



Agenda

Huntington Board of Zoning Appeals
Tuesday, May 19, 2026 - 5:30pm

1. Call to Order
2. Roll Call
3. Approval of the April 2026 Minutes
4. Approval of the April 2026 Orders
 - BZA 26-07
 - BZA 26-08

7. New Petitions

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.

5. Announcements/Discussion
6. Adjournment

Minutes
City of Huntington Board of Zoning Appeals
April 21st, 2026

A meeting of the City of Huntington Board of Zoning Appeals was held on April 21st, 2026 at 5:30 p.m. in the City Hall Council Chambers. *Ms. Vital* called the meeting to order and Mr. Curry confirmed a quorum was present.

Members Present: Whitney Gesner, Douglas Franklin, Sonja Vital

Members Absent: Dan Earl, Matt Smith, Steven Yates

Staff Present: Katie Parsons, Planner I
Steven Curry, Planner II
Ericka Hernandez, Assistant City Attorney

Ms. Gesner motioned for Sonja Vital to Chair the meeting, and *Mr. Franklin* seconded.

Ms. Vital asked if there were any objections to the minutes from the January or March meeting, seeing none, the minutes were approved.

Ms. Vital asked if there were any objections to the orders from the January or March meeting, seeing none, the orders were approved.

BZA 26-07

Petitioner: Woda Cooper Companies, Inc., 500 S. Front. St., Columbus, OH 43215

Property Owners: Nalop Realty Company, LLC, 1 Solutions Way, Waynesboro, VA 22980

Property Location: 20 26th 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.

Ms. Parsons read the staff report.

Ms. Vital asked if anyone was present to represent the petition and Joe DiCesare, from Woda Cooper Companies came forward to the podium.

Ms. Vital asked if anyone was present to speak in favor, and Rebecca Polan, a representative for the property owner spoke.

Ms. Vital asked if anyone was present to speak in opposition, and Aubrey Porter of 2660 Piedmont Ave., spoke in opposition.

Mr. Franklin asked Ms. Porter if anyone from Woda had spoken to them about the potential development, and she said no that they had never been contacted.

Ms. Vital asked Mr. DiCesare to come back up and explain why they had yet to contact the people living on the property they intend to develop, he stated that he did not want to worry them until it was approved. He went on to say that this process takes a long time, and that they are required by state law to help relocate them.

Ms. Gesner made a motion to approve BZA 26-07 with the condition that a letter of intent be sent to the mobile park residents. *Mr. Franklin* seconded.

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

BZA 26-07 was approved with a vote 3 Yes, 0 No.

BZA 26-08

Petitioner: Paris Signs, 4109 Ohio River Rd., Huntington, WV 25702

Property Owner: Touma Real Estate Holdings, LLC, 911 3rd Ave., Huntington, WV 25701

Property Location: 935 3rd Ave., Huntington, WV 25701

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

Mr. Curry read the staff report.

Ms. Vital asked if anyone was present to represent the petition, and Oakley Wheeler from Paris Signs approached the podium.

There was no one present to speak in favor or opposition of the petition.

Mr. Franklin asked about the safety of the sign, and *Ms. Parsons* stated the sign would be inspected during the installation process.

Ms. Gesner made a motion to approve BZA 26-09. *Mr. Franklin* seconded.

BZA Roll Call: *Ms. Gesner, Yes; Mr. Franklin, Yes; Ms. Vital, No.*

BZA 26-09 was approved with a vote 3 Yes, 0 No.

Ms. Vital adjourned the meeting at 5:47 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 26-07

Petitioner: Woda Cooper Companies, Inc., 500 S. Front St., Columbus, OH 43215

Property Owner: Nalop Realty Company, LLC, 1 Solutions Way, Waynesboro, VA 22980

Subject Property: 20 26th St., Huntington, WV 25703

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

Individual Speaking on Behalf of Petition: Joe DiCesare from Woda Cooper Companies, Inc., 500 S. Front St., Columbus, OH 43215

ORDER

On April 21st, 2026, Mr. DiCesare appeared before the City of Huntington Board of Zoning Appeals to provide testimony related to BZA 26-07. Other citizens were permitted to voice their positions as well, per the practice of this Board, and several did.

Individuals speaking in favor: Rebecca Polan, a representative for the property owner.

Individuals speaking in opposition: Aubrey Porter, 2660 Piedmont Ave., Huntington, WV 25703

FINDINGS OF FACT

After reviewing all evidence at the April 21st, 2026 meeting and hearing testimony from Mr. DiCesare and Ms. Polan other citizens such as Ms. Porter the Board finds as follows:

1. The petitioner is Woda Cooper Companies, Inc.
2. The property owner is Nalop Realty Company.
3. The petitioned property is zoned I-1 Light Industrial/Commercial District.
4. The petitioner seeks to build a multi-family development on the subject property 20 26th St., Huntington, WV 25703.
5. The subject property is a large parcel that the petitioner intends to subdivide if the proposed use is granted.
6. The parcel spans from 26th St. to 27th St., and has a large carbon factory on half of the parcel. The proposed location is closer to the 27th St. side.
7. Currently there is a mobile home park with 22 mobile homes located on the 27th St. side on Piedmont Ave.
8. The area surrounding the proposed development is largely residential, with a mix of single-family and multi-family homes, and some light industrial uses nearby.
9. The proposed site plan includes 32 2-bedroom townhome style units, with 59 parking spaces.
10. Petitioner has been working with the Huntington Stormwater Utility to ensure drainage and infrastructure compliance.
11. Residents of the mobile home park expressed concern over adequate notice of relocation.
12. The developer is obligate by law to assist current residents with relocation.
13. The developer also intends to hire a relocation consultant, if this petition is approved.

14. The representative for the property owner, Ms. Polan, stated that she has been tasked with selling off residential properties.
15. Ms. Polan went on to state that the trailer park will cease operations regardless of if the conditional use is granted.
16. Plan 2035 designates this area Light Industrial/Commercial.

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 “multi-family” residence is only conditionally permitted in an I-1 Light Industrial/Commercial District. City of Huntington Ordinance, §1320.04.

The Comprehensive Plan describes the character of the light industrial district as lower intensity industrial uses or former industrial sites that are converted to commercial or residential sites. See Plan2035 at p. 81. While “[l]arge scale multi-family development is encouraged” in light industrial, it is also intended to serve as a buffer between intensives uses and uses of lesser intensity, *id.*, therefore, encouraging development that is compatible with surrounding neighborhoods and supported by existing public facilities.

The proposed used is not dissimilar to the current use, with the unit count only increasing by ten. We can rely on the success of the current use to determine that the proposed use is unlikely to disrupt the normal and orderly development of the area, cause injury to the use and enjoyment of other properties in the immediate vicinity, or otherwise cause strain to the neighborhood. We are satisfied that any drainage and utility concerns are being addressed, as well. Due to the current residents’ concern over having adequate time to relocate, we believe it is imperative that a letter of intent be sent to the current residents.

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 26-07 for a **Conditional Use** with the condition that the petitioner send a letter of intent to the residents of the mobile home park. Any changes that deviate from what has been approved and does not meet the zoning regulation must come back before the BZA for approval.

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 Katie Parsons, Planner I

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

BZA 26-08

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

Petitioner: Paris Signs, 4109 Ohio River Rd., Huntington, WV 25702

Property Owner: Touma Real Estate Holdings, LLC, 911 3rd Ave., Huntington, WV 25701

Subject Property: 935 3rd Ave., Huntington, WV 25701

Individual Speaking on Behalf of Petition: Oakley Wheeler of Paris Signs.

ORDER

Oakley Wheeler appeared before the City of Huntington Board of Zoning Appeals on April 21st, 2026 to provide testimony related to BZA 26-08. 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 documentary evidence submitted and hearing testimony at the September 16th, 2025 meeting, the Board finds as follows:

1. The property location is 935 3rd Ave., Huntington, WV 25701
2. Paris Signs is the petitioner.
3. The property is currently zoned C-3 Central Business District.
4. The sign is for Security National Trust Company.
5. The location is across 3rd Avenue from Pullman Square.
6. The building is multi-tenant and has awnings that extend well beyond the building face.
7. The area is heavily traveled by both vehicular and pedestrian traffic.
8. The proposed sign would replace their current sign, which is a flat, illuminated wall sign.
9. The petitioner is requesting a variance to allow the sign to be 9 sq. ft., in excess of the 6 sq. ft. maximum permitted size.
10. The petitioner states this is for better readability from people traveling in vehicles.

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 of the maximum square footage of a projecting sign in a C-3 Central Business District. According to §1345.11 the maximum square footage is 6ft.

The petitioner's proposed sign site plan shows a 3ft x 3 ft sign for their client who is occupying a suite at 935 3rd Ave., Huntington, WV 25701. The petitioners reasoning is due to better readability as vehicles pass the location on 3rd Ave.

The size increase requested is relatively small, so 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 size increase is to improve visibility for passing vehicles, however, the pre-existing awnings likely contribute to lower visibility of the current sign for pedestrians as well. 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 26-08 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 Katie Parsons, Planner I

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

Legal Ad

BZA 26-09

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

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

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

Introduction

The petitioner is requesting a variance to allow for an accessory structure in the front yard of an R-1 Single-family Residential District.

Existing Conditions / Background

The parcel in question is a deep lot that has a primary structure that is located on the very back of the parcel. The property is a dense residential area, with the parcels being smaller in width and much deeper in length than many other R-1 areas.

Proposed Conditions

If the variance were to be approved, the petitioner would place a 12ft x 24ft accessory building 3ft back from the fence line, which sits approximately 35 feet from the edge of 28th St.

Zoning Ordinance

Per Section 1315.06(A)(1), "...accessory structure may encroach upon required side and rear yards up to (3) feet from the property line..."

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 area include:

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

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

Allowing the accessory structure to be located within the front yard would permit reasonable use of the land while still generally observing the intent of the Zoning Ordinance and ensuring substantial justice is done. Therefore, staff recommends approval of the requested variance.

Summary / Findings of Fact

1. Bethany Clark is the petitioner and the property owner.
2. The principal structure sits at the rear of the property.
3. It is currently zoned R-1 Single-family Residential.
4. Plan 2035 has this designated as Hills Traditional.

Pictures



View of the petitioned property looking southeast from 28th St.

Attachments

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

Staff Comments/Recommendation

The petitioner’s property presents a unique situation in that there are virtually no side or rear yard areas available for placement of an accessory structure. In reviewing the criteria for a variance, staff finds that granting the request would not adversely affect the public health, safety, or general welfare.

The hardship truly arises from special conditions specific to the property and was not created by the property owner.



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: Bethany Clark Phone: 304-521-7622
Mailing Address (city, state, zip): 933 28th St. Huntington, WV 25705
Email: Wv304girl@gmail.com
Property Owner (if applicable): Bethany Clark / Bret Blake Phone: _____
Mailing Address (city, state, zip): 933 28th St. Huntington, WV 25705

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

933 28th St. Huntington, WV 25705

Variance request pursuant to:

Article 1315.06 ^{(A)(1)} and/or Figure _____ of the City of Huntington Zoning Ordinance.

Description of the variance being requested:

"Accessory structures may encroach upon required side & rear yards up to 3 feet from property line." The house sits at the rear of the property, but I would like to put a storage building or a shed on the property.

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 April 21st 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, May 19. 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

4-17-20
Date

For office use only	
Received:	Project Name:
<u>4-18-26</u>	<u>BZA 26-09</u>



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:

An accessory building would have no effect on the public health, safety, general welfare or the rights of any adjacent property owners/residents.

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):

My house sits on the rear of my property, leaving no room to place an accessory building behind or beside it.

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

An accessory building on the property would allow me to easily store & organize tools & belongings that are taking up a lot of extra space in my house.

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

An accessory building could be placed in the front yard (since we have no sizeable back/side yard) without bothering any adjacent residents or property owners.

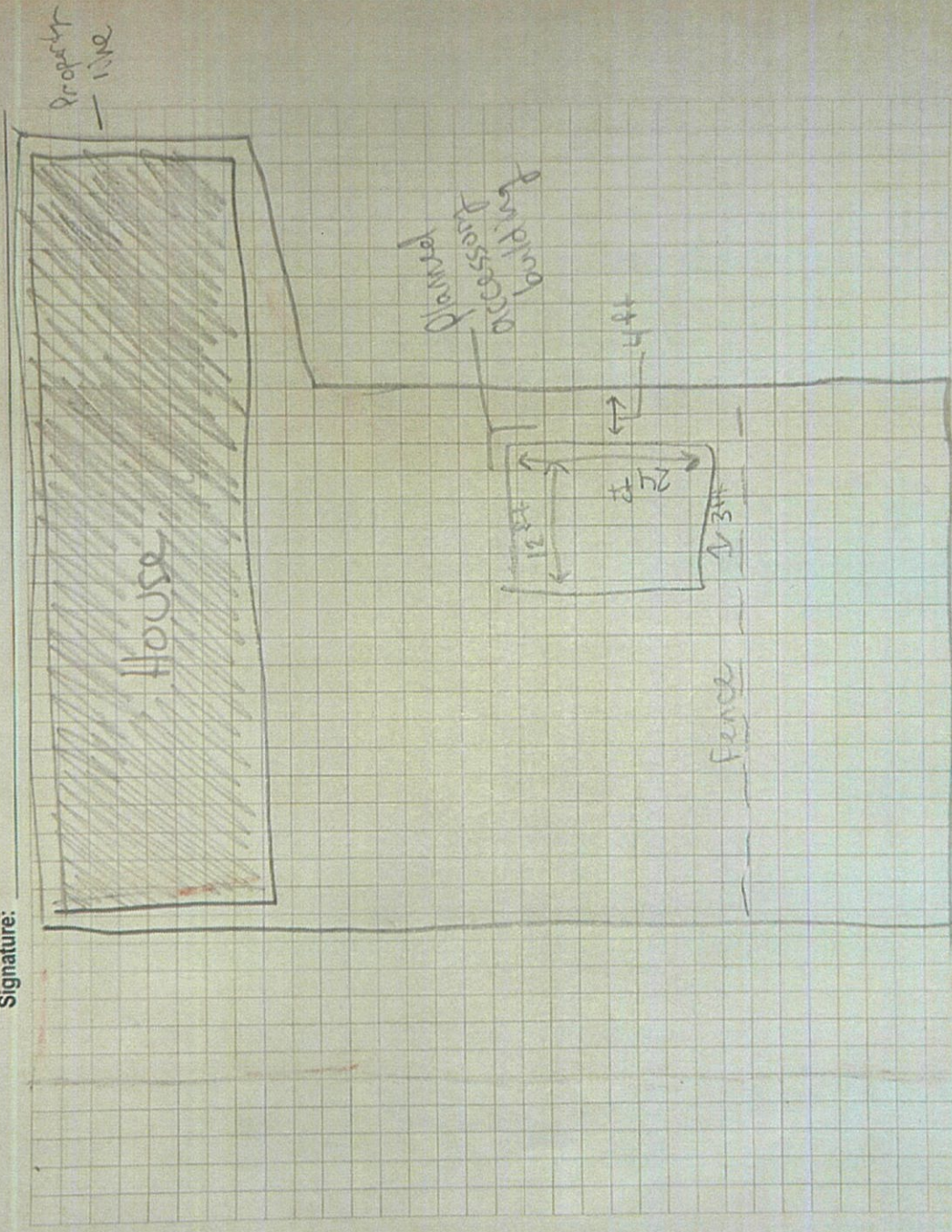
Property Owner: Bethany Clark / Bret Blake

Site Address: 933 28th St.

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

Signature: _____

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



Please use the Cabell or Wayne County GIS Maps to reference property lines:
Cabell County: <https://agdonline.maps.arcgis.com/apps/webappviewer/index.html?id=b7a855c356b64d94bbfae33e8585b636>
Wayne County: <https://agdonline.maps.arcgis.com/apps/webappviewer/index.html?id=4559a85477a0499295d07ab6f17656a6>

For office use

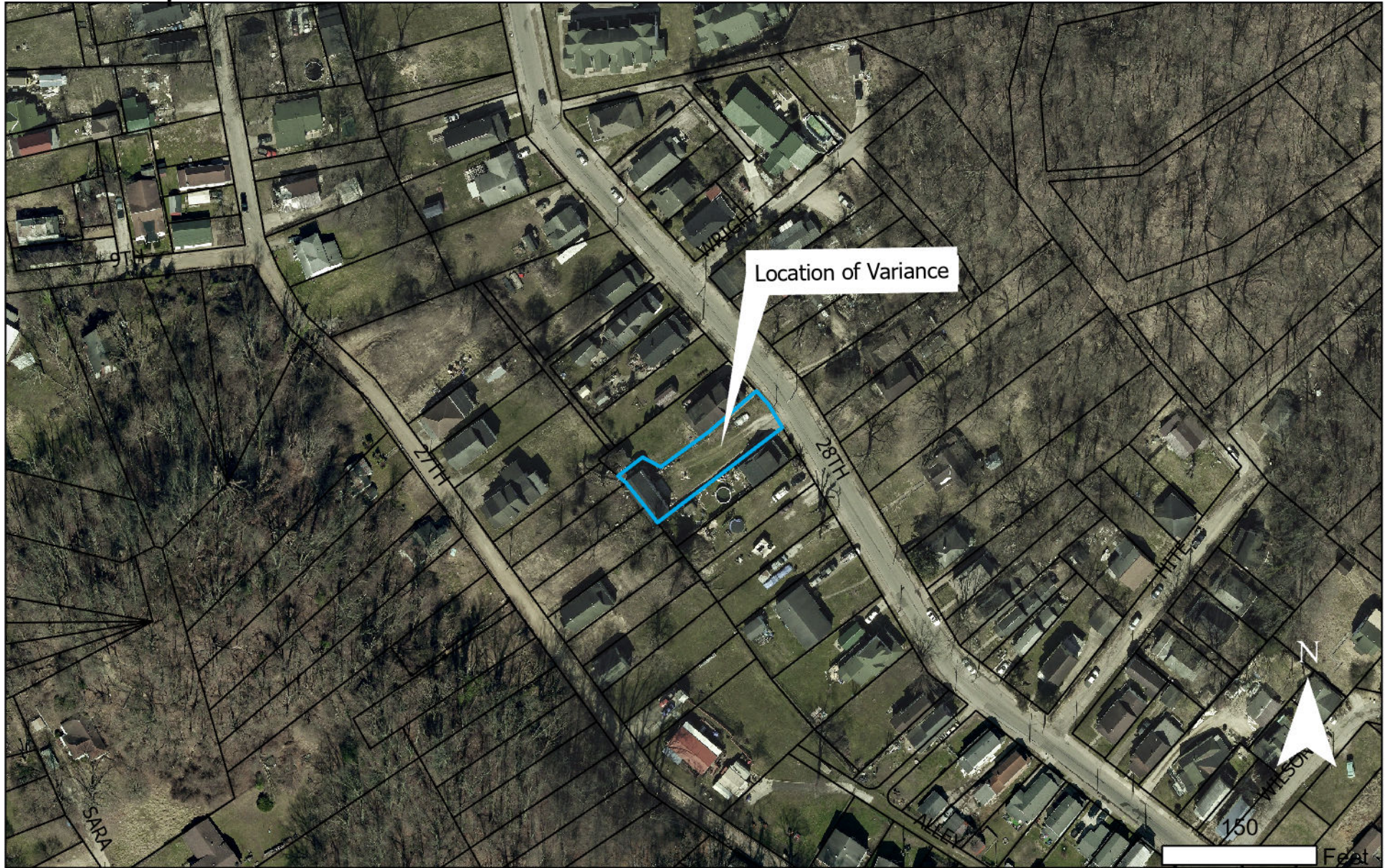
Planning and Zoning Review

- Approved
- Denied

Public Works Review

- Approved
- Denied

Aerial Map



933 28th St.

Cabell County Tax District 5, Map 33 Parcel 58

BZA 26-09

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



Zoning Map



933 28th St.

Cabell County Tax District 5, Map 33 Parcel 58

BZA 26-09

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



Future Land Use Map



933 28th St.

Cabell County Tax District 5, Map 33 Parcel 58

BZA 26-09

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

