



Agenda
Huntington Board of Zoning Appeals
Tuesday, July 21, 2026 - 5:30pm

1. Call to Order
2. Roll Call
3. Approval of the May 2026 Minutes
4. Approval of the May 2026 Orders

- BZA 26-09

5. New Petitions

BZA 26-12

Petitioner: Lava Smoke Shop, P.O. Box 8655, South Charleston, WV 25303

Property Owner: Zane Holding Group, P.O. Box 8655, South Charleston, WV 25303

Property Location: 631 6th Ave., Huntington, WV 25701

Issue: A petition to request a conditional use to allow for a Smoke Shop/Tobacco Store in a C-1 Neighborhood Commercial District.

BZA 26-16

Petitioner: Lava Smoke Shop, P.O. Box 8655, South Charleston, WV 25303

Property Owner: Zane Holding Group, P.O. Box 8655, South Charleston, WV 25303

Property Location: 631 6th Ave., Huntington, WV 25701

Issue: A petition for a variance to allow a Smoke Shop/Tobacco Store to be within 1500 feet of an existing establishment in a C-1 Neighborhood Commercial District.

BZA 26-13

Petitioner: Tequila Grill, 5636 Rt. 60 E, Huntington, WV 25705

Property Owner: Huntington Realty Corp., P.O. Box 522, Huntington, WV 25710

Property Location: 1335 Hal Greer Blvd., Huntington, WV 25701

Issue: A petition to request a conditional use to allow for a Restaurant Serving Alcoholic Beverages in a C-1 Neighborhood Commercial District.

BZA 26-14

Petitioner: AB Contracting, Inc., 5521 Ohio River Rd., Point Pleasant, WV 25550

Property Owner: Katoria Development Group LLC, P.O. Box 908, Nitro, WV 25143

Property Location: 120 21st St., Huntington, WV 25703

Issue: A petition to request a conditional use to allow for a multi-family residence in an I-1 Light Industrial/Commercial District.

BZA 26-15

Petitioner/Property Owner: TCS Properties, Inc., 6 Brighton Way, Huntington, WV 25705

Property Location: 916 5th Ave., Huntington, WV 25701

Issue: A petition for a variance to increase the maximum square footage of a projecting sign in a C-3 Central Business District.

6. Announcements/Discussion

7. Adjournment

Minutes
City of Huntington Board of Zoning Appeals
May 19th, 2026

A meeting of the City of Huntington Board of Zoning Appeals was held on March 17th, 2026 at 5:30 p.m. in the City Hall Council Chambers. *Mr. Yates* called the meeting to order and *Ms. Parsons* confirmed a quorum was present.

Members Present: Steven Yates, Matt Smith, Whitney Gesner, Sonja Vital

Members Absent: Douglas Franklin and Dan Earl

Staff Present: Steve Curry, Planner II
Ericka Hernandez, Assistant City Attorney

Mr. Yates asked if there were any objections to the minutes or orders from April, seeing none. They were approved.

BZA 26-09

Petitioner/Property Owner: Bethany Clark, 933 28th St., Huntington, WV 25705

Property Location: 933 28th St., Huntington, WV 25705

Issue: A petition to request a variance to allow for an accessory structure in the front yard of an R-1 Single-family Residential District.

Mr. Curry read the staff report.

Mr. Yates asked if anyone was in attendance to represent the petition, and *Ms. Clark* came forward. She explained that they wanted the accessory structure for extra storage. She explained how there was no side yard or rear yard available on her parcel based on the location of the home, which sits all the way on the back portion of the parcel.

Mr. Yates asked if anyone else was there to speak in favor, seeing none. *Mr. Yates* asked if anyone else was there to speak in opposition, seeing none, public comment was closed.

Mr. Yates stated the variance was understandable because the petitioner can't place the accessory structure where they are typically permitted because there is no yard for the petitioner to utilize.

Mr. Smith agreed. *Ms. Gesner* made a motion to approve BZA 26-09, *Ms. Vital* seconded.

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

BZA 26-09 was approved with a vote 4 Yes, 0 No.

Mr. Earl adjourned the meeting at 5:38 p.m.

Date approved: _____

Chairperson: _____ Prepared by: _____
Steven Yates, Chair Katie Parsons, Planner I

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

BZA 26-09

Petitioner/Property Owner: Bethany Clark, 933 28th Street, Huntington, WV 25705
Subject Property: 933 28th Street, Huntington, WV 25705

In re: A petition to request a variance to allow for an accessory structure in the front yard of an R-1 Single-family Residential District.

Individual Speaking on Behalf of Petition: Bethany Clark, 933 28th Street, Huntington, WV 25705

ORDER

On April 21st, 2026, Ms. Clark appeared before the City of Huntington Board of Zoning Appeals to provide testimony related to BZA 26-09. Other citizens were permitted to voice their positions as well, per the practice of this Board, and none did.

FINDINGS OF FACT

After reviewing all evidence at the May 19th, 2026 meeting and hearing testimony from Mrs. Clark, the Board finds as follows:

1. The petitioner and property owner is Bethany Clark
2. The petitioned property is zoned R-1 Single-family Residential District.
3. The petitioner seeks to build a garage/storage shed on the subject property 933 28th St., Huntington, WV 25705.
4. The subject property has the primary structure, Mrs. Clark's house, was built against the rear and side setbacks, meaning the house does not have a side or rear yard to build an accessory structure on.
5. The proposed site plan is for a garage/storage building that is 12 feet wide and 24 feet long and will set 3 feet off the side lot line.
6. Plan 2035 designates this area Hills Residential.

STANDARD OF REVIEW

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

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;
4. Whether the proposed variance would allow the intent of the Zoning Ordinance to be observed and substantial justice be done?

CONCLUSIONS OF LAW

This matter concerns the increase of allowance of an accessory structure to be erected in the front yard of a single-family home in an R-1 Single-family District.

The petitioner's proposed sign site plan shows a 12ft. x 24 ft. garage/storage building for their home at 933 28th St., Huntington, WV 25705. The petitioners reasoning is due to the non-existence of rear or side yards at this property.

We do not anticipate that this would adversely affect public health, safety, or welfare of adjacent property owners or residents. Petitioner said the purpose of the build is to allow for storage on the property. We believe approving the variance would allow substantial justice and the intent of the Zoning Ordinance to be observed.

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 26-09 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: _____
Steven Yates, Chair Steven Curry, Planner II

Staff Report: A petition for a conditional use to allow for a Smoke Shop/Tobacco Store in a C-1 Neighborhood Commercial District.

Legal Ad

BZA 26-12

Issue: A petition for a conditional use to allow for a Smoke Shop/Tobacco Store in a C-1 Neighborhood Commercial District.

Petitioner: Lava Smoke Shop, P.O. Box 8655, South Charleston, WV 25303

Property Owner: Zane Holding Group, P.O. Box 8655, South Charleston, WV 25503

Property Location: 631 6th Ave.,
Huntington, WV 25701

Introduction

The petitioner is requesting a conditional use to allow for a Smoke Shop/Tobacco Store.

Existing Conditions / Background

The proposed location for the Smoke Shop/Tobacco Store is a medium-sized commercial building at the corner of 6th Avenue and 7th Street. The building the petitioner will utilize if approved has always been commercial in nature and was an appliance store for a number of years. It is currently vacant. The surrounding area features a car repair shop, a small grocery store, lawyer offices and other similar uses.

Proposed Conditions

If the conditional use is approved, the petitioner will open and operate a Smoke Shop/Tobacco Store at the proposed location.

Zoning Ordinance

Per §1320.04, a “Smoke Shop/Tobacco Store” is only conditionally permitted in a C-1 Neighborhood Commercial District.

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 Transition Commercial, characteristics of this include:

- Medium density and medium lots
- 4-5 story building to front of property line on primary transportation routes
- Medium-scale development larger than the neighborhood-scale uses accommodated by the neighborhood center district but smaller than the convenience commercial district
- Limited on-site parking
- Buffers primarily residential areas from higher intensity commercial and

industrial uses or along arterial corridors

- Promote infill and repurposing of large single-family housing for office or multi-family uses to maintain existing character
- Active storefronts, medium-scale offices, and a limited range of business and commercial uses like specialty shops, service, and small-scale lodging
- Mixed-use housing, particularly above active office or commercial uses



View of the petitioned property from 6th Ave. looking south.

Pictures



View of the petitioned property from the corner of 6th Ave. and 7th St. looking southeast.



View of petitioned property from 6th Ave looking south.

Staff Comments

Per §1315.02, a Smoke Shop/Tobacco Store is defined as:

“Any business that sells at retail tobacco, tobacco products, vape products, e-cigarette devices, vape juices, e-cigarettes, e-cigarette liquids or tobacco paraphernalia; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes, vape products, e-cigarettes or tobacco as less than 25% of retail sales shall not be defined as “smoke shop/tobacco store”.”

When considering the effect on the Comprehensive Plan; Plan2035 designates this area as Transition Commercial, which is treated very similar to our current zoning of C-1 Neighborhood Commercial. This type of zone acts as a literal transition from mainly residential zones to commercial zones. This area has several commercial uses that are only conditionally permitted to ensure that the characteristics of this zone are maintained. Due to this, staff believe that this type of conditional use could potentially have an effect on the type of commercial uses that would be desirable in a Transition Commercial District.

Staff does not foresee potential injury to the use and enjoyment of other properties in the immediate vicinity, or effect upon the normal and orderly development and improvement of surrounding uses. The commercial building is existing, and nothing is being added that would affect utilities, access roads, drainage, and other necessary facilities. The design of the parking and ingress and egress is not anticipated to change, customers at this proposed location will be permitted to park off-street along the 7th Street entrance.

Staff Recommendation

After reviewing the standards of considering a conditional use, staff recommends approval of this petition.

Summary / Findings of Fact

1. Lava Smoke Shop is the petitioner
2. Zane Holding Group is the property owner
3. The current zoning is C-1 Neighborhood Commercial District.
4. Future Land Use Map designates this area as Transition Commercial
5. The proposed use is only conditionally permitted in its current zoning

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: Ayman Faggaouseh (Lemon Smoke Shop) Phone: 727-657-7644

Mailing Address (city, state, zip): PO Box 8655, South Charleston, WV, 25303

Email: lawshuntington@gmail.com

Property Owner (if applicable): Zone Holding Group Phone: 407-433-7712

Mailing Address (city, state, zip): PO Box 8655, South Charleston, WV, 25303

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

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 _____ to allow the following:

Tobacco Shop

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 6/16/2026.
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, July 21st** 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]
Signature of Applicant

[Signature]
Signature of Property Owner

6/2/26
Date

6/3/26
Date

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

For office use only	
Received:	Project Name:

ATTACHEMENT A FOR CONDITIONALLY PERMITTED USE

LAVA SMOKE SHOP

1. Effect upon the Comprehensive Plan

The proposed retail vape shop, including the sale of legally permitted related products, is consistent with the City's Comprehensive Plan for the Central Business District. The use promotes commercial activity, contributes to pedestrian-oriented retail, and supports continued economic vitality in the downtown core. The proposed use is typical of and compatible with other retail and service establishments in the area.

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

The proposed use will not adversely impact public health, safety, or general welfare. The business will operate in compliance with all applicable federal, state, and local laws and regulations governing retail sales. The location in an established commercial district with existing infrastructure and oversight (including proximity to government facilities) supports safe and orderly operation.

3. Effect upon use and enjoyment of nearby property

The proposed use is consistent with surrounding commercial uses, including bars, convenience stores, and office buildings. It will operate entirely within an enclosed structure and will not generate noise, odors, or activity beyond that typical of other retail establishments in the district. Accordingly, it will not interfere with the use or enjoyment of neighboring properties.

4. Effect upon orderly development of surrounding properties

The use will not impede the normal and orderly development of surrounding properties. Rather, it is consistent with the existing pattern of mixed retail and commercial activity in the Central Business District and supports continued occupancy and productive use of commercial space.

5. Utilities, access roads, drainage, and facilities

The property is fully served by existing public utilities, including water, sewer, electric, and telecommunications. The site has established access from public streets and requires no additional infrastructure or modifications. All facilities are adequate to support the proposed use.

6. Ingress/egress and traffic congestion

The proposed use will utilize existing ingress and egress points and will not materially increase traffic beyond typical retail levels for the area. The Central Business District is designed to accommodate commercial traffic, and the use will not create congestion or unsafe conditions on surrounding public streets.

Staff Report: A petition for a variance to allow a Smoke Shop/Tobacco Store to be within 1500 feet of an existing establishment in a C-1 Neighborhood Commercial District.

Legal Ad

BZA 26-16

Issue: A petition for a variance to allow a Smoke Shop/Tobacco Store to be within 1500 feet of an existing establishment in a C-1 Neighborhood Commercial District.

Petitioner: Lava Smoke Shop, P.O. Box 8655, South Charleston, WV 25303

Property Owner: Zane Holding Group, P.O. Box 8655, South Charleston, WV 25503

Property Location: 631 6th Ave.,
Huntington, WV 25701

Introduction

A petition for a variance to allow a Smoke Shop/Tobacco Store to be within 1500 feet of an existing establishment in a C-1 Neighborhood Commercial District.

Existing Conditions / Background

The proposed location for the Smoke Shop/Tobacco Store is a medium-sized commercial building at the corner of 6th Avenue and 7th Street. The building the petitioner will utilize if approved has always been commercial in nature and was an appliance store for a number of years. It is currently vacant. The surrounding area features a car repair shop, a small grocery store, lawyer offices and other similar uses.

Proposed Conditions

If the variance requested is granted, the petitioner will open and operate a Smoke Shop/Tobacco store at the proposed location.

Zoning Ordinance

Per §1341.55(A) it is unlawful to operate a smoke shop/tobacco store within 1500 feet of an existing smoke shop/tobacco store, day care center, or school.

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 Transition Commercial, characteristics of this include:

- Medium density and medium lots
- 4-5 story building to front of property line on primary transportation routes
- Medium-scale development larger than the neighborhood-scale uses accommodated by the neighborhood

center district but smaller than the convenience commercial district

- Limited on-site parking
- Buffers primarily residential areas from higher intensity commercial and industrial uses or along arterial corridors
- Promote infill and repurposing of large single-family housing for office or multi-family uses to maintain existing character
- Active storefronts, medium-scale offices, and a limited range of business and commercial uses like specialty shops, service, and small-scale lodging
- Mixed-use housing, particularly above active office or commercial uses

Pictures



View of the petitioned property from the corner of 6th Ave. and 7th St. looking southeast.



View of petitioned property from 6th Ave looking south.



View of the petitioned property from 6th Ave. looking south

Staff Comments/ Recommendation

Per §1341.55(B) , distance shall be measured in a straight line, without regard to intervening structures, from the closest property line of the smoke shop/tobacco store to the closest property line of the other smoke shop/tobacco store, day care center, or school.

The proposed location is within 1,500 feet of an existing smoke shop/tobacco store. The smoke shop/tobacco store is Cheaper Cigs located at 546 4th Ave., Huntington, WV 25701. Based on measurement tools on the Cabell County GIS website and WV Flood Tool website, from the nearest lot lines, the approximate distance is 1,234.4 feet.

Staff recommends the denial of the variance. This ordinance was enacted in June 2023 to add additional regulations to businesses that operate as smoke shops/tobacco stores or sell smoke and tobacco products. There are no special conditions or attributes which pertain to the property for which a variance is required. This structure was previously used for businesses in differing industries,

therefore, there is no hardship or inability to use the land or structure.

Summary / Findings of Fact

1. Lava Smoke Shop is the petitioner
2. Zane Holding Group is the property owner
3. The current zoning is C-1 Neighborhood Commercial District
4. Future Land Use Map designates this area as Transition 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

Variance of Zoning Regulations Application

Applicant Name: LAVA SMOKE SHOP INC Phone: 3047204444
Mailing Address (city, state, zip): PO BOX 8655 SOUTH CHARLESTON WV 25303
Email: PBCINC@MAIL.COM
Property Owner (if applicable): ZANE GROUP HOLDINGS Phone: 3216660701
Mailing Address (city, state, zip): PO BOX 8655 SOUTH CHARLESTON WV 25303

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

631 6TH AVENUE, HUNTINGTON WV

Variance request pursuant to:

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

Description of the variance being requested:

REQUEST A VARIANCE IN ZONING BE GRANTED DUE TO THE LOCATION OF A TOBACCO
BEING LOCATED AT 546 4TH AVENUE, HUNTINGTON WV

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, ect.).
- Valid State and Federal Photo ID.
- Any and all documentation and evidence to support the request.
- 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 _____ 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, _____. 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]

Signature

06/16/2026

Date

For office use only	
Received:	Project Name:



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

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:

THE OTHER STORE DOES NOT OFFER THE PRODUCTS THAT WE WOULD OFFER
WE DO NOT OFFER CIGARETTES, LOTTERY, OR BEER

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):

THE OTHER STORE OFFERS SIGNIFICATNLY DIFFERENT PRODUCTS

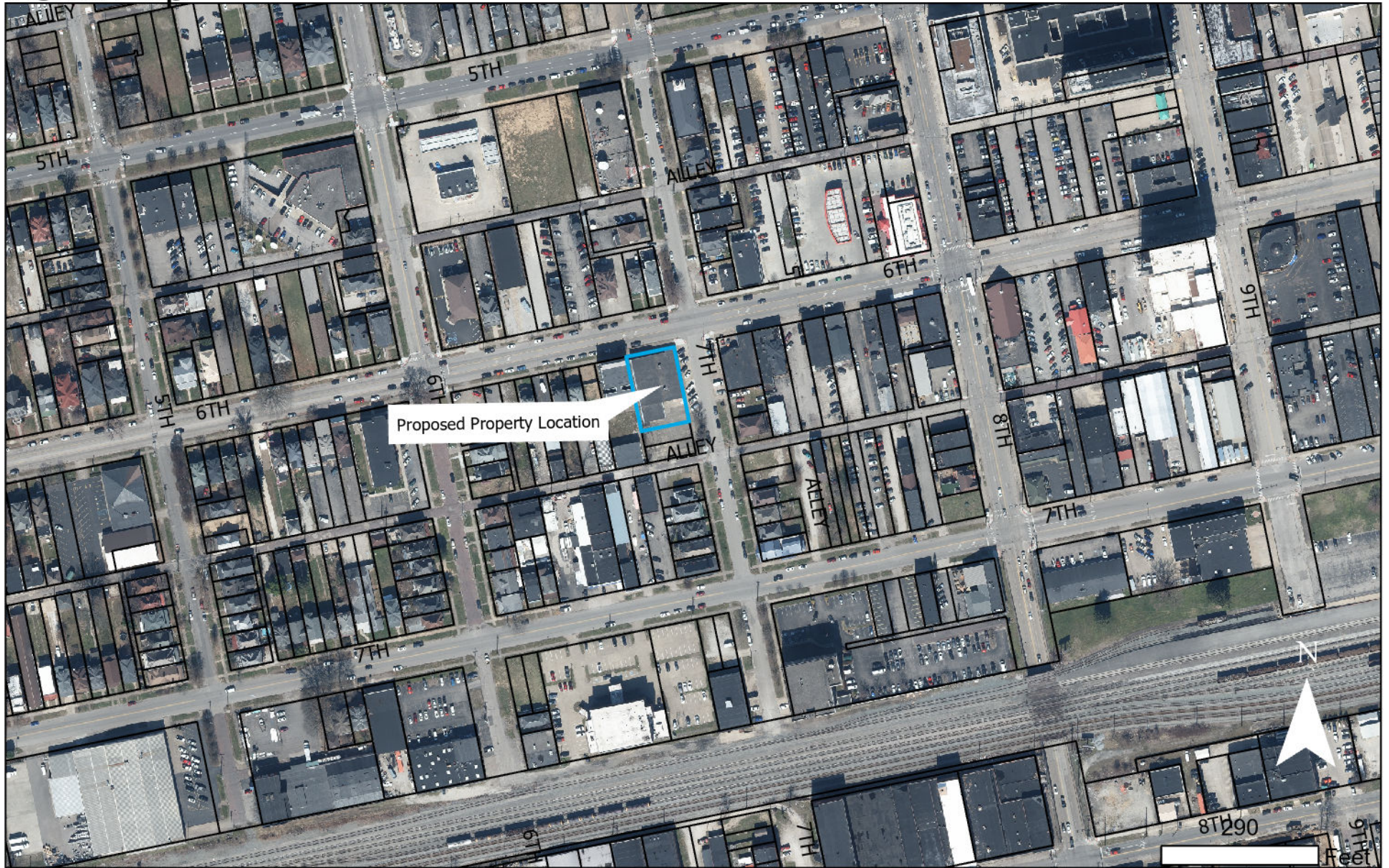
3. How an approval of the Variance would eliminate an unnecessary hardship and permit a reasonable use of the land:

THIS WOULD ALLOW FOR DEVELOPMENT OF THE PROPERTY

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

THIS WOULD ALLOW FOR A SEPARATE BUSINESS TO OPERATE AND ALLOWED TO
CONDUCT BUSINESS AND ADD JOBS TO HUNTINGTON WV

Aerial Map



631 6th Ave

Cabell County Tax District 7, Map 29 Parcel 274

BZA 26-12 & BZA 26-16

A petition to request a conditional use to allow for a Smoke Shop/Tobacco Store, and a variance to allow a Smoke Shop/Tobacco Store within 1500 feet of an existing establishment in a C-1 Neighborhood Commercial District.



Zoning Map



631 6th Ave

Cabell County Tax District 7, Map 29 Parcel 274

BZA 26-12 & BZA 26-16

A petition to request a conditional use to allow for a Smoke Shop/Tobacco Store, and a variance to allow a Smoke Shop/Tobacco Store within 1500 feet of an existing establishment in a C-1 Neighborhood Commercial District.



Future Land Use Map



631 6th Ave

Cabell County Tax District 7, Map 29 Parcel 274

BZA 26-12 & BZA 26-16

A petition to request a conditional use to allow for a Smoke Shop/Tobacco Store, and a variance to allow a Smoke Shop/Tobacco Store within 1500 feet of an existing establishment in a C-1 Neighborhood Commercial District.



Staff Report: A petition to request a conditional use to allow for a Restaurant Serving Alcoholic Beverages in a C-1 Neighborhood Commercial District.

Legal Ad

BZA 26-13

Issue: A petition to request a conditional use to allow for a Restaurant Serving Alcoholic Beverages in a C-1 Neighborhood Commercial District.

Petitioner: Tequila Grill, 5636 Rt. 60 E, Huntington, WV 25705

Property Owner: Huntington Realty Corp., P.O. Box 522, Huntington, WV 25710

Property Location: 1335 Hal Greer Blvd., Huntington, WV 25701

Introduction

The petitioner is requesting a conditional use to allow for a “Restaurant Serving Alcoholic Beverages” in a C-1 Neighborhood Commercial District.

Existing Conditions / Background

The petitioned location at 1335 Hal Greer Blvd. was previously a known as “GD Ritzy’s”, a diner style restaurant that was open and operated for 38 years before its permanent closure in May of 2023.

Proposed Conditions

If the proposed conditional use is approved the petitioner will open a restaurant that will serve alcoholic beverages.

Zoning Ordinance

Per §1320.04, a “Restaurant Serving Alcoholic Beverages” is only conditionally permitted a C-1 Neighborhood Commercial District.

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 Neighborhood Center, characteristics of this area include:

- Mixed commercial and residential uses
- Medium density and small lots
- 1-3 story building to front of property line on residential main streets
- Little to no off-street parking
- Serves as a commercial hub for a neighborhood

Pictures



View of the petitioned property from the corner of Blvd Ave., and Hal Greer looking north.



View of petitioned property looking northeast from the alleyway behind the proposed location.



View of petitioned property from Hal Greer looking west.

Staff Comments

The proposed location the petitioner is requesting a conditional use has historically been known as a restaurant. A now closed

restaurant serving alcohol was previously located next to the proposed location. The petitioner is wanting to offer a similar style restaurant.

The area is a main corridor into the City of Huntington, with several eatery's located around and along Hal Greer Boulevard. The conditional use the petitioner is requesting does not affect the Comprehensive Plan, public health, safety, morals or general welfare. Due to the immediate area having this type of commercial use historically operate at these locations, staff does not foresee potential injury to the use or the enjoyment of surrounding properties.

Furthermore, staff does not foresee any effect upon the normal and orderly development of uses already permitted. The ingress and egress of this location did not deviate from the previous locations traffic pattern.

Staff Recommendation

Considering the rubric in determining if a conditional use shall be granted or not, staff recommends approval of the petitioner's request.

Summary / Findings of Fact

1. Tequila Grill is the petitioner
2. Huntington Realty Corp is the property owner
3. The property is currently zoned C-1 Neighborhood Commercial
4. The Future Land Use Map designates this area as Neighborhood Center

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: Jennifer Gonzalez Palacios Phone: 681-378-8869
Mailing Address (city, state, zip): 535 Highland Dr Huntington WV 25705
Email: jennifer.gonzalez@outlook.com
Property Owner (if applicable): Huntington Realty Corp. Phone: 304-638-5910
Mailing Address (city, state, zip): P.O. Box 522, Huntington, WV 25710

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

1335 Hal Greer Blvd. Huntington, WV 25701 Lot #s 26, 27, 28

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 _____ to allow the following:

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 _____.
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**, _____ 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]
Signature of Applicant

[Signature] **PRESIDENT**
Signature of Property Owner **HUNTINGTON REALTY CORP**

6-10-26
Date

6/10/26
Date

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

For office use only

Received: _____ Project Name: _____



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

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):

This is in line with the neighborhood plan.

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

Josey's provides a new place to gather as a community and provides a new healthy food option for the neighborhood.

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

Local businesses and healthcare offices have a new place to enjoy new cuisine in the neighborhood.

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

The building has been beautifully remodeled to meet modern standards.

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

All facilities have been considered and provided for.

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

No changes have been made from previous ingress and egress.



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Application for Conditionally Permitted Use

ATTACHMENT B

Additional requirements pertaining to the Conditional Use may exist in the City of Huntington Zoning Ordinance. These additional requirements may exist within the General Regulations, specific districts to include overlay districts, or other articles of the ordinance. Please consult with the Planning and Zoning office to help identify these additional requirements.

List all each Article and Section numbers pertaining to this Conditional Use and give a brief description as to how each of the requirements shall be met:

Article 1320.04

Brief description of the requirement:

Restaurant serving alcoholic beverages

How will the requirement be met:

Food and alcohol will be served on the premises

Article _____

Brief description of the requirement:

How will the requirement be met:

Article _____

Brief description of the requirement:

How will the requirement be met:

Article _____

Brief description of the requirement:

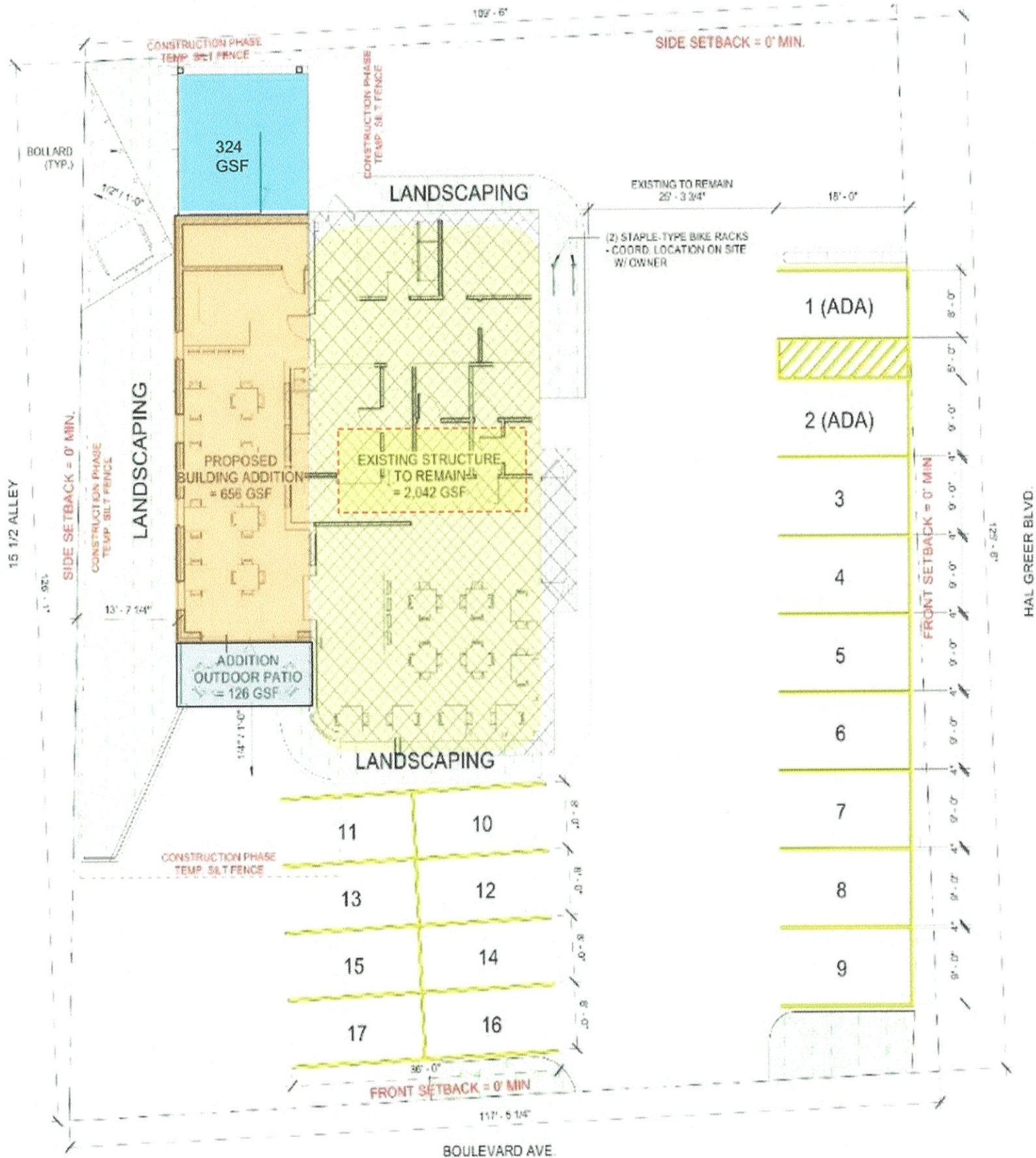
How will the requirement be met:

Article _____

Brief description of the requirement:

How will the requirement be met:

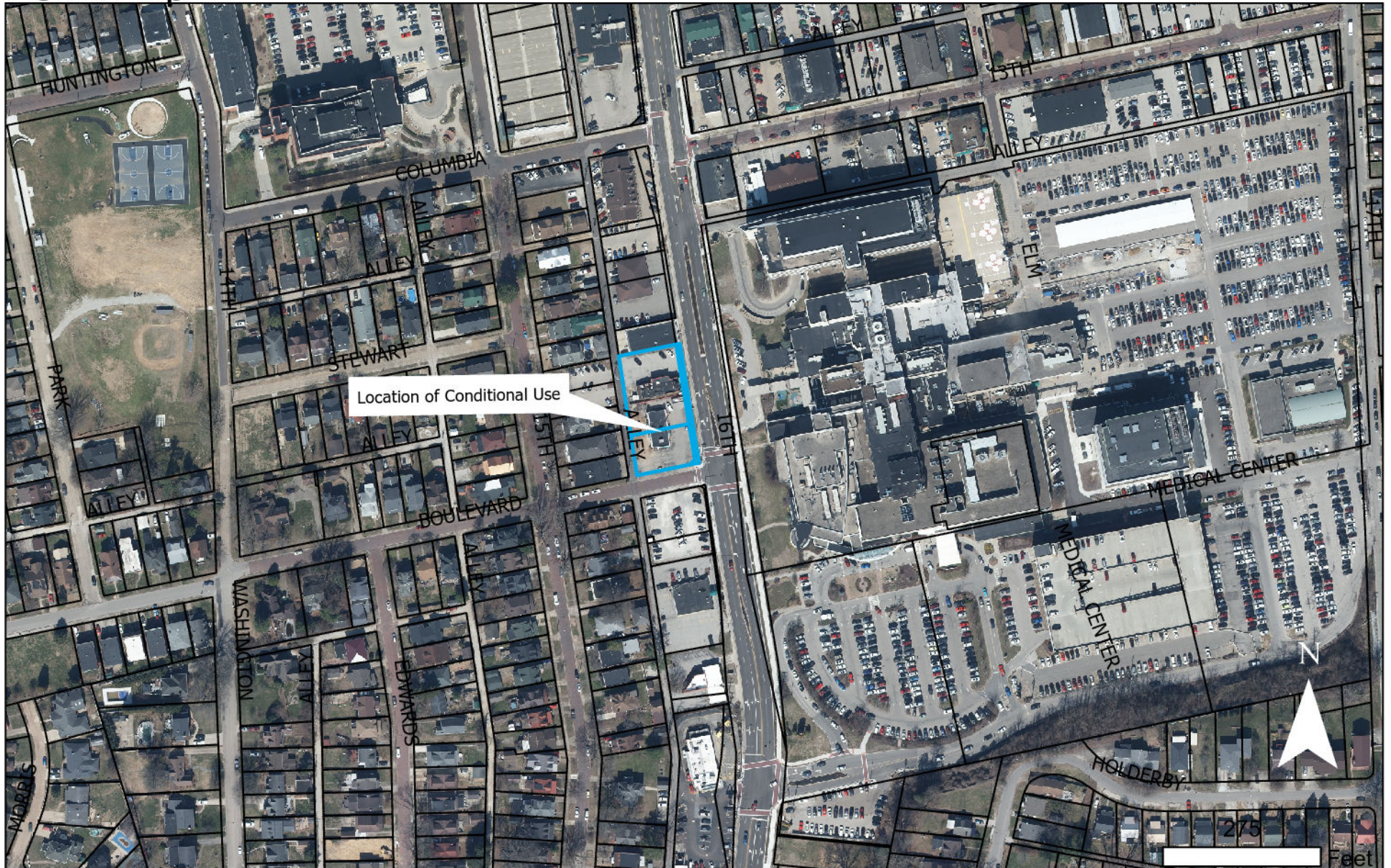
Exhibit B - Demised Premises



1 NEW WORK SITE PLAN
A101 1" = 10'-0"



Aerial Map



1335 Hal Greer Blvd

Cabell County Tax District 5, Map 46 Parcel 459

BZA 26-13

A petition to request a conditional use to allow for Restaurant Serving Alcoholic Beverages in a C-1 Neighborhood Commercial District.



Zoning Map

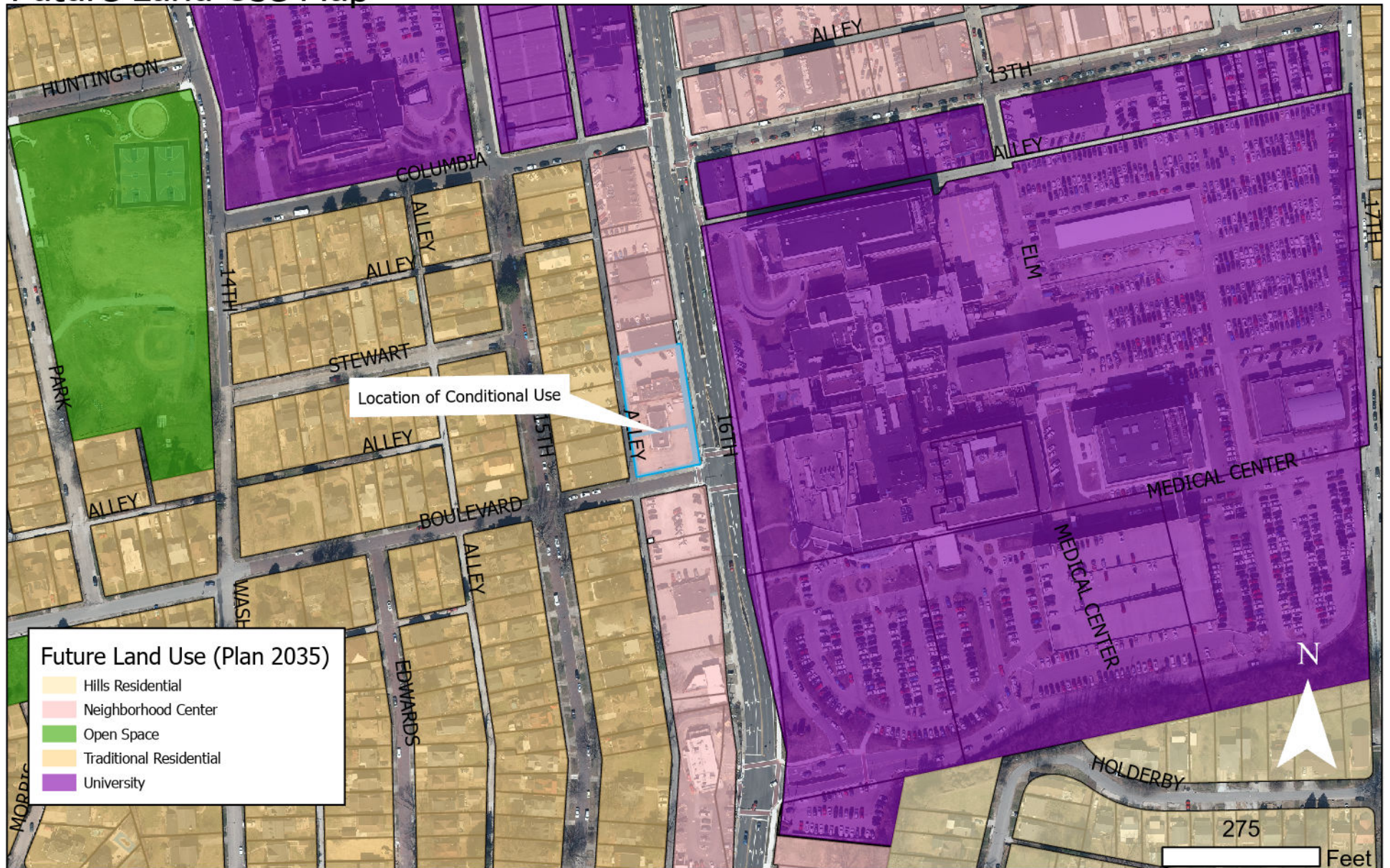


1335 Hal Greer Blvd
Cabell County Tax District 5, Map 46 Parcel 459
BZA 26-13

A petition to request a conditional use to allow for Restaurant Serving Alcoholic Beverages in a C-1 Neighborhood Commercial District.



Future Land Use Map



1335 Hal Greer Blvd
Cabell County Tax District 5, Map 46 Parcel 459
BZA 26-13

A petition to request a conditional use to allow for Restaurant Serving Alcoholic Beverages in a C-1 Neighborhood Commercial District.



Staff Report: A petition for a conditional use to allow for a multi-family residence located in an I-1 Light Industrial/Commercial District.

**Legal Ad
BZA 26-14**

Issue: A petition for a conditional use to allow for a multi-family residence located in an I-1 Light Industrial/Commercial District.

Petitioner: AB Contracting, Inc., 5521 Ohio River Rd., Point Pleasant, WV 25550

Property Owner: Katoria Development Group LLC, P.O. Box 908, Nitro, WV 25143

Property Location: 120 21st St., Huntington, WV 25703

Introduction

The petitioner is requesting a conditional use to allow for a multi-family residence located in an I-1 Light Industrial/Commercial District.

Existing Conditions / Background

The proposed site includes two parcels that total approximately 3.19 acres at the corner of 2nd Ave and 21st St. Before its closure in 2023, S.S. Logan Packing Company operated a slaughterhouse turned meatpacking plant. The company who bought the plant in 2022 stated the buildings required more repairs than anticipated and ultimately closed the plant.¹ If the conditional use is approved, the parcel would be consolidated into one parcel. The surrounding area is a mix of uses, with a large industrial facility to the west, recreational fields to the east, and a combination of industrial and commercial to

the south. The northern part of the parcels abut the railroad along the Ohio River.

Proposed Conditions

If the conditional use is approved, the petitioner is proposing to construct 208 two-bedroom apartment units. The development would consist of one building, with parking located underneath the apartments on two levels. Based on the unit type and number of units, §1343.A requires 312 parking spaces. The preliminary site plan shows a total of 468 spaces provided.

Zoning Ordinance

Per §1320.04, a “multi-family dwelling” is only conditionally permitted in an I-1 Light Industrial/Commercial District.

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.

¹ Pace, F. (2024). *Buzz Foods closes S.S. Logan Packing facility in Huntington.*

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 Light Industrial, characteristics of this include:

- Medium-sized lots near railroad or riverfront
- Industrial properties that are close to residential uses
- Allows mixed light industrial, commercial, and residential uses
- Transition large industry to smaller industrial uses if viable

Staff Comments

Prior to submission, the petitioner communicated with the Planning and Zoning Department and was aware that the proposed use would require approval from the Board of Zoning Appeals.

The proposed development is located in an area that is largely industrial and commercial. The Future Land Use Map designates this area for a mix of residential, commercial, and light industrial uses. Based on the type of structure and use being proposed, staff does not anticipate a significant change to the overall character of the neighborhood. This proposed development closely aligns with goals of the Comprehensive Plan, Plan2035, as a major action item is to create a more diverse housing stock.

The current structures on the parcels are vacant and have been unused for over 3 years. The proposed development has the ability to improve the public health, safety, and welfare

of the area and provide the City with more housing.

Staff does not anticipate the proposed development will injure or prevent neighboring properties from enjoying or using their property. Nor does Staff anticipate a negative effect upon the normal and orderly development and improvement of surrounding property for uses already permitted in the District.

While Staff does not anticipate there to be inadequate access to utilities and drainage, the developer will be required to contact Huntington Stormwater Utility, West Virginia American Water, and Appalachian Power before moving forward. This type of review is also considered during the preliminary site plan review conducted by the Planning Commission.

The proposed site will have two points of entry and exit on 2nd Avenue for the lower level parking garage. Residents will be able to reach the main corridors via 21st Street and 22nd Street. 21st Street extends north and is split between the petitioner's proposed parcel and the neighboring parcel, owned by CEM Family LLC and JTS Family LLC. Per email correspondence with the petitioner, they plan to maintain the current traffic flow to the neighboring business. There is currently an anticipated transportation project on 3rd Avenue that will look at redesigning the roadway, which can impact the proposed development by providing more controlled trafficking and providing safe alternative transportation options for potential residents, such as bicycle and pedestrian lanes.

Overall, the proposed development creates use of an otherwise unused and vacated building that will revitalize the land and the

area. Marshall University is nearby, as well as, other commercial retail and restaurant services available for potential residents in the apartment complex. The location of the proposed development is centrally located in the City to provide housing to current residents and incoming population.

Pictures



View of the petitioned property looking northeast from 2nd Ave.



View of petitioned property looking north from 2nd Ave.



View of the petitioned property looking northwest from 2nd Ave.

Staff Recommendation

Staff recommends approval of the conditional use permit after carefully considering the factors of a conditional use.

Summary / Findings of Fact

1. AB Contracting, Inc. is the petitioner.
2. Katoria Development Group LLC is the property owner.
3. The proposed development is one building, with 208-unit apartment complex with 468 parking spaces.
4. The apartment complex will include amenities, such as a dog park, rooftop pool, and fitness center.
5. The property is currently zoned I-1 Light Industrial/Commercial.
6. The Future Land Use Map designates this area as Light Industrial.

Attachments

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



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Conditional Use Permit Application

Applicant Name: Haley Pauley Phone: 304-282-5024

Mailing Address (city, state, zip): 5521 Ohio River Rd., Point Pleasant, WV 25550

Email: hpauley@abcontractingwv.com

Property Owner (if applicable): AB Contracting, Inc. Phone: 304-674-0100

Mailing Address (city, state, zip): 5521 Ohio River Rd., Point Pleasant, WV 25550

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

120 21st. Street 06-05-009-00070000 and 06-05-0009-00080000

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 1320.04 to allow the following:

Applying for a conditional use permit to build a multi-family residential complex.

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 June 16th at 4p.
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, July 21st** 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.

Haley Pauley
Signature of Applicant

Edward A Bell
Signature of Property Owner

06/11/2026

Date

06/11/2026

Date

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

For office use only	
Received:	Project Name:



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Application for Conditionally Permitted Use

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):
The proposed multi-family development will support the City of Huntington's goals of encouraging redevelopment of underutilized properties, expanding housing opportunities, increasing residential density, and promoting economic investment. The project will transform a largely vacant industrial property into a productive residential use.
2. Effect upon public health, safety, and general welfare:
The proposed development will positively impact public health, safety, and general welfare by replacing an underutilized industrial site with a professionally managed residential community. The project will provide safe, quality housing opportunities while increasing investment in the neighborhood and strengthening the local tax base.
3. Effect upon the use and enjoyment of other property in the immediate vicinity for the purposes already permitted:
The proposed multi-family development is expected to have a positive effect on neighboring properties by improving the appearance and utilization of the site. The project will be designed with landscaping, buffering, and site improvements that are compatible with surrounding development patterns.
4. Effect upon the normal and orderly development and improvement of the surrounding properties for uses already permitted in the district:
The project will encourage additional investment and redevelopment within the surrounding area by transforming a vacant industrial property into a modern residential community. The development is consistent with ongoing economic development efforts in Huntington.
5. Have adequate provisions for utilities, access roads, drainage, and other facilities been provided for:
The development team is currently coordinating with the City of Huntington and all applicable utility providers. A detailed site plan and engineering plans will be submitted for review and approval. All required infrastructure improvements will be constructed in accordance with applicable local, state, and federal regulations.
6. Has adequate ingress and egress been designed to minimize traffic congestion on the public street:
The project will provide safe and efficient access to the site utilizing existing public roadways. The development will be designed in accordance with applicable engineering and transportation standards to ensure adequate ingress and egress for residents, guests, emergency vehicles, and service providers.



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Application for Conditionally Permitted Use

ATTACHMENT B

Additional requirements pertaining to the Conditional Use may exist in the City of Huntington Zoning Ordinance. These additional requirements may exist within the General Regulations, specific districts to include overlay districts, or other articles of the ordinance. Please consult with the Planning and Zoning office to help identify these additional requirements.

List all each Article and Section numbers pertaining to this Conditional Use and give a brief description as to how each of the requirements shall be met:

Article _____

Brief description of the requirement:

How will the requirement be met:

Article _____

Brief description of the requirement:

How will the requirement be met:

Article _____

Brief description of the requirement:

How will the requirement be met:

Article _____

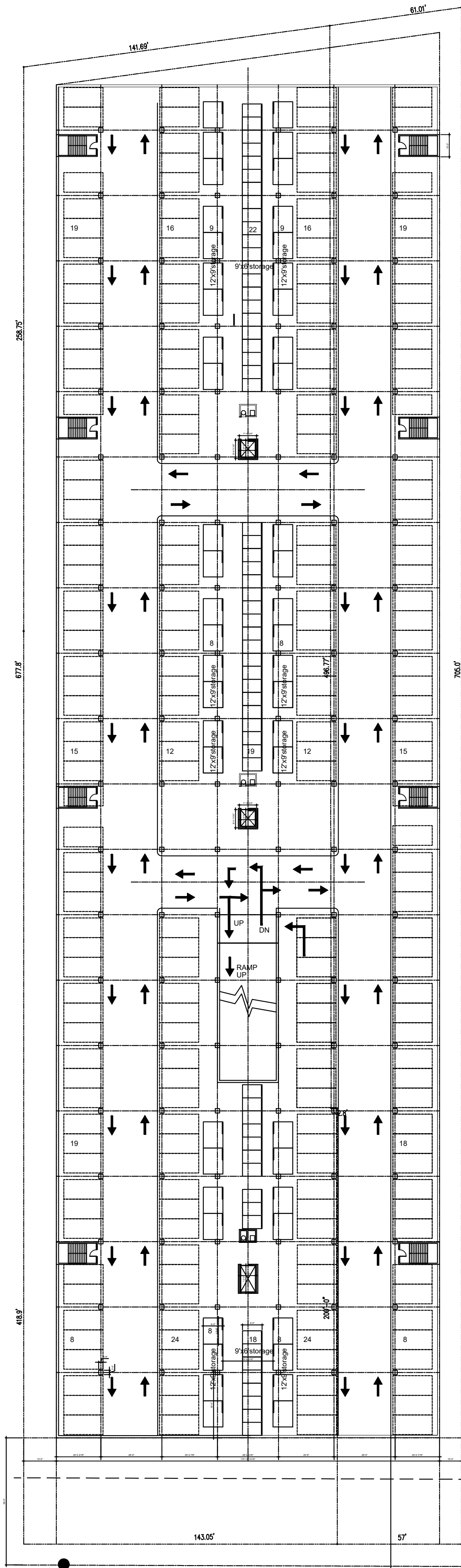
Brief description of the requirement:

How will the requirement be met:

Article _____

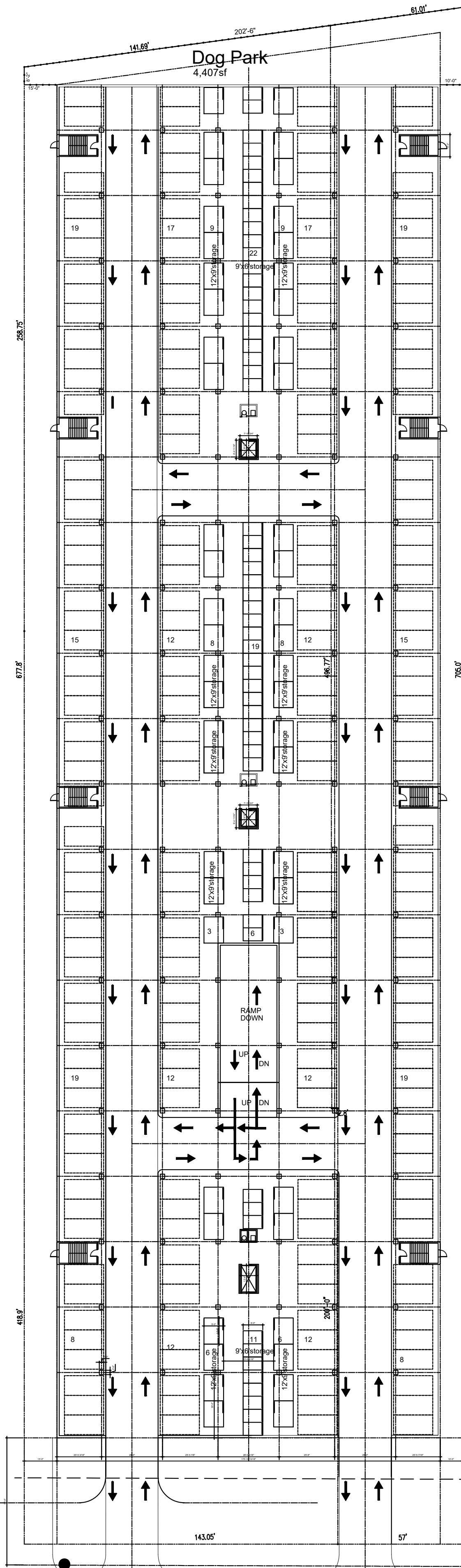
Brief description of the requirement:

How will the requirement be met:

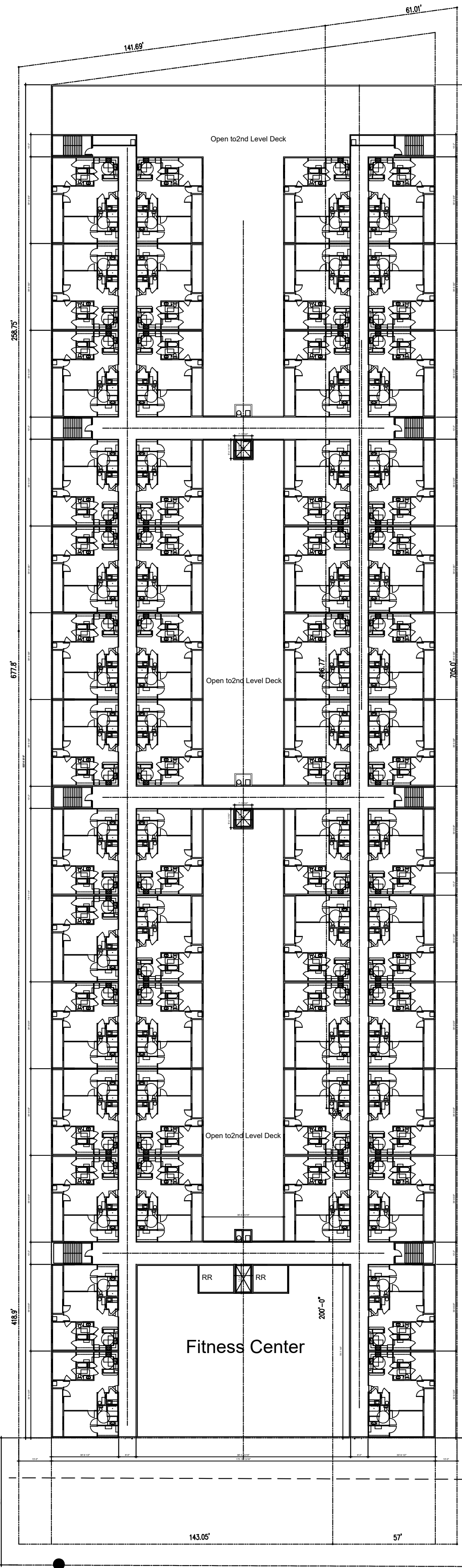


2nd Level Parking 661'x180'-10" = 116,245.60sf
234 Parking Spaces 1st Level
68 6'x9' Storage units
60 12'x9' Storage units

We have 468 parking spaces. 468 Parking Spaces for 208 Apartments = 2.09 Space / Apartment

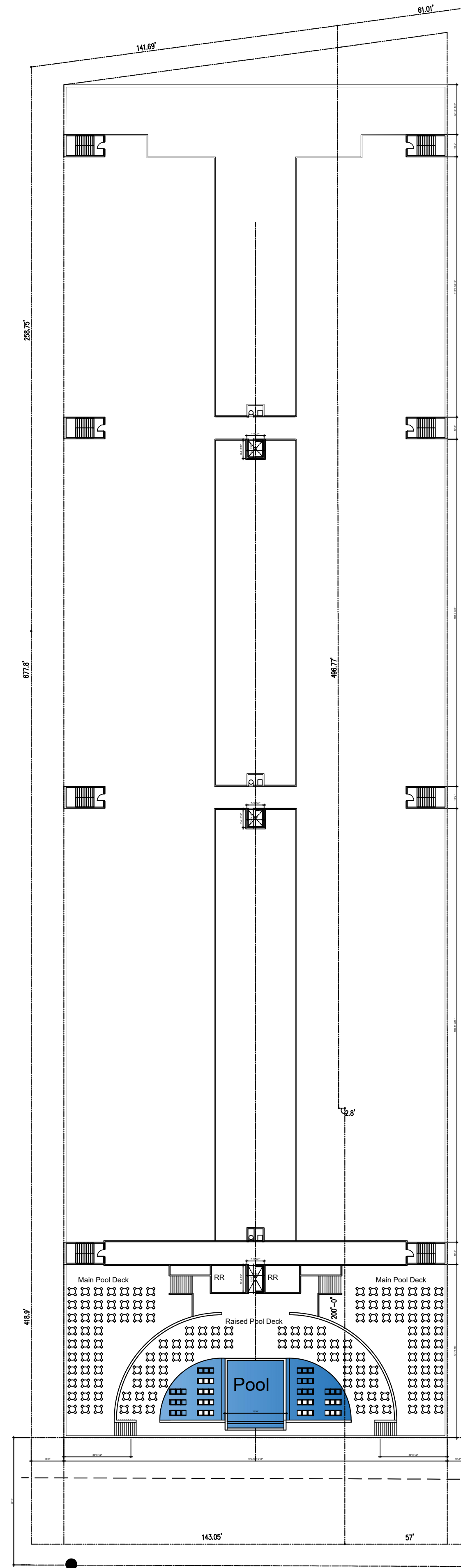


1st Level Parking 661'x180'-10" = 116,245.60sf
234 Parking Spaces 1st Level
71 6'x9' Storage units
59 12'x9' Storage units



2nd Level Business Space = 7,163sf
2nd Level Residential Space = 79,949sf
3rd Level Business Space = 7,163sf
3rd Level Residential Space = 79,949sf
4th Level Business Space = 7,163sf
4th Level Residential Space = 79,949sf
5th Level Business Space = 7,163sf
5th Level Residential Space = 79,949sf
Total Space = 348,448sf

(52) 2 Bedroom-2 Bath Apartments/Floor
4 Stories = 208 Apartments



Roof Level Pool Deck 175'-7"x79'-7" = 3,993sf
Roof Level Residential Space = 83,119sf
Total Space = 87,112sf

6'-0" Raised Pool Deck

HOLDERBY'S LANDING
Apartment Development
AB Construction
120 21st Street
Huntington, West Virginia

DLB Architect, LLC
Architect & Planner
353 South Drexel Ave
Bexley, Ohio 43209
Phone : 614-582-2454
email: dbetzarch@gmail.com

DISTRIBUTION DATE:

SCALE: Use Graphic Scale

SHEET:
F10 F B-B

REVISIONS:
DATE: DESCRIPTION:
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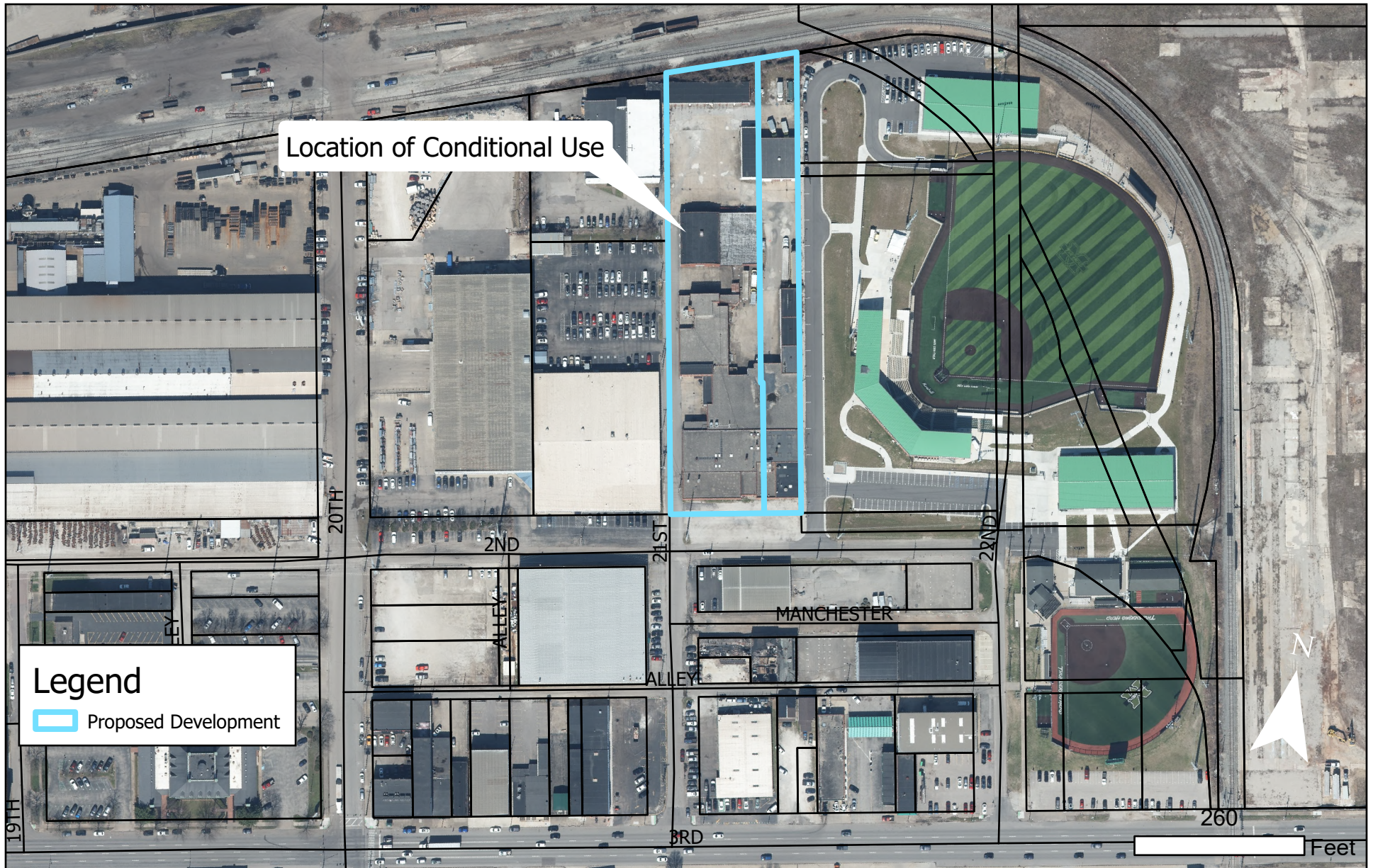
ISSUE DATE:

JOB: **DLB05252026**

SEAL IS INVALID UNLESS SIGNED

THESE CONTRACT DOCUMENTS APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF THE ARCHITECT AND THE SAME MAY NOT BE DUPLICATED, USED, OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

Aerial Map



120 21st Street

Cabell County Tax District 5, Map 9, Parcel 7 & 8

BZA 26-14

A petition to request a conditional use to allow for a multi-family residence in an I-1 Light Industrial/ Commercial District.



Location of Conditional Use

Legend

 Proposed Development

Zoning

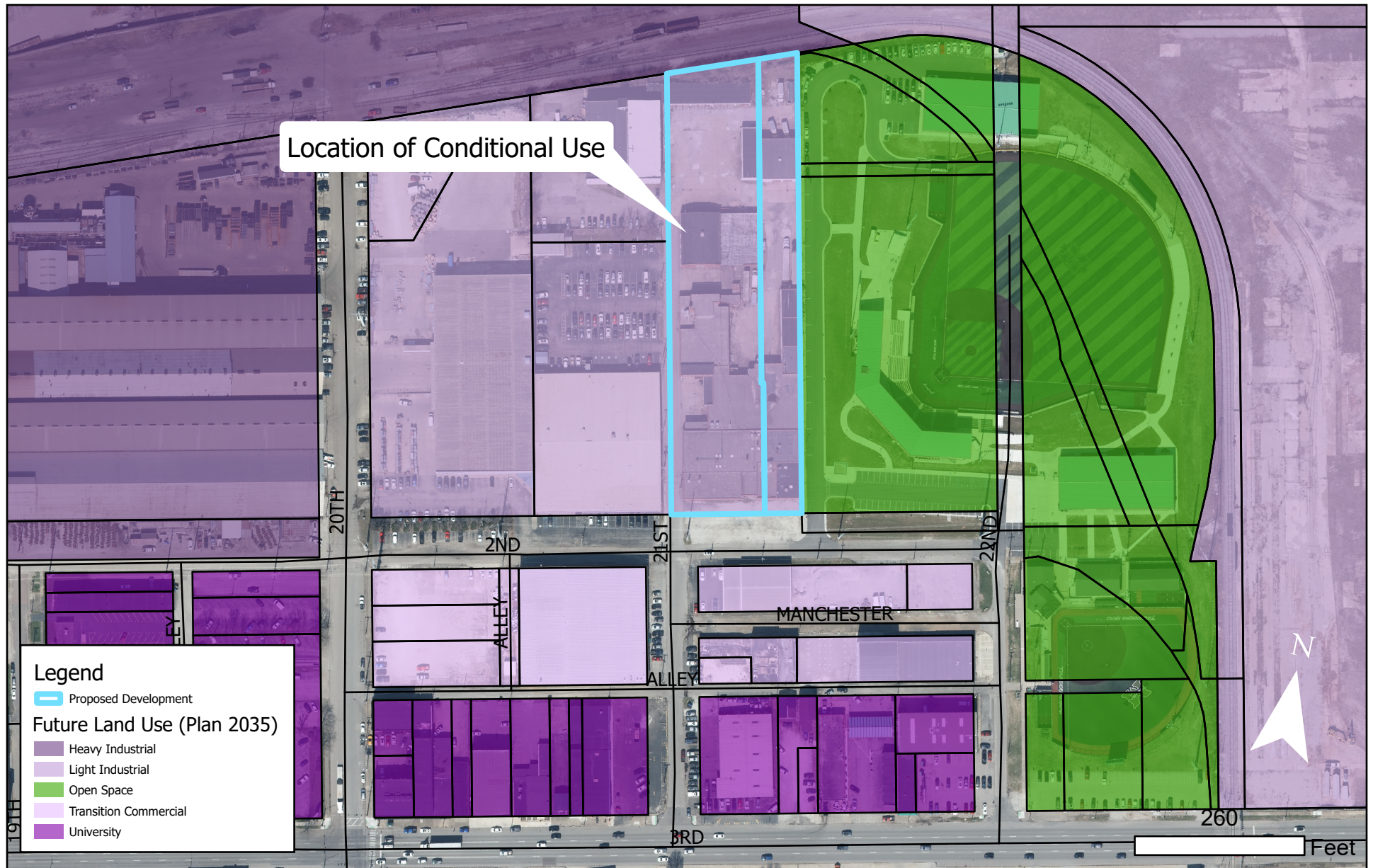
- C-2 Highway Commercial
- I-1 Lt Ind/Comm
- I-2 Heavy Industrial

260 Feet

A petition to request a conditional use to allow for a multi-family residence in an I-1 Light Industrial/Commercial District.



Future Land Use Map



120 21st Street

Cabell County Tax District 5, Map 9, Parcel 7 & 8

BZA 26-14

A petition to request a conditional use to allow for a multi-family residence in an I-1 Light Industrial/ Commercial District.



Staff Report: A petition for a variance to increase the maximum square footage of a projecting sign in a C-3 Central Business District.

**Legal Ad
BZA 26-15**

Issue: A petition to request a variance to increase the maximum square footage of a projecting sign in a C-3 Central Business District.

Petitioner/Property Owner: TCS Properties, Inc., 6 Brighton Way, Huntington, WV 25705

Property Location: 916 5th Ave., Huntington, WV 25701

Introduction

The petitioner is requesting a variance to increase the maximum square footage of a projecting sign in a C-3 Central Business District.

Existing Conditions / Background

The location of the proposed variance is a 99 year old multi-level parking facility that sits along 5th Avenue. It is connected to Jim's Steak & Spaghetti, and contains office suites as well.

Proposed Conditions

If the proposed variance is approved, the petitioner will install a projecting sign that is up to 12.6 square feet. The existing wall sign will remain.

Zoning Ordinance

Per Section 1345.11, the maximum square footage to a projecting sign is 6 square feet.

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 the Central Business District.

- High-density development
- Provides for a broad range of pedestrian-oriented commercial, institutional, and public uses
- Buildings to front of street
- High ratio of building coverage to site
- Mixed use encouraged with active storefronts on the ground floor with office and residential above
- Infill and reuse of existing buildings encouraged

- No parking on-site; metered on street; shared private and public parking towards the fringe in exchange for accessible alternate transportation options

Pictures



View of petitioned property from 5th Ave. looking north.

Staff Comments/Recommendation

The proposed sign will be either three to four feet in diameter. At three feet, the square footage will be roughly 7.1 square feet. At four feet in diameter, the square footage will be roughly 12.6 square feet.

The maximum square footage for a projecting sign is six square feet. The petitioner is asking for an increase of either 1.1ft to 6.6ft. The sign will be mounted on existing brackets that are located around the third story of the building. The wall sign “Central Huntington Garage” will remain.

Staff does not foresee the variance adversely affecting public health, safety or general

welfare. The proposed variance could allow the intent of the Zoning Ordinance to be done. Due to the speed traffic goes by, a large projecting directional sign would allow people to locate the parking garage.

Furthermore, when reviewing the area surrounding the proposed location of the sign; there is no location in a reasonable area for any of type of directional sign to be installed. Staff recommends approval of the variance the petitioner is requesting with a condition that the sign be no greater than 12.6 square feet.

Summary / Findings of Fact

1. TCS Properties is the petitioner and the property owner
2. The proposed location is currently zoned C-3 Central Business District.
3. Future Land Use Map designates this as Central Business District

Attachments

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



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planningdept@huntingtonwv.gov

Variance of Zoning Regulations Application

Applicant Name: Matt Casto / TCS Properties, Inc. Phone: 304-617-2946

Mailing Address (city, state, zip): 6 Brighton Way, Huntington, WV 25705

Email: mattcasto00@gmail.com

Property Owner (if applicable): TCS Properties, Inc. Phone: 304-617-2946

Mailing Address (city, state, zip): 6 Brighton Way, Huntington, WV 25705

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

916-18-20-22 5th Avenue, Huntington, WV 25701; District Gideon; Map 17; Parcel 0275; Lot 23 & part of Lots 20-21-22, Block 116; Subdivision Northcott.

Variance request pursuant to:

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

Description of the variance being requested:

Variance to install a circular projecting parking identification sign, approx. 3 to 4 ft. in diameter, displaying a "P" for parking at the Central Huntington Garage / Hines Building, 916-18-20-22 5th Avenue. The sign will be mounted near the prior bracket location and is needed to improve parking visibility and wayfinding for drivers traveling along Fifth Avenue.

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 _____ 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, _____. 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 _____

Date _____

For office use only	
Received: _____	Project Name: _____



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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:
The proposed sign will not negatively affect public health, safety, general welfare, or adjacent property owners.
It is a modest parking identification sign intended to help drivers locate the garage from Fifth Avenue, reduce confusion and improve wayfinding. It will be professionally installed and will not block sidewalks, entrances, traffic sight lines, or neighboring properties.
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):
The property is an existing downtown parking garage located on a busy Fifth Avenue corridor. The existing Central Huntington Garage signage is minimal and will remain, but it is not readily visible to drivers passing the property at normal traffic speed. Existing sign brackets show that a projecting sign previously existed at this location on the building.
3. How an approval of the Variance would eliminate an unnecessary hardship and permit a reasonable use of the land:
Approval would allow reasonable visible identification for an existing parking garage use. Without clearer signage, drivers may not recognize the garage until they are passing the entrance, creating confusion and reducing practical use of the property. The sign does not create a new use; it only identifies the existing parking use.
4. How would an approval of the Variance allow for the intent of the Zoning Ordinance to be observed and substantial justice done:
Approval would allow the zoning ordinance's intent to be observed while permitting a limited and practical sign for public wayfinding. The sign is simple, modest in size, and directly related to the existing parking use. It will improve visibility without creating excessive advertising or visual clutter.

Aerial Map



916 5th Ave

Cabell County Tax District 5, Map 17 Parcel 275

BZA 26-15

A petition for a variance to increase the maximum square footage of a projecting sign in a C-3 Central Business District.



Zoning Map



916 5th Ave

Cabell County Tax District 5, Map 17 Parcel 275

BZA 26-15

A petition for a variance to increase the maximum square footage of a projecting sign in a C-3 Central Business District.



Future Land Use Map



916 5th Ave

Cabell County Tax District 5, Map 17 Parcel 275

BZA 26-15

A petition for a variance to increase the maximum square footage of a projecting sign in a C-3 Central Business District.

