

# City of Huntington Board of Zoning Appeals

October 1<sup>st</sup>, 2020

**Staff Report:** A petition for a Variance to allow for a remodeled duplex to not meet the off-street parking requirements in an R-5 Multi-family Residential District.

## Legal Ad

### BZA 20-V-11

*Issue:* A petition for a Variance pursuant to Article 1343.A to allow for the remodel of a single-family home into multiple dwelling units to provide only 1 off-street parking space rather than the required 3. The property is located in an R-5 Multi-family Residential District at 708 6th St W, Huntington, WV.

*Property Owner:* Jesse Lewis, 171 2nd St, Huntington, WV

*Petitioner:* Jason Carson, 1620 Sycamore St, Charleston, WV

## Introduction

Jason Carson is petitioning for the remodel of an existing home, which will increase the number of dwelling units and bedrooms, to not meet the off-street parking requirements.

## Existing Conditions / Background

The current structure is a single-family home constructed in 1925. Originally the property had a small one stall garage in the rear yard, but has since been demolished leaving the concrete pad for one parking space.

The home is approximately 1660 square feet.

The property was purchased by the current owner in 2019.

The adjacent homes to the north are under maintained. All other homes in the immediate area are well maintained or adequate condition, to include a medium sized apartment building across the street.

The zoning for this half-block and the one across the street are R-5 Multi-family Residential. The properties to the south are zoned R-2 Single Family Residential. To the southwest is commercial property zoned I-1 Light Industrial and Commercial which is owned and operated by Richwood Industries.

There are two other duplexes on this half-block. Both of the units have parking in the rear yard. One duplex has two parking spaces. The other has 3 parking spaces.

## Proposed Conditions

The owner and petitioner are proposing to convert the single-family dwelling unit into a single-family duplex containing 2 apartments and 4 bedrooms in total, 2 bedrooms in each apartment. They are not proposing to add any additional parking to the site.

The apartments will be accessible via the foyer of the home with a staircase leading to the 2nd floor apartment.

## Photos



Figure 1 - Looking at



Figure 2 - The rear yard of the petition location



Figure 3 - Apartment building directly across the street with off-street parking



Figure 4 - Looking down the alley from the property, nearly every property has off-street parking for two or more vehicles.

## Zoning Ordinance

As of June 22nd of this year, the parking requirements for this type of use have changed. The petitioner originally approached us when the ordinance required 1.5 parking spaces per 2 bedrooms. Now duplexes have the same standards as a single-family home and only requires 1 parking space per 2 bedrooms.

Those requirements can be found in Table 1343 of the Zoning Ordinance.

In addition, Article 1323.04 which regulates the conversion of single-family homes into multiple dwelling units requires that parking areas shall be designed so that each vehicle has access to the street without the necessity of moving another vehicle.

This would prevent the petitioner from extending the driveway to include the 1 additional parking space required. The parking area cannot be easily widened to include an additional parking space due to the placement of a utility pole adjacent to the driveway.

## **Staff Comments**

The staff believes that such a variance would vary from the adjacent built environment. This half-block averages 2.4 parking spaces per dwelling unit. Therefore it is the staff's opinion that the petitioned property should not be exempted from the prevailing development pattern.

Due to the small size of the property, staff does recommend that the property be exempted from the Article 1323.04 regulation that doesn't allow for stacked parking in the driveway for a converted single-family detached home into a duplex. The property is 37.5 feet wide. The driveway where the garage used to be could be extended to be 36 feet long, accommodating two parking spaces with ease.

## **Summary / Findings of Fact**

1. Jesse Lewis is the owner.
2. Jason Carson is the petitioner.
3. The proposed use is a duplex with a total of 4 bedrooms.
4. Article 1343 requires this proposed structure to have 2 off-street parking spaces.
5. The petitioner has proposed to have only 1 off-street parking space.
6. The property is zoned R-5 Multi-family Residential District.
7. The property is approximately 3,375 SF.
8. The home covers 1,123 SF of the property area.
9. The home has 1660 SF of living space.
10. The average parking spaces per dwelling unit on this half block is 2.4.

## **Attachments**

Please see attached Aerial, Location, Zoning Maps, and Application for reference.

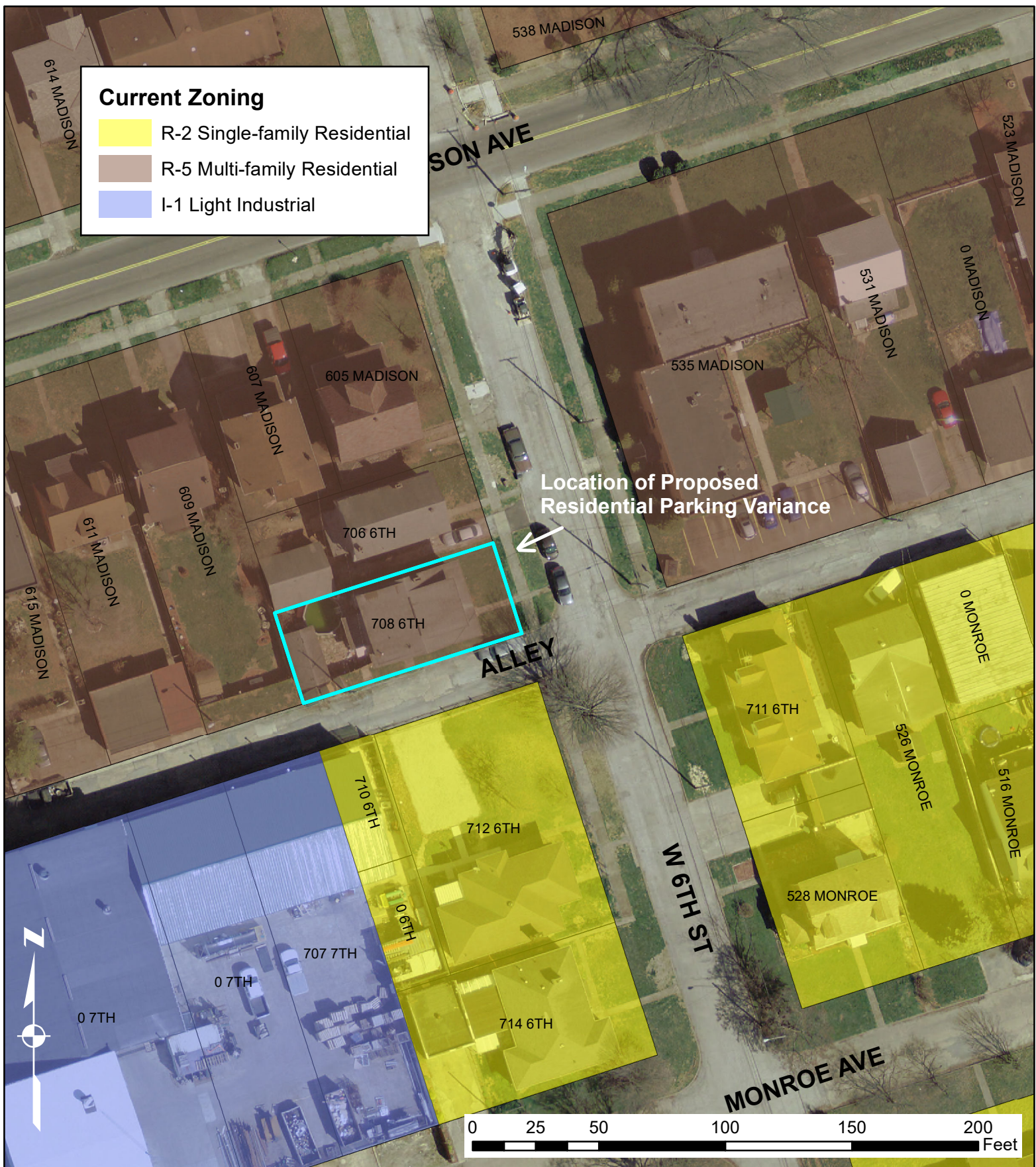




# 708 6th Street West Variance for Residential Parking



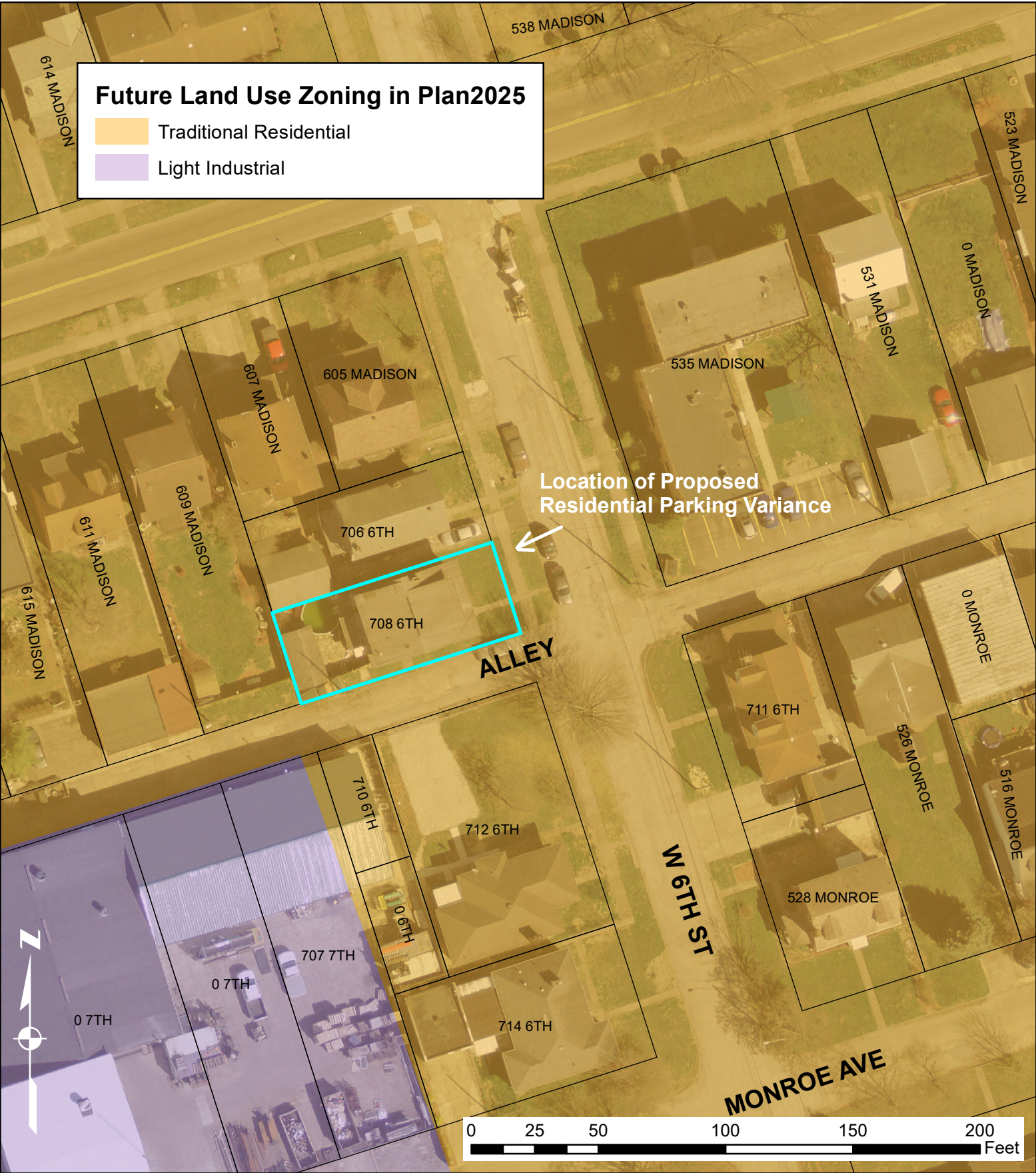




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**HUNTINGTON**  
WEST VIRGINIA  
Planning & Development

# APPLICATION FOR APPEAL FOR VARIANCE OF ZONING REGULATIONS

Huntington City Hall  
800 Fifth Avenue, Rm 2  
P.O. Box 1659  
Huntington, WV 25717

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

Applicant: Jason Carson Phone: 304-942-3752  
Address: 1620 Sylvan St 25530 Email: Indic@yahoo.com

Property Owner: DESS LEWIS Phone: 304-617-1048  
Address: 171 2nd St 25705 Email: \_\_\_\_\_

Occupant: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_

Variance requested pursuant to Article \_\_\_\_\_ and/or Figure 1343.A of the City of Huntington Zoning Ordinance.

Description of the variance being requested: Reduction of required parking for a Multi-family dwelling unit. For two, two-bedroom units, 1.5 spaces are required per dwelling for each dwelling unit, totaling 3 spaces. Petitioner is requesting 1 parking space, in total, rather than 3.  
Description of property including tax map, parcel, lot number (if applicable), street address and/or other description: \_\_\_\_\_

Please describe the special conditions or attributes which pertain to the property or hardships for which the variance is sought (state any reason which the Board of Zoning Appeals should be aware of in forming its decision): \_\_\_\_\_

(Attach additional pages if necessary)

**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, with direction 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.
- One Hundred Sixty dollars (\$160.00) filing fee for each variance sought.

All of the above documentation is to be submitted to the office of Planning and Zoning by: Sept 18th in order to be placed on the next Board of Zoning Appeals agenda. Incomplete documentation will delay applicants 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, Oct 20th. 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 of Applicant (include title if applicable) Date

CO/OWNER

9-10-20

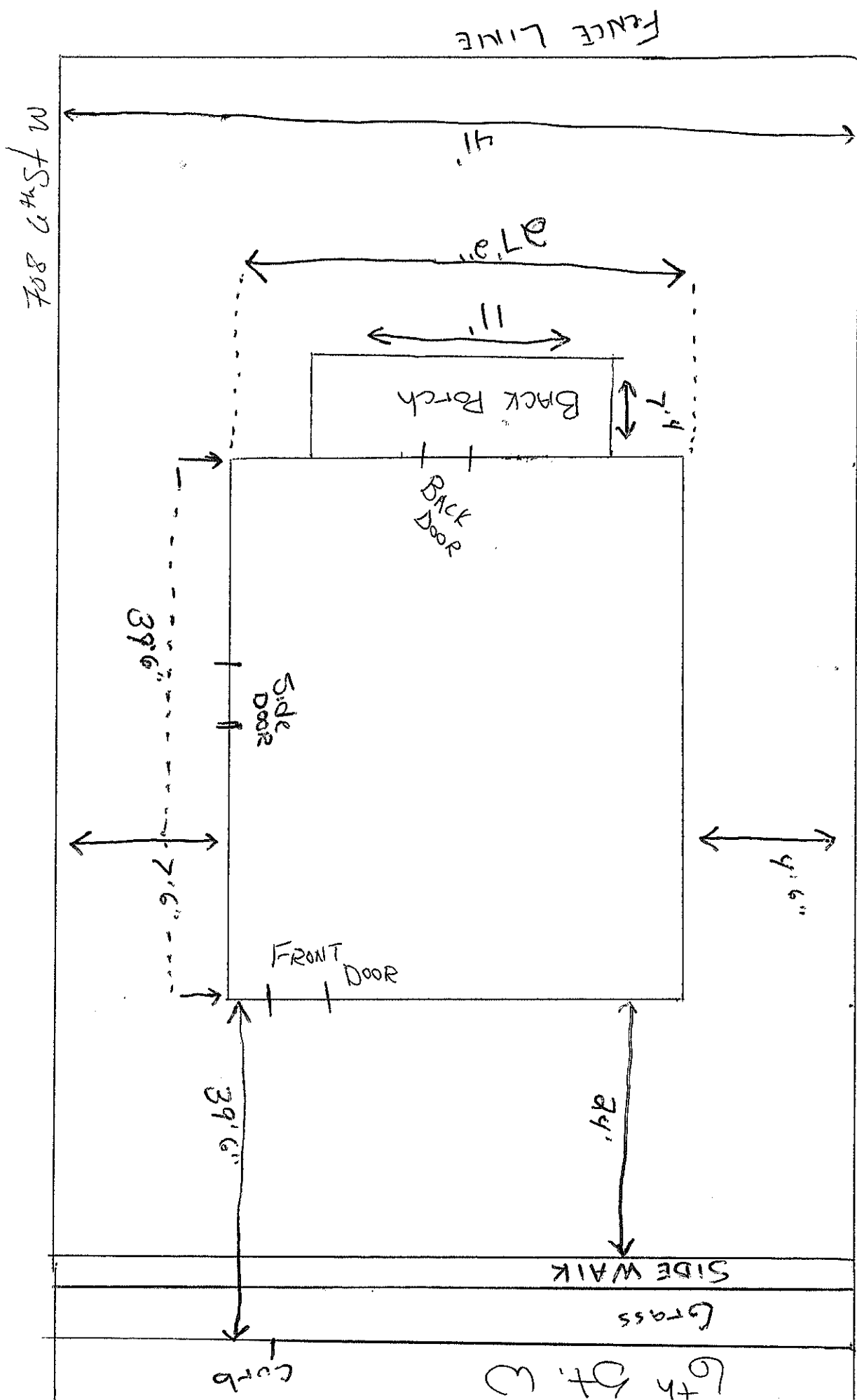
Signature of Property Owner (Required)

Date

**For Office Use:**

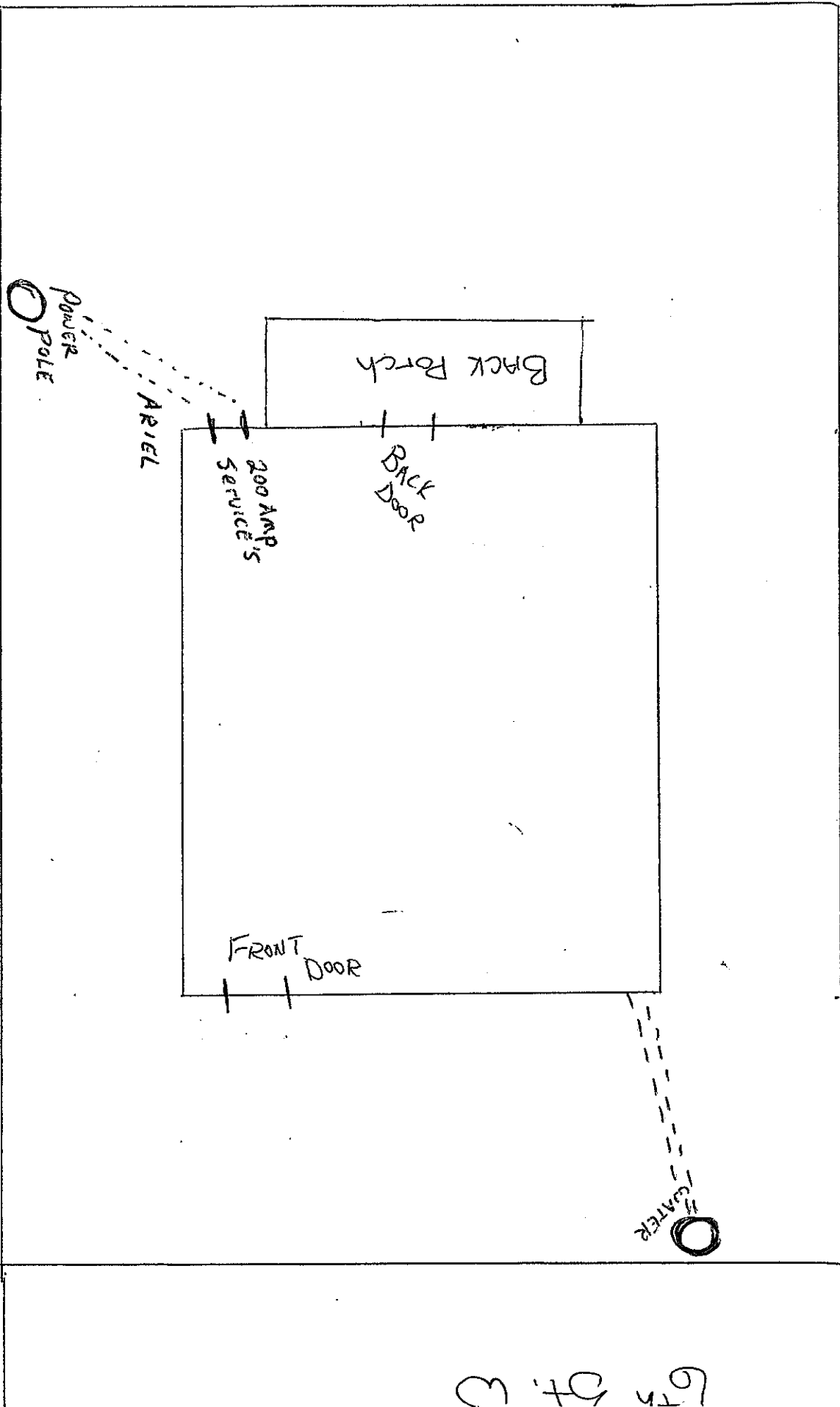
Received: \_\_\_\_\_

Staff Initials: \_\_\_\_\_



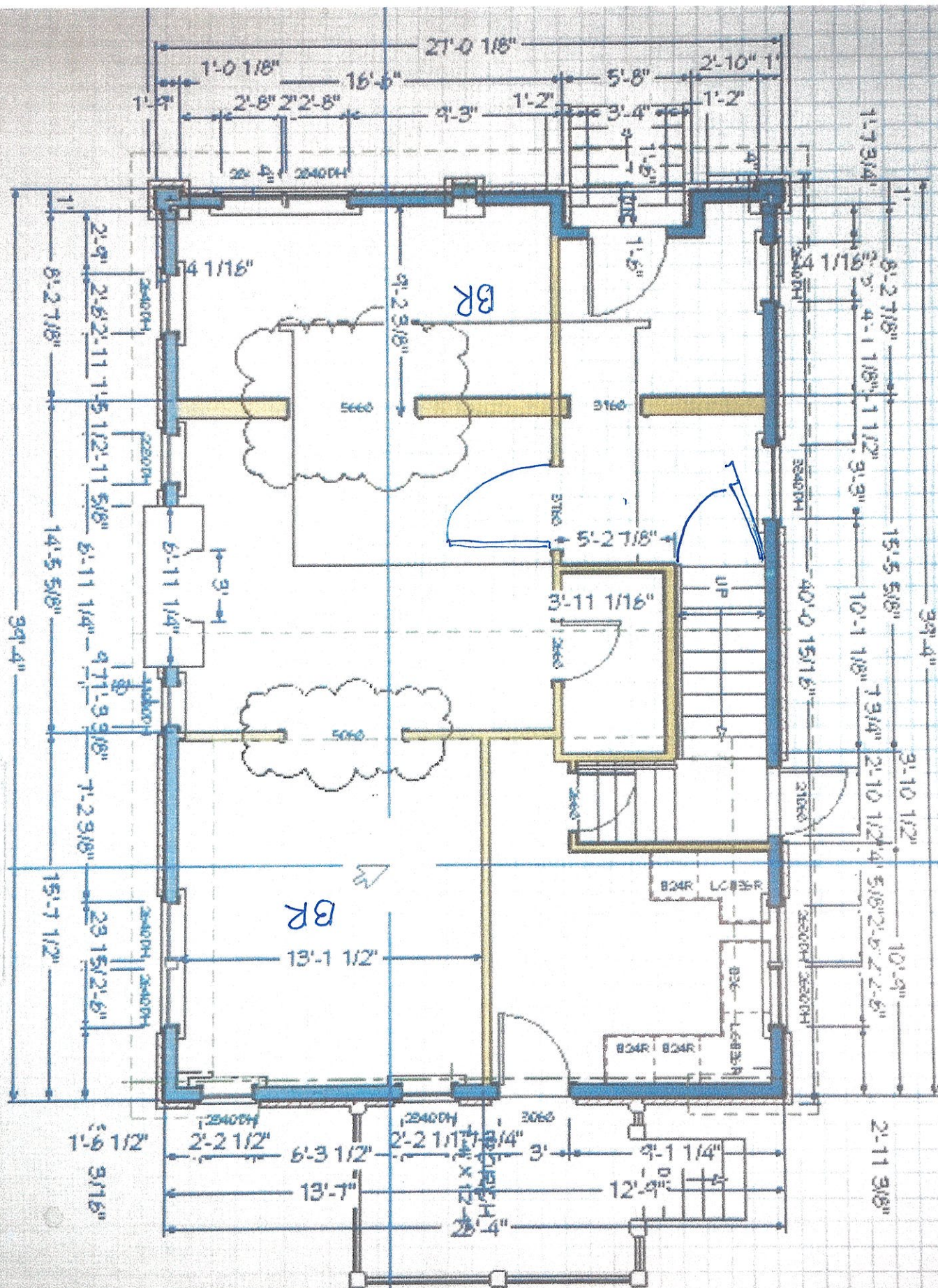


Alley

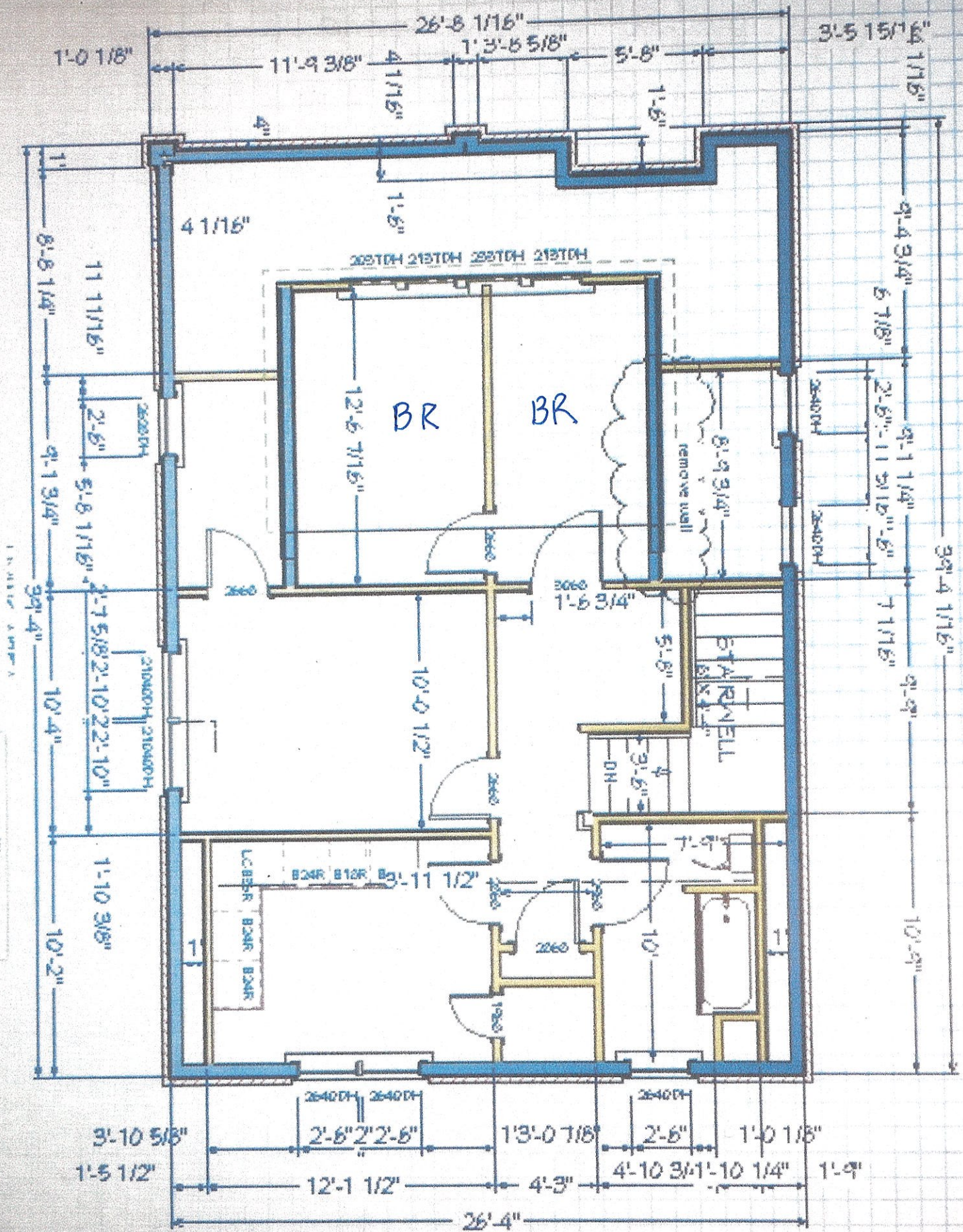


6TH ST. W

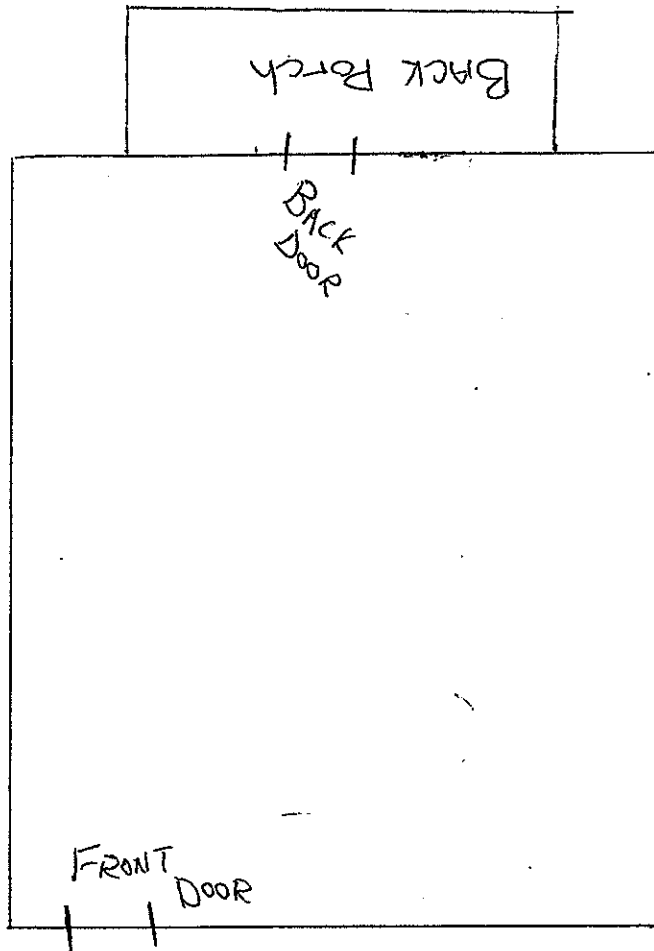








Alley



6th St. W