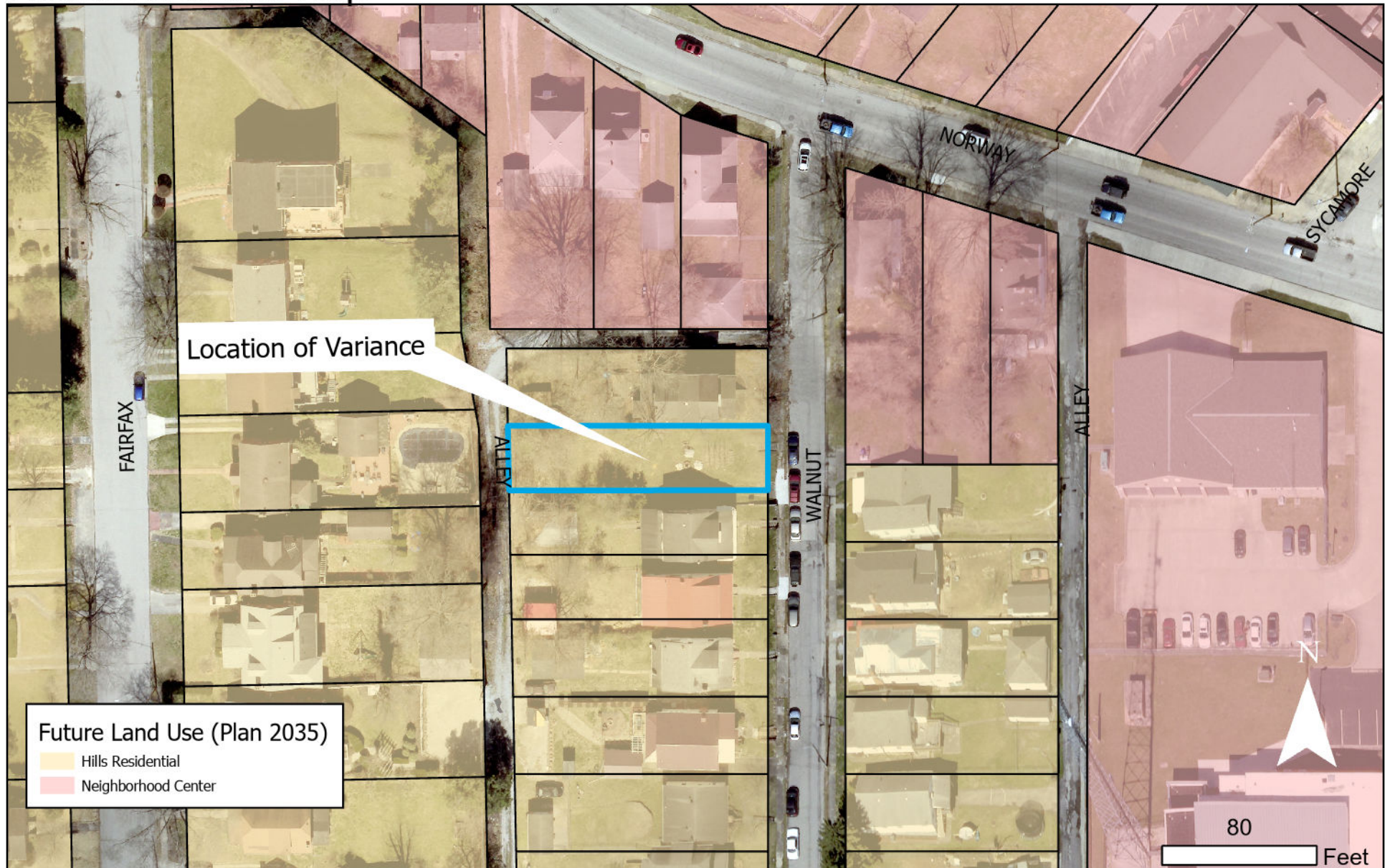
**Parcel 414**

**BZA 25-17**

**A petition for a variance to increase the prevailing setback required in an R-1 Single-Family Residential District.**



# Future Land Use Map



**111 S Walnut St.**

**Cabell County Tax District 05, Map 63**

**Parcel 414**

**BZA 25-17**

**A petition for a variance to increase the prevailing setback required in an R-1 Single-Family Residential District.**



**Staff Report:** A petition for a conditional use to allow for a private school in a C-2 Highway Commercial District.

**Legal Ad**

**BZA 25-18**

*Issue:* A petition for a conditional use to allow for a private school in a C-2 Commercial Highway District.

*Petitioner:* Covenant School, 2400 Johnstown Rd., Huntington, WV 25701

*Property Owner:* DirecTV Customer Services, Inc., 1010 Pine St., St. Louis, MO, 63101

*Property Location:* 2203 5<sup>th</sup> St. Rd., Huntington, WV 25701

**Introduction**

Covenant School wishes for approval of a conditional use to allow for a private school in a C-2 Highway Commercial District.

**Existing Conditions / Background**

The parcel in question has been occupied by DirecTV Customer Services, Inc. since 2011. It is a large commercial building currently structured as a call center, on a large lot with generous parking.

**Proposed Conditions**

If approved, the conditional use would allow the petitioner to use the structure as a private school for the Covenant Church.

**Zoning Ordinance**

Per §1320.04, a “private school” is only allowed conditionally in any zone in the City of Huntington.

**Conditional Use**

In making its decision, the Board of Zoning Appeals shall consider the following:

1. Effect upon the Comprehensive Plan.
2. Public health, safety, morals, and general welfare.
3. Potential injury to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
4. Effect upon the normal and orderly development and improvement of surrounding property for uses already permitted in the District.
5. Adequate provisions for utilities, access roads, drainage, and other necessary facilities.
6. Adequate ingress and egress so designed to minimize traffic congestion in the public street.

**Comprehensive Plan**

Plan2035 designates this area as Convenience Commercial. Characteristics of this area include:

1. Low density and large lots.
2. Commercial uses located along primarily state routes.
3. Parking available on-site or in a shared lot.
4. Larger-scale commercial and service for the region.

## Pictures



*View of petitioned property looking southeast.*



*View of the petitioned property looking northeast.*



*View of petitioned property looking east from the parking lot depicting proximity with adjacent convenient store.*

## Staff Comments

Per §1315.02, a private school is defined as:

“Private primary, grade, high, preparatory school or academy, but not including trade or business schools.”

A private school is only allowed conditionally in any zone in the City of Huntington, therefore this would be the process for any private school seeking to occupy a specific location. The current and future zoning both support developments of this kind.

Staff cannot foresee any negative impact to public health, safety or general welfare. The proposed private school would be located, adjacent to a Go-Mart gas station, with Woodlands and Mountwest directly above. The petitioner, as well as staff, recognize that this may cause more traffic at the intersection of Weaver Drive and 5<sup>th</sup> Street Road. However, there is ingress and egress to the parking lot of the proposed location off of 5<sup>th</sup> Street Road, with generous parking available.

## Staff Recommendation

Staff recommends to approve the conditional use the petitioner is seeking.

## Summary / Findings of Fact

1. Covenant School is the petitioner.
2. DirecTV is the property owner.
3. The property is zoned C-2 Commercial Highway District.
4. The petitioner is seeking a conditional use for a private school.
5. DirecTV has occupied the parcel since 2011.
6. Future Land Use Map designates this area as Convenience Commercial.

**Attachments**

- Application
- Aerial map
- Zoning map
- Future Land Use map



## PLANNING & ZONING

City of Huntington  
Planning & Zoning  
P.O. Box 1659 | Huntington, WV 25717  
(304) 696-5540, option 3  
planningdept@huntingtonwv.gov

### Conditional Use Permit Application

**Applicant Name:** Craig Hefner (Head of School)

**Phone:** (304) 781-6741

**Mailing Address (city, state, zip):** 2400 Johnstown Rd, Huntington, WV 25701

**Email:** craig.hefner@covenantschoolwv.org

**Property Owner (if applicable):** Logos Ministries, Inc. d/b/a Covenant School

**Phone:** (304) 781-6741

**Mailing Address (city, state, zip):** 2400 Johnstown Rd, Huntington, WV 25701

**Please list the Location (address) and Description (Tax Map Number, Parcel, and Lot):**

2203 5th St Rd, Huntington, WV 25701; existing Directv customer service building, parcel ID: 06 89000100000000 (district 6, map 89, parcel 1)

#### **Description**

Under the terms and conditions indicated in Article 1359 of the Zoning Ordinance, application is hereby made for a Conditional Use pursuant to Article N/A to allow the following: use of the existing facilities within 180 days for educational purposes for approximately (150) K-12 students, operate a non-profit religious private school organization.

**The following exhibits are to be attached and made part of this application:**

- Site Plan of Real Estate involved (if applicable): **Drawn to Scale** with scale shown, the direction of North clearly indicated on the drawing, showing all boundary lines and placement of existing and/or proposed structures, and with all dimensions shown (setbacks, buildings, etc).
- Valid State or Federal Photo ID.
- Any and all documentation and evidence to support the request.
- Citizen letters to the Board (if applicable) must be notarized.
- Treasurers Receipt for One Hundred Sixty Dollars (\$160.00) non-refundable filing fee for each Conditional Use sought.

All of the above documentation is to be submitted to the Planning Commission office by **Monday, July 14th, at 4:00pm.** Incomplete documentation will delay applicants review by the Board of Zoning Appeals.

#### **Notice of Procedure**

I/We, the undersigned am/are aware that the Board of Zoning Appeals will hold a public hearing on the request for a Conditional Use on **Tuesday, August 19th, at 5:30pm** in City Hall Council Chambers. It is my responsibility to attend (or send a representative/agent) to this meetings to present plans and to answer any questions regarding the request for a Conditional Use.

Signature of Applicant

07-10-2025

Date

Signature of Property Owner

Date

*\*All applications to be submitted must be typed or legibly written in blue or black ink.*

For office use only	
Received:	Project Name:
7-14-25	BZA 25-18



## PLANNING & ZONING

City of Huntington  
Planning & Zoning  
P.O. Box 1659 | Huntington, WV 25717  
(304) 696-5540, option 3  
planningdept@huntingtonwv.gov

### Application for Conditionally Permitted Use

CONFIDENTIAL: Property under contract. Details are proprietary and not for public disclosure without written consent.

#### ATTACHMENT A

In making its decision to approve or deny Conditional Use, The Board of Zoning Appeals must consider six issues. Please provide a written statement on how the proposed Conditional Use will affect each of the following considerations:

1. Effect upon the Comprehensive Plan (available online):

There is no zone type in which private schools are granted permitted use by the City of Huntington; all zones require conditional permission for our use. Therefore we seek permission for conditional use of existing facilities we believe are suitable for our purposes, located with minimal negative impact and much added benefit to the community.

Our desired location is an existing 91,671 sq ft low-rise office building and surrounding parking pavements on 9.50 acres of land near the intersection of Weaver Drive and 5th Street Road. The Comprehensive Plan marks this location as of zone C-2 highway commercial, of high-intensity developed land cover, and of optimum slope suitability, albeit along a ditch in Flood Zone A. This location is at the bottom of the hill below the Woodlands Retirement Community (zoned R-5 multi-family residential) and Mountwest Community & Technical College (this property appears not to be in city limits), immediately adjacent to the Go Mart gas station. There are no structures within city limits on the opposite side of 5th Street Road from the desired location.

The future use of the desired location is marked as Convenience Commercial under both Plan2025 and Plan2035. The only future use of areas immediately adjacent to this location under Plan2025 is Suburban Residential; under Plan2035 all immediately adjacent areas are instead marked as intended for University/Institutional use. Conditional permission to use the desired location for private school educational use would effectively expand this intended University/Institutional use area under Plan2035. The intended Convenience Commercial use intended for the immediate vicinity would continue to be served by the Go Mart gas station and convenience store.

The Comprehensive Plan states that Convenience Commercial areas are meant to "accommodate a wide range of commercial and institutional uses running along Huntington's major roadways." We believe that Covenant School is such an institution which should be accommodated along two of Huntington's major roadways (I-64 and 5th St Rd).

2. Effect upon public health, safety, and general welfare:

Covenant School will provide positive short- and long-term effects on the health, safety, and general welfare of Huntington residents through the improvement of educational opportunities.

3. Effect upon the use and enjoyment of other property in the immediate vicinity for the purposes already permitted:

The Directv building is currently operating at a fraction of its capacity due to the recent trend in teleworking. We anticipate that Go Mart would experience increased business from our larger constituent base due to its proximity. The Woodlands and Mountwest may experience more vehicular traffic at the intersection of Weaver and 5th Street Rd; however this represents merely a shift in the traffic pattern of the larger area of the 152 (5th Street Rd) / I-64 Exit 8 interchange rather than an increase in volume, as we already are currently located just across the interstate near 5th Street Rd (at Christ Temple Church, 2400 Johnstown Rd).

4. Effect upon the normal and orderly development and improvement of the surrounding properties for uses already permitted in the district:

We foresee no negative impact to the the normal and orderly development and improvement of the surrounding properties, nor to the City's stormwater management, for that matter, due to our intended use of the desired location.

5. Have adequate provisions for utilities, access roads, drainage, and other facilities been provided for:

The site has existing utilities, access, and drainage that meet the intended needs of our operation within the existing facility.

6. Has adequate ingress and egress been designed to minimize traffic congestion on the public street:

Due to the existing building's previous uses as a supermarket and corporate customer service location, the ingress/egress to public streets was designed to accommodate more vehicles than would access the site through our operations. The existing 5th Street Road in this location has two lanes for traffic in each direction separated by a grass median, as well as nearby stoplights.

# Aerial Map



**2203 5th Street Road**

**Cabell County Tax District 06, Map 89**

**Parcel 1**

**BZA 25-18**

**A petition to allow for a conditional use of a private school in a C-2 Highway Commercial District.**



[illegible]

**A petition to allow for a conditional use of a private school in a C-2 Highway Commercial District.**



**Future Land Use (Plan 2035)**

- Convenience Commercial
- University

Location of Conditional Use

BRADLEY FOSTER  
MOUNTWEST  
WEAVER  
5TH STREET  
PLEASANT VALLEY  
I-64 RAMP  
ALLEY

N

475 Feet

**A petition to allow for a conditional use of a private school in a C-2 Highway Commercial District.**

