

**Minutes**  
**City of Huntington Board of Zoning Appeals**  
**January 17, 2023**

A meeting of the City of Huntington Board of Zoning Appeals was held on January 17, 2023 at 5:30 p.m. in the City Hall Council Chambers. *Ms. Proctor* called the meeting to order.

Members Present: Jaqueline Proctor, Gina Browning, Steven Yates, Sara Loftus, Isabel Cross

Members Absent: Sherry Houck, Dan Earl

Staff Present: Patricia Usher, Zoning Officer  
Bre Shell, Planning Director  
Nathanial Crum, Planning Technician  
Ericka Hernandez, Assistant City Attorney

Nominations for Chair opened.

Nomination for Chair: Jaqueline Proctor; no other nominations were given.

Roll Call: Ms. Proctor, Yes; Ms. Browning, Yes; Mr. Yates, Yes; Ms. Loftus, Yes; Ms. Cross, Yes.

Jaqueline Proctor for chair was approved.

Nominations for Vice Chair opened.

Nomination for Vice Chair: Dan Earl; no other nominations were given

Roll Call: Ms. Proctor, Yes; Ms. Browning, Yes; Mr. Yates, Yes; Ms. Loftus, Yes; Ms. Cross, Yes.

Dan Earl for Vice Chair was approved.

Hearing no corrections or objections, *Ms. Proctor* approved the December Minutes.

Hearing no corrections or objections, *Ms. Proctor* approved the Orders.

**BZA 23-V-01**

A petition for a variance to exceed the 6 square foot size requirement for projecting signs in a C-3 Central Business Zoning District. The property is located at 418 8<sup>th</sup> Street.

*Property Owner:* Progress LLC, 418 8<sup>th</sup> Street, Huntington, WV

*Petitioner:* Paris Signs, 2400 5<sup>th</sup> Street Road, Huntington, WV

Ms. Usher presented the Staff Report

Wade Murphy, 2400 5<sup>th</sup> St. Rd., is requesting to build a projecting sign larger than the allotted square footage for this type of sign.

*Mr. Yates* – Are there other signs similar in design in the downtown area?

Mr. Murphy stated that they have built multiple signs that are similar in design and size.

*Ms. Proctor* – Is the sign illuminated?

Mr. Murphy mentioned that the sign is internally illuminated and will not be a very bright light, only the text would be lit up.

*Ms. Loftus* made a motion to approve BZA 23-V-01.

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

BZA Petition for a variance was **approved** with a vote of 5 Yes to 0 No.

### **BZA 23-C-02**

A petition for a conditional use permit for a dog training and boarding facility in a C-1 Neighborhood Commercial District. The property is located at 3014 Piedmont Road.

*Property Owner / Petitioner:* Joseph “Avery” Gibbs, 203 12<sup>th</sup> Ave, Huntington, WV

Ms. Usher presented the Staff Report

Joseph Avery Gibbs, 203 12<sup>th</sup> Ave, is requesting a conditional use permit to open a training and boarding facility for dogs in a C-1 District. Mr. Gibbs stated that the boarding of dogs would only be reserved for ones that he has previously trained. He then mentioned that sound proofing would be put in place during a remodel to minimize any noise from barking that may occur.

*Mr. Yates* – Do you have an idea of how many dogs could be housed in the building?

Mr. Gibbs stated roughly 3 dogs per trainer, so if fully staffed, possibly 15 dogs max at one time.

*Ms. Loftus* – Will there be someone there at all times?

Mr. Gibbs explained that this would be a struggle because he can't have someone live there because it is not a residence. He mentioned that he could potentially hire someone for overnight but for now would watch cameras and be alerted.

*Ms. Cross* – Currently you are running this business from your house?

Mr. Gibbs, that is correct, with this movement into a new building I want to continue to grow little by little.

*Ms. Cross* – would you board other dogs while training?

Mr. Gibbs, Yes. The boarding is where you would see a larger number of dogs, while only training a max of 3 dogs I will board repeat customers dogs as needed.

Ms. Usher voices the concern of a neighboring business regarding the barking of dogs, however they are in support of the petition.

*Mr. Yates* – How is the time that the dogs are allowed in the yard enforced?

Ms. Usher this is mainly complaint based, the allotted hours come from the City's noise ordinance.

*Ms. Loftus* – I have concerns over the noise that could occur during the weekends and off hours, when someone might not be there to monitor the dogs.

*Ms. Proctor* – How far do you live from your business?

Mr. Gibbs states that he lives about 7 mins away.

*Ms. Proctor* – Will fire suppression systems and other security be installed into the building?

Mr. Gibbs exclaims that he will definitely have security cameras throughout the building as well as fire alarms but was unsure about fire suppression systems.

*Mr. Yates* made a motion to approve BZA 23-C-02.

Roll Call; Ms. Loftus, Yes; Mr. Yates, Yes; Ms. Browning, Yes; Ms. Proctor, Yes; Ms. Cross, Yes.

BZA Petition for a conditional use permit was **approved** with a vote of 5 Yes to 0 No.

### **BZA 23-C-03**

A petition for a conditional use permit for the redevelopment of a closed school in an R-1 Single-Family Residential District. The property is located at 68 Holley Avenue.

*Property Owner:* Scott Hutchinson, 729 9<sup>th</sup> Avenue #97, Huntington, WV

*Petitioner:* Alchemy Theatre Troupe Inc., 729 9<sup>th</sup> Avenue #98, Huntington, WV

Ms. Usher presented the Staff Report

Mike Murdock, 619 2<sup>nd</sup> Ave Chesapeake, Ohio; Nora Ankrom, 13 Pine Crest Ln Huntington, WV, is petitioning to redevelop the closed school into a performing and visual arts center. Mr. Murdock stated that on top of the performances, they are going to add workshops and classes for local and traveling artists and organizations.

*Ms. Cross* – what are the hours of operation, and will you be open every day?

Mr. Murdock claimed eventually they would like to be open all of the time and have presence there almost all of the time, once the building is done with renovations and ready to be fully operational. However, starting out, hours will vary depending on shows.

*Ms. Loftus* – How is this going to be open and accessible to the community?

Ms. Ankrom mentioned their partnership with the Crossroads Community group, this includes giving them a meeting space, as well as discounted tickets for shows.

Mr. Murdock added that their organization will be offering classes and workshops of all kinds for both children and adults that the community will benefit from.

*Ms. Proctor* – what is to be done about the various amount of maintenance that is needed for this property?

Ms. Ankrom assured that Board they are conducting inspections and any maintenance responsibilities will be outlined in a lease agreement.

*Mr. Yates* – How many parking spots are available?

Mr. Murdock states that between the two lots there are about 80-90 spaces. Generally, shows average about 50-200 people, so later more parking may be created as the audience grows.

*Ms. Proctor* – If a show is occurring, what are the hours of operation?

Ms. Ankrom stated shows typically start around 7:30 – 8:00 p.m. The highest volume of people would be on the weekends, with only staff on the weekdays.

*Ms. Browning* – What is your timeline for opening?



Ms. Ankrom stated they have a production they hope to show there in March.

*Ms. Loftus* – is this building ADA (American with Disabilities Act) accessible?

Mr. Murdock stated the building is ADA accessible with multiple ramps coming up to the building as well as throughout the inside of the building.

Jack Daniels, 1730 Valley Rd, stated the Alchemy Group came to the community with assurances that this will truly feed back into the community and is supportive of the petition.

Toni Ferry, 4 Romar Ct, is in favor of the petition, stating the group has really reassured the community.

Mark Brown, 3132 Brereton Ct, is in full support of this petition.

Sue Dostal, 814 North Norwood Rd, of Crossroads United Methodist Church, stated Alchemy Theatre will have full access to their parking as long as it is not on a Sunday morning, and is in support of an approval of this petition.

Diann Clark, 811 North Norwood Rd, is in full support of this petition.

Michael Naglee, 3479 Rt. 75, Founding Board member of Alchemy, overjoyed with the community coming out to the meeting in support, believes they will succeed in this endeavor.

Nicole Jarvis, 206 Lakeside Drive Wayne, WV, also a board member for Alchemy Theatre, stated the board is fully behind the group and believe this will be a great thing.

*Ms. Proctor* closes public comment

*Mr. Yates* made a motion to approve BZA 23-C-03.

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

BZA petition for a conditional use permit was **approved** with a vote 5 Yes to 0 No.

*Ms. Proctor* adjourns the meeting at 6:46 P.M.

Date approved:

3/21/23

Chairperson:

  
Jacqueline Proctor, Chair

Prepared by:

  
Nathaniel Crum, Planning Technician