



Agenda

Huntington Board of Zoning Appeals
Tuesday, October 19, 2021 - 5:30pm

1. Call to Order
2. Roll Call
3. Approval of the September Minutes
4. Approval of the September Orders
 - BZA 21-C-09
 - BZA 21-C-10
 - BZA 21-C-11
5. New Petitions

BZA 21-V-09

Issue: A petition for a variance from the requirement that a garage may not be located in the front yard. The property is located at 950 Sunnycrest Drive.

Petitioner/Property Owner: Ronnie Hicks, 950 Sunnycrest Drive, Huntington, WV 25705

BZA 21-V-10

Issue: A petition for a variance from the size requirements for window signs from Article 1345.08 to install a sign that covering the entire window surface. The property is located at 1217 Adams Ave.

Petitioner/Property Owner: Grace Gospel Church, 1111 Adams Ave., Huntington, WV 25704

6. Announcements/Discussion
7. Adjournment

Minutes
City of Huntington Board of Zoning Appeals
September 21, 2021

A meeting of the City of Huntington Board of Zoning Appeals was held on September 21, 2021 at 5:50 p.m. in the City Hall Council Chambers. *Mr. Dolin* called the meeting to order.

Members Present: Isabell Cross, Jacqueline Proctor, C.W. Dolin

Members Absent: Howard Anderson, Dan Earl

Staff Present: Breanna Shell, Planning Director
Janney Lockman, Planner
Patricia Usher, Zoning Officer
Ericka Hernandez, Assistant City Attorney

Hearing no corrections or objections, *Mr. Dolin* approved the August 17, 2021 Minutes.

Hearing no corrections or objections, *Mr. Dolin* approved the Orders.

BZA 21-C-09

A petition for an expansion of a Conditional Use Permit for a bar for the Elks Lodge to add a rooftop deck. The property is located in a C-2 Highway Commercial District at 2020 3rd Avenue.

Petitioner/Property Owner: Huntington Elks Lodge #313, 2020 3rd Avenue, Huntington, WV 25703

John Null, Vice President of the Elks Lodge, 2020 3rd Ave, presented the petition, explaining to the Board that the Elks Lodge would like to construct a roof top deck for the use of members and guests.

Mr. Dolin – With the expansion, will the existing hours change or will there be a change in membership requirements to allow for more members? Are you working on construction quotes for the project already? Do you foresee a change in parking requirements?

Mr. Null claimed that the hours would not change and they are not looking to expand their membership at this time. He explained that the project is out for bid, but they have only received one quote so far. There should not be a need for more parking due to the expansion.

Ms. Proctor – What is the current membership? How many people do you anticipate being on the roof at one time? Is there the potential for renting out the rooftop area?

Mr. Null reported the membership at 300 registered members, with less than 100 active; the maximum capacity for the roof would be roughly 30 people; and assured the board only members of the lodge would be able to rent the location for events.

Ms. Cross – Do you have drawings or a site plan for what the area will look like?

Mr. Null admitted that there are not renderings for the deck, but the floor plan and structural report verifying the safety of the roof have been submitted, and further explained that during the initial remodel of the building, supports were put in place to ensure the safety for a rooftop deck expansion in the future.

Ms. Lockman presented the Staff Report.

Mr. Dolin closed the public hearing and discussion ensued.

Ms. Proctor – Do you have an opening date set?

Mr. Null is not aware when the deck will be completed, it will depend on when construction can begin.

Mr. Dolin expressed he is pleased they made the effort to secure the roof in anticipation of the expansion.

Ms. Proctor – Has ADA accessibility standards been met?

Mr. Null explained that private organizations are not required to meet ADA standards; therefore, access to the rooftop deck would not be accessible to those who cannot make a trip up the stairs.

Ms. Proctor made a motion to **approve** BZA 21-C-09; *Ms. Cross* seconded the motion.

Roll Call BZA: Ms. Cross, Yes; Ms. Proctor, Yes; Mr. Dolin, Yes

BZA 21-C-09 petition for a conditional use was **approved** with a vote of 3 Yes to 0 No.

BZA 21-C-10

A petition for a Conditional Use Permit to allow for a Trade School in a C-1 Neighborhood Commercial District. The property is located at 1839-1861 Jefferson Avenue.

Petitioner/Property Owner: IBEW #317 Building Corporation, 1848 Madison Ave. Ste. A, Huntington, WV 25704.

Tim Akers, 1816 Madison Ave., Training Director for IBEW, is looking to expand the organization's training facilities in order to accept new applicants for training. The organization trains electrical workers and currently has 1,200 members.

Mr. Dolin – How many students would you have in the facility at any given time?

Mr. Akers expects to have roughly 50 students at a time.

Ms. Proctor – How long is the training program?

Mr. Akers described the different programs that range from 3 to 5 years depending on the program. Not all programs are based in electrical work, for instance there are operators and welders as well.

Mr. Proctor – The members involved are all employed? Would the school not be for unemployed individuals?

Mr. Akers explained that the program is an earn-while-you-learn program that allows students to train for their certification while making a paycheck.

Ms. Proctor – Would there be any noise generated from the type of training that would be conducted at the facility?

Mr. Akers assured the Board there would not be a problem with noise. There will occasionally be trainings for solar panel installation, which would occur outside, but he did not anticipate the training to produce a high level of noise.

Ms. Cross – Are you expanding because of a need for more classrooms? Will there be labs?

Mr. Akers confirmed that there is a need for more room and described the various areas for training inside the structure.

Ms. Lockman presented the Staff Report.

Mr. Dolin closed the public hearing and discussion ensued.

Ms. Proctor expressed her delight that this facility would be located in the city. *Ms. Cross* agreed.

Mr. Akers added that the program offers training for more than just those already in the field, and listed several organizations and recruitment opportunities.

Ms. Cross made a motion to **approve** BZA 21-C-10; *Ms. Proctor* seconded the motion.

Roll Call BZA: Ms. Proctor, Yes; Ms. Cross, Yes; Mr. Dolin, Yes

BZA 21-C-10 petition for a conditional use was **approved** with a vote of 3 Yes to 0 No.

BZA 21-C-11

A petition for a Conditional Use Permit to allow for a Bar in an I-1 Light Industrial District. The property is located at 440 8th Avenue West.

Petitioner/Property Owner: William Mosser, 218 33rd St. W. Huntington, WV 25704

William Brown, 2958 Auburn Rd., presented the petition and reminded the Board of their time before them when they were seeking to utilize the location on 4th Avenue and informing them that they were not able to move forward with that location. He and his partner have an opportunity to purchase the property of the new location and would like to open as a bar and grill. They intend to paint, landscape, remodel and update the interior, install windows on the front and side of the building, and add security cameras and lighting.

Mr. Dolin – What will be the capacity of the bar? How many parking spaces are there?

Mr. Brown acknowledged that the space is small and estimates that no more than 50 people. The parking lot is not currently marked, but guessed there is potentially 10 spaces.

Mr. Dolin – What days will you be open and what will the hours be?

Mr. Brown intends to keep the bar open 7 days a week from 11 am – 3am, although they may close down sooner on days where business declines.

Ms. Cross – So you intend to do here what you had intended to do at the other location?

Mr. Brown confirmed the claim and added that he also intends to provide food at this location and believes the clientele will be more mature due to the location. He went into detail on how he intends to make his location a welcoming neighborhood bar, comparing it to others in bigger cities. There will be televisions and a jukebox. There are no plans for a patio now, but maybe in the future.

Ms. Lockman presented the Staff Report.

James Cremeans, 430 8th Ave. W, has lived next door to the bar for 38 years, and the bar has always been a nuisance. People who frequent the bar are disrespectful of the neighborhood and the people who live there and frequently there are issues with parking spilling on the street and taking parking away from the residents. He has tried to speak with the prior owner of the bar about the parking issue and was greeted with aggression.

William Board, 426 8th Ave. W., explained that the cars that go to the bar frequently block access to the alley and reiterated Mr. Cremeans’ words regarding the aggressive behavior of individuals due to parking and detailed an incident that occurred when his car was vandalized by an aggressive patron.

Ms. Proctor – Do you understand the issue of the alley and do you have plans to mitigate the negative impact in the future?

Mr. Brown believes that these issues were caused by poor management from the prior owner of the business. He assured the Board that he will not be a poor neighbor and will be considerate of the neighborhood. As a firefighter, he knows how important it is to keep the alleys clear. He intends to attract a better clientele to the location and will remedy any issues that arise. He also expects there to be firefighters that frequent his establishment.

Mr. Dolin – Have you seen an increase or decrease since purchasing the location?

Mr. Brown told the Board that he does not have ownership of the location yet and therefore has not spent enough time there to know what the traffic is like there.

Ms. Proctor – Could you please detail your plans for security?

Mr. Brown explained there will be security cameras on every corner of the building; the prior location had a buzzer door, but they are not sure if they will or can use it; bartenders will be using id scanners; depending on need, there may be a bouncer or two; there will be more exterior lighting that will keep the building illuminated without disturbing the neighbors.

Ms. Proctor expressed concern about lighting the dumpster in the rear and Mr. Brown confirmed, for the safety of his employees and others, he intends to make sure there are no dark corners.

Mr. Dolin is encouraged by the ownership of the location as an incentive to make sure the location looks nice and does well.

Ms. Proctor expresses concern that the location is not already owned by the petitioner and would like to set conditions that ensure the petitioners must follow through with their plans for security, beautification and keeping the alleyway clear.

Ms. Proctor made a motion to **conditionally approve** BZA 21-C-11 with the condition that (1) the alley way must be kept clear at all times; (2) exterior lighting must be utilized and shielded; and (3) a plan for beautification of the property must be submitted, approved, and implemented; *Ms. Cross* seconded the motion.

Roll Call BZA: Ms. Cross, Yes; Ms. Proctor, Yes; Mr. Dolin, Yes

BZA 21-C-11 petition for a conditional use was **conditionally approved** with a vote of 3 Yes to 0 No.

The meeting concluded at 6:45 p.m.

Date approved: _____

Chairperson: _____ Prepared by: _____
C.W. Dolin, Chair Patricia Usher, Zoning Officer

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

BZA 21-C-09

Petitioner/Property Owner: Huntington Elks Lodge #313, 2020 3rd Avenue, Huntington, WV 25703

Subject Property: 2020 3rd Avenue

A petition for an expansion of a Conditional Use Permit for a bar for the Elks Lodge to add a rooftop deck.

Individual Speaking on Behalf of Petition: John Null

Other Interested Parties: None

ORDER

On September 21, 2021, John Null appeared before the City of Huntington Board of Zoning Appeals to provide testimony related to BZA 21-C-09. Other citizens were permitted to voice their positions as well, per the practice of this Board, and no individuals provided testimony.

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.

FINDINGS OF FACT

After reviewing all evidence at the September 21, 2021 meeting and hearing testimony from Mr. Null, the Board finds as follows:

1. Huntington Elks Lodge #313 is the owner and petitioner.
2. The petitioner proposes to add a 16' x 36' rooftop deck on the building.
3. Merritt Engineering, PLLC has determined that the building is capable of supporting a roof top deck.
4. The property is zoned C-2 Highway Commercial District.
5. The property is approximately 10,800 sf.
6. The proposed addition must comply with all building and fire code requirements.
7. The deck will only be used by members of the organization with a maximum capacity of approximately 30 people.
8. ADA standards do not need to be met because they are a private organization

CONCLUSIONS OF LAW

The Board is convinced there would be little potential injury to the use and enjoyment of other properties with permitted uses in the immediate vicinity and there would be no negative effect upon the normal and orderly development and improvement of surrounding properties. The Board concludes the expansion of the Conditional Use Permit for the rooftop deck would be a reasonable use for the property.

DECISION

THEREFORE, based on the findings of fact from the full testimony heard at the hearing and all other documentary evidence presented, the Board **approves** petition BZA 21-C-09 for a Conditional Use Permit for the expansion of an existing Bar.

ENTERED

Date

Chairperson: _____ Prepared by: _____
C.W. Dolin, Chair Patricia Usher, Zoning Officer

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

BZA 21-C-10

Petitioner/Property Owner: IBEW #317 Building Corporation, 1848 Madison Ave. Ste. A, Huntington, WV 25704.

Subject Property: 1839-1861 Jefferson Avenue

A petition for a Conditional Use Permit to allow for a Trade School in a C-1 Neighborhood Commercial District.

Individual Speaking on Behalf of Petition: Tim Akers

Other Interested Parties: None

ORDER

On September 21, 2021, Time Akers appeared before the City of Huntington Board of Zoning Appeals to provide testimony related to BZA 21-C-10. Other citizens were permitted to voice their positions as well, per the practice of this Board, and no individuals provided testimony.

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.

FINDINGS OF FACT

After reviewing all evidence at the September 21, 2021 meeting and hearing testimony from Mr. Akers, the Board finds as follows:

1. IBEW #317 Building Corporation is the petitioner and property owner.
2. The petitioner plans to build a trade school at this location.
3. The property was rezoned C-1 Neighborhood Commercial from R-2 residential in August by Ordinance 2021-O-14.
4. Upon completion of the lot consolidation, the total area of the lots will be approximately 23,327 sf.
5. Complete construction plans have not been submitted, but the use must meet all zoning, building, and fire safety requirements prior to construction.
6. The facility will support several 3 to 5 year, earn as you work programs mostly, but not exclusively, in electrical work.

CONCLUSIONS OF LAW

The Board is confident that staff will ensure that adequate utilities, ingress and egress, and drainage are taken into consideration by the petitioner prior to plans being approved for the development. The Board is delighted IBEW intends to locate their new training facility in the city and is convinced the use will have no negative effect upon the normal and orderly development and improvement of surrounding properties nor injury to the use and enjoyment of other permitted uses in the immediate vicinity.

DECISION

THEREFORE, based on the findings of fact from the full testimony heard at the hearing and all other documentary evidence presented, the Board **approves** petition BZA 21-C-10 for a Conditional Use Permit for a Trade School.

ENTERED

Date

Chairperson: _____ Prepared by: _____
C.W. Dolin, Chair Patricia Usher, Zoning Officer

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

BZA 21-C-11

Petitioner/Property Owner: William Mosser, 218 33rd St. W. Huntington, WV 25704

Subject Property: 440 8th Avenue West

A petition for a Conditional Use Permit to allow for a Bar in an I-1 Light Industrial District.

Individual Speaking on Behalf of Petition: William Brown

Other Interested Parties: James Cremeans, William Board

ORDER

On September 21, 2021, William Brown appeared before the City of Huntington Board of Zoning Appeals to provide testimony related to BZA 21-C-11. Other citizens were permitted to voice their positions as well, per the practice of this Board, and 2 individuals provided testimony.

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.

FINDINGS OF FACT

After reviewing all evidence at the September 21, 2021 meeting and hearing testimony from Mr. Brown, the Board finds as follows:

1. William Mosser is the petitioner and property owner.
2. The petitioner plans to have a glass front door and is willing to replace the front window if required for transparency.
3. The property is zoned I-1, as are all adjacent properties.
4. The lot is approximately 6,670 sf.
5. The petitioner is in a purchase agreement with the current owner, pending the approval of the Conditional Use Permit.
6. The petitioner intends to remodel and update the interior, paint the exterior, put in landscaping, install windows on the front and side of the building, and add security cameras and lighting.
7. The establishment will be open 7 days a week from 11:00 am to 3:00 am and has a capacity of approximately 50 people.
8. There are roughly 10 parking spots.

9. The bar will serve food, include several televisions and a jukebox.
10. James Cremeans is concerned the bar opening back up will increase the traffic of aggressive people that were common for the last bar.
11. William Board is also concerned about the increase of aggressive clientele and the alleyway being blocked.

CONCLUSIONS OF LAW

The Board is sensitive to the concerns of the neighborhood and potential injury to the use and enjoyment of other properties with permitted uses in the immediate vicinity and want to ensure concerns are addressed. The Board regards applying conditions to an approval as a suitable way to address the concerns of the neighborhood and mitigate negative effects upon the normal and orderly development and improvement of surrounding properties.

DECISION

THEREFORE, based on the findings of fact from the full testimony heard at the hearing and all other documentary evidence presented, the Board **conditionally approves** petition BZA 21-C-11 for a Conditional Use Permit for a Bar with the condition that (1) the alley way must be kept clear at all times; (2) exterior lighting must be utilized and shielded; and (3) a plan for beautification of the property must be submitted, approved, and implemented.

ENTERED

Date

Chairperson: _____ Prepared by: _____
C.W. Dolin, Chair Patricia Usher, Zoning Officer

Staff Report: A petition for a variance to garage location requirements.

BZA 21-V-09

Legal Ad

Issue: A petition for a variance from the requirement that a garage may not be located in the front yard. The property is located at 950 Sunnycrest Drive.

Petitioner/Property Owner: Ronnie Hicks, 950 Sunnycrest Drive, Huntington, WV 25705

Introduction

The petitioner is requesting a variance to locate a garage in the front yard of his property on Sunnycrest Drive. Regulations state that accessory structures can only be located in side or rear yards.

Existing Conditions / Background

This property is located at the end of a Sunnycrest Drive and is at Huntington city limits, in an R-1 Single Family Residential District. The property has an approximately 132’ gravel driveway from Sunnycrest Drive to the house, with an approximately 14’ by 18’ parking area located approximately 20’ off of Sunnycrest Drive.

Proposed Conditions

The petitioner proposes to install a 24’ by 36’ steel garage off of an existing gravel parking spot in the front yard of the property. Please see attached site plan provided by the petitioner.

Pictures



The garage would be placed in the area behind the trailer and gravel parking area.

Zoning Ordinance

Per *Article 1315.06(A)(1)*, accessory structures must be located in the rear yard, unless features such as topography or other barriers prevent access, in which case they may be located in the side yard.

Staff Comments

Staff visited the site and noted that the topography of the property and location of the house would make it difficult locate the garage in the side or rear yard. While on site, staff spoke with a neighbor, who supported the petition. Staff believes that the nature of the property would make it difficult for the petitioner to meet the location requirements of Section 1315.06(A)(1). Staff further believes that allowing the petitioner to locate the garage in the proposed location would not have a negative impact on health, safety, or welfare.

Summary / Findings of Fact

1. Ronnie Hicks is the petitioner and property owner.

2. The property is zoned R-1 Residential District.
3. The house is located on a hill.
4. The petitioner is requesting to build a garage in the front yard of the lot.
5. Section 1315.06(A)(1) states that accessory structures must be located in the side or rear yards.
6. The lot is approximately 0.61 acres, or 26,572 sf.

Attachments

Please see attached Aerial, Zoning, Context, and Future Land Use Maps, and site plan for reference.



Location of Proposed Garage

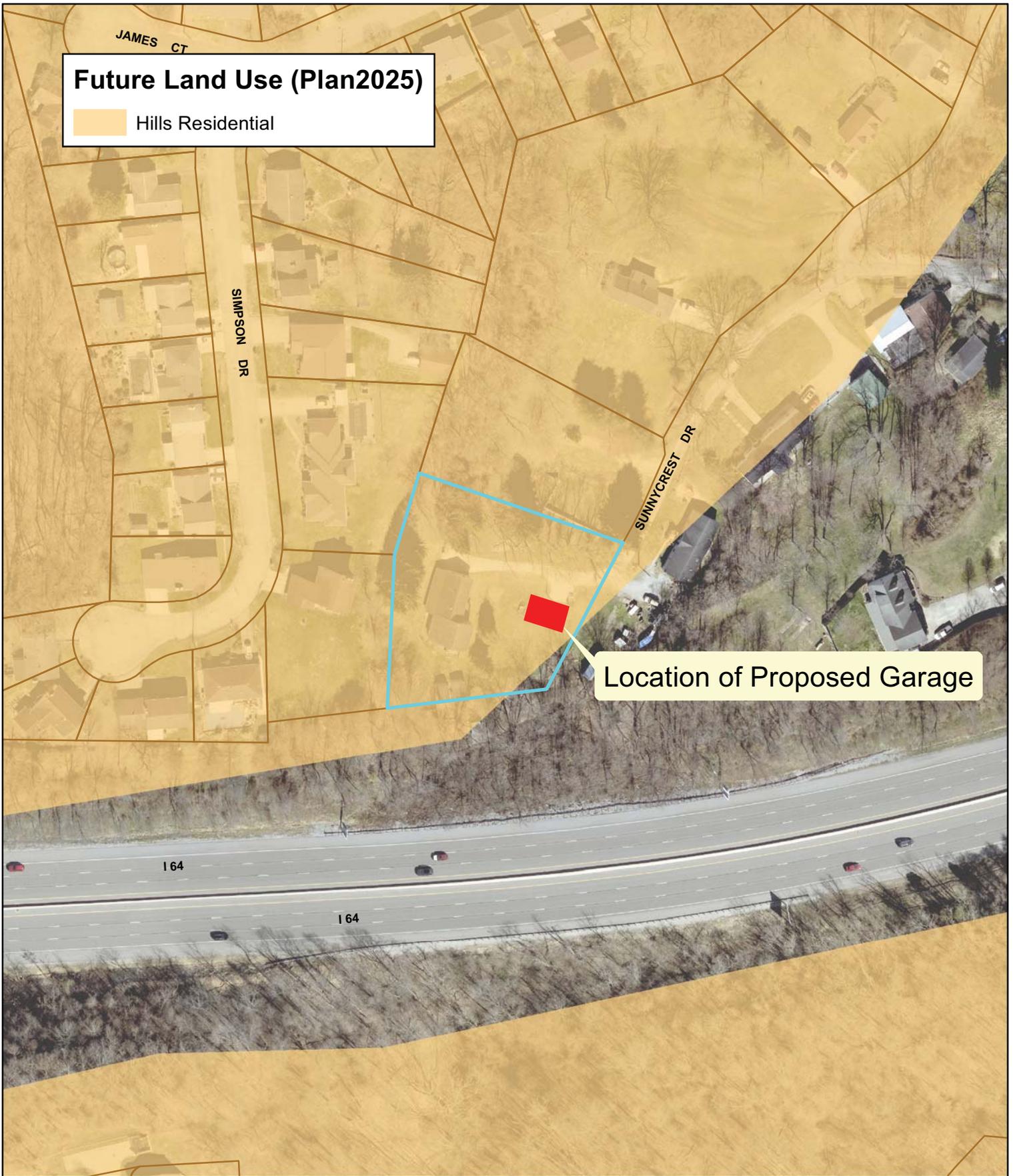
**950 Sunnycrest Dr
Variance for a Garage in the Front Yard
BZA 21-V-09**





950 Sunnycrest Dr
Variance for a Garage in the Front Yard
BZA 21-V-09





950 Sunnycrest Dr
Variance for a Garage in the Front Yard
BZA 21-V-09





APPLICATION FOR APPEAL FOR VARIANCE OF ZONING REGULATIONS

Planning and Zoning Huntington City Hall 800 Fifth Avenue P.O. Box 1659 Huntington, WV 25717 (304) 696-5540, opt 3

Applicant Name: RONNIE Hicks Phone: 304-360-2869

Address (city, state, zip): 950 Sunnycrest Drive

Email: rhicksr@MARSHALL.EDU

Property Owner: RONNIE Hicks Phone: 304-360-2869

Address (city, state, zip): 950 SUNNYCREST DRIVE

Please list the Location (address) and Description (Tax Map Number, Parcel, and Lot.): 950 Sunnycrest Drive 5-76-183.3

Variance requested pursuant to:

Article 1315.06 and/or Figure of the City of Huntington Zoning Ordinance.

Description of the variance being requested: Garage must be in side or rear yard

Description of property including tax map, parcel, lot number (if applicable), street address and/or other description: 950 Sunnycrest dr 5-76-183.3

Please describe the special conditions or attributes which pertain to the property or hardships for which the variance is sought (state any reason which the Board of Zoning Appeals should be aware of in forming its decision): 85% of our property is in the front of the house and the rest is hillside in the back house in the city no house in front of me, we only have about 30' behind the house, no house to the left, and the interstate to the right of us no one will ever be bothered by the garage being in the front of the house

(Attach additional pages if necessary)

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

- Site plan of Real Estate involved (if applicable); drawn to scale with scale shown, with direction North clearly indicated on the drawing, showing all boundary lines and placement of existing and/or proposed structures, and with all dimensions shown (setbacks, buildings, etc.).
- Valid State or Federal Photo ID.
- Any and all documentation and evidence to support the request.
- One Hundred Sixty dollars (\$160.00) non-refundable filing fee for each variance sought.

All of the above documentation is to be submitted to the office of Planning and Zoning by: Sept 21 in order to be placed on the next Board of Zoning Appeals agenda. Incomplete documentation will delay applicants review by the BZA.

I/We, the undersigned, am/are aware that a Public Hearing by the Board of Zoning Appeals will be held on Tuesday, Oct 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.

FOR OFFICE USE Received: _____ Staff Initials: _____ Project Number: _____
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Roni S. Nicks
Signature of Applicant

9-21-2021
Date

Roni S. Nicks
Signature of Property Owner

9-21-2021
Date

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

FOR OFFICE USE ONLY

Board of Zoning Appeals

Approved _____
Denied _____

Date of Decision: _____
Conditions: _____

Planning Staff: _____ Title: _____ Date: _____



BUILDING PERMIT
APPLICATION

Instructions: Please complete the application and include the total cost of labor and materials. A \$20.00 application fee is included for all building permits. *Permits are valid for six (6) months.*

APPLICANT INFORMATION

General Contractor Property Owner Lessee Agent

Applicant Name: RONNIE HICKS Phone: 304-360-2869
Email Address: hickt@MARSHALL.EDU

CONTRACTOR INFORMATION

Business Name: Home OWNER Phone: 304-360-2869
COH Contractor License #: _____ Email: _____
Are subcontractors working on this project: Yes No

PROPERTY INFORMATION

Property Owner: RONNIE + BARBARA HICKS Phone: 304-360-2869
Property Address: 950 SUNNYCREST DRIVE Email: hicksr@MARSHALL.EDU
Rental Property: Yes No

PERMIT INFORMATION

<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Demolition	Residential:	
<input type="checkbox"/> Renovation	<input type="checkbox"/> Excavation	<input type="checkbox"/> Single Family	<input type="checkbox"/> Commercial
<input type="checkbox"/> Addition / Alteration	<input type="checkbox"/> Repair	<input type="checkbox"/> Multi-family	<input type="checkbox"/> Industrial

Total Cost of Labor and Materials: \$ _____

DESCRIPTION OF WORK

Electric Plumbing HVAC Framing Roofing Other

Description of Work: CONCRETE FLOOR FOR A STEEL GARAGE INSTALLATION
Square footage of Structure: 840 sq. ft. (24'x35')
Square footage of site: Approx. 36,168 sq ft

OTHER PERMITS

Certificate of Occ Sign Right-of-way Special privilege Floodplain

Article 1705.99 Providing false, incomplete, or misleading information on this application is subject to a \$500 fine.

Building Permit Fee: \$ _____
Application Fee: \$ 20.00
Total: \$ _____

I acknowledge that the above information is true and correct to the best of my knowledge, and I agree to comply with all state, county, and city codes and ordinances.

Applicant Signature: Ronnie & Barbara Hicks Date: 9 / 15 / 2021
Technician/Inspector: _____ Date: _____ / _____ / 20

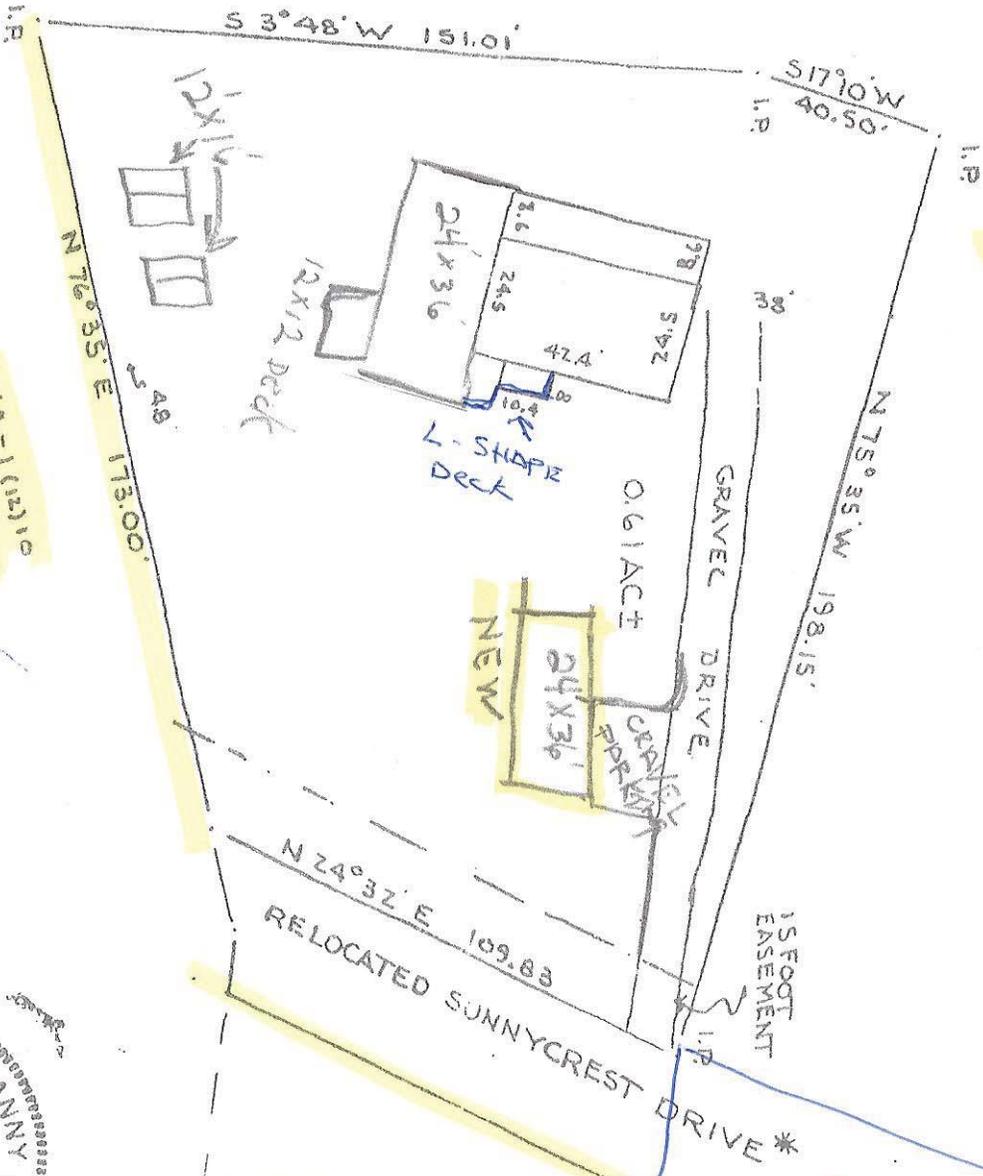
950 Sunnycrest Drive



THIS PROPERTY IS NOT IN A FLOOD ZONE

Empty Lot

WEST VIRGINIA, CABELL COUNTY CLERK'S OFFICE
This instrument was this day recorded in my office and
thereupon, together with the certificate thereon annexed, is
admitted to record.
MAY 0 17 1990
JESSE *[Signature]* CLERK, CABELL COUNTY COURT



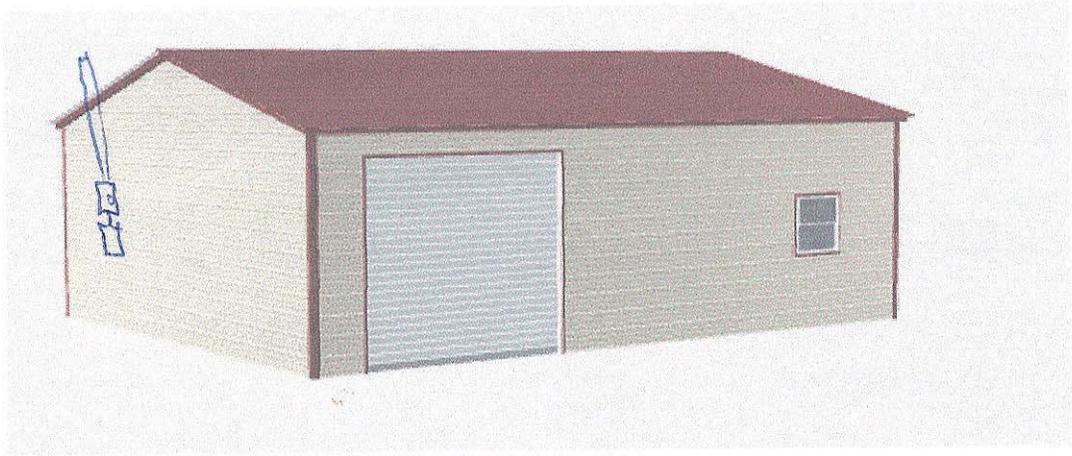
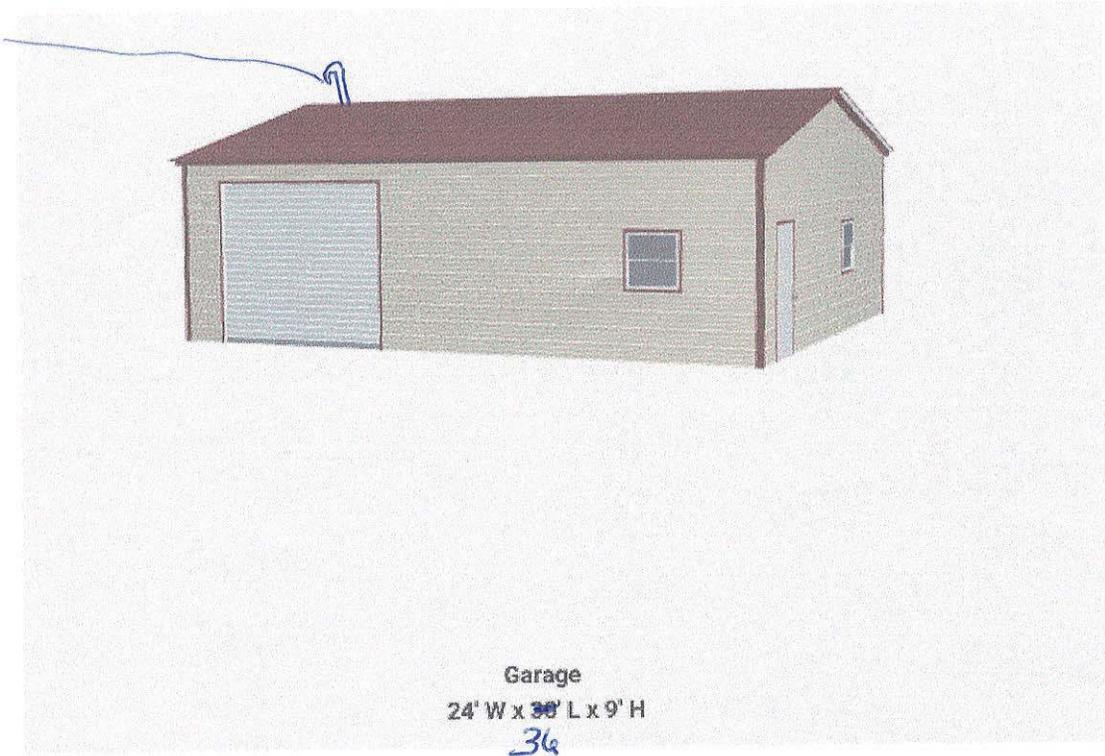
1-64-1 (12)10
D.B. 592 PG 103

DANNY JOHNSON
LICENSED

COUNTY SIDE
OF THE ROAD

LAST HOUSE ON
LEFT SIDE OF
ROAD

SUNNYCREST



Staff Report: A petition for a variance to window sign size requirements.

Legal Ad

BZA 21-V-10

Issue: A petition for a variance from the size requirements for window signs from Article 1345.08 to install a sign that covers the entire window surface. The property is located at 1217 Adams Ave.

Petitioner/Property Owner: Grace Gospel Church, 1111 Adams Ave., Huntington, WV 25704

Introduction

The petitioner is requesting a variance to use a window sign that covers the entire window. The property is located at 1217 Adams Avenue.

Existing Conditions / Background

This property was recently renovated by Grace Gospel Church and opened as a daycare. It is located in a C-2 Highway Commercial zone. The petitioners installed a free-standing sign and the window sign without first applying for a sign permit.

Proposed Conditions

The petitioner proposes to keep a window sign that covers 100% of the window. The window sign blocks the view from outside, but allows those in the building to look outside.

Zoning Ordinance

Per *Article 1345.08(A)*, the total area of all window signs on display at any one time shall not exceed thirty-three (33%) of the total area of the window in which they are located.

Pictures



View of daycare signs from Adams Avenue.



View from inside of daycare of window with sign on it.

Staff Comments

Staff does not find that the variance arises from special conditions or attributes of the property, however, staff does not believe that the requested variance will adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents.

Summary / Findings of Fact

1. Grace Gospel Church is the petitioner and property owner.

2. The property is zoned C-2 Highway Commercial District.
3. The petitioner is requesting to have a sign covering 100% of their window.
4. Per Section 1345.08(A), window signs are not to exceed 33% of the total area of the window.
5. The lot is approximately 16,400 sf.

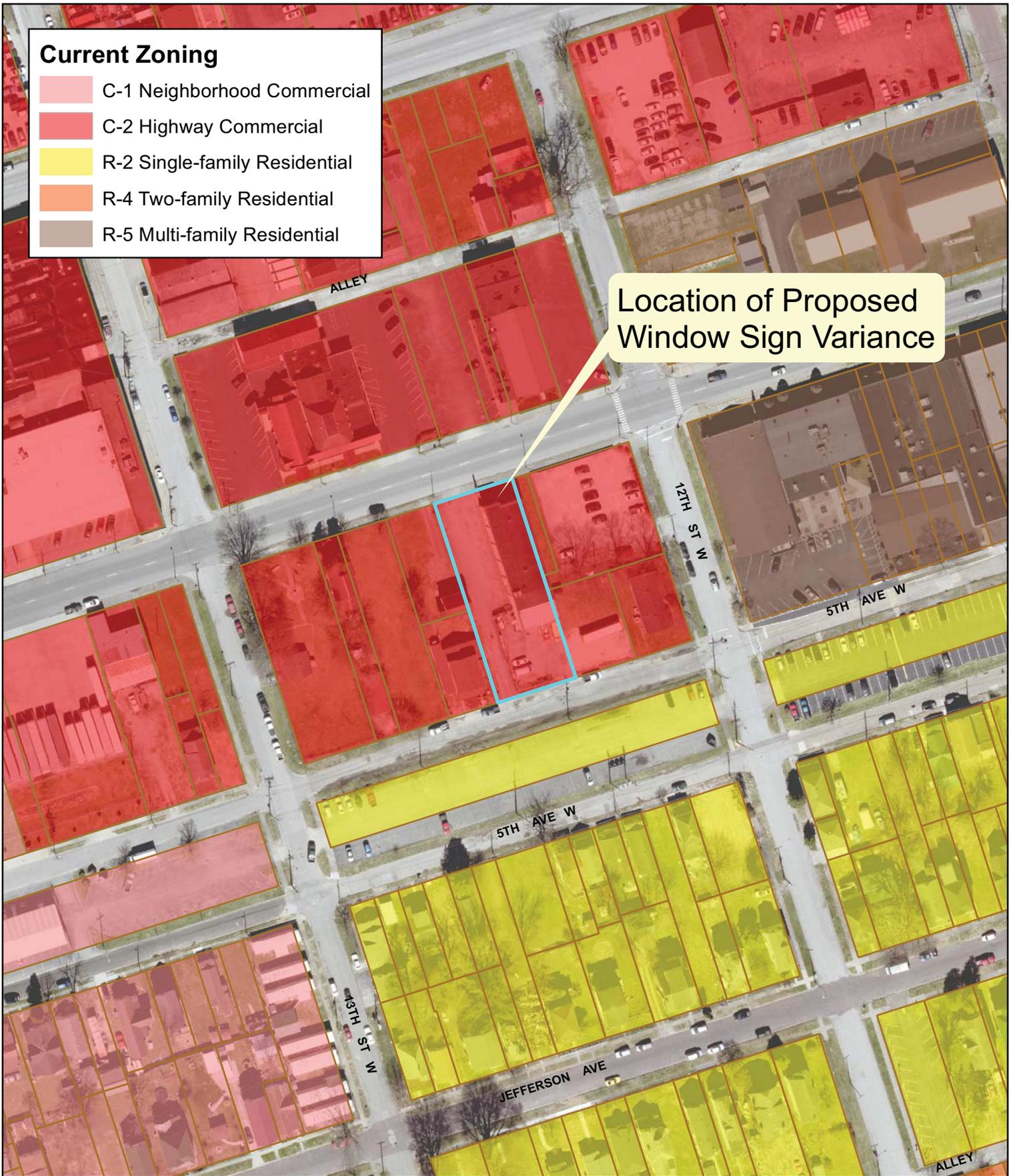
Attachments

Please see attached Aerial, Zoning, Context, and Future Land Use Maps for reference.



**1217 Adams Avenue
Variance for a Window Sign
BZA 21-V-10**





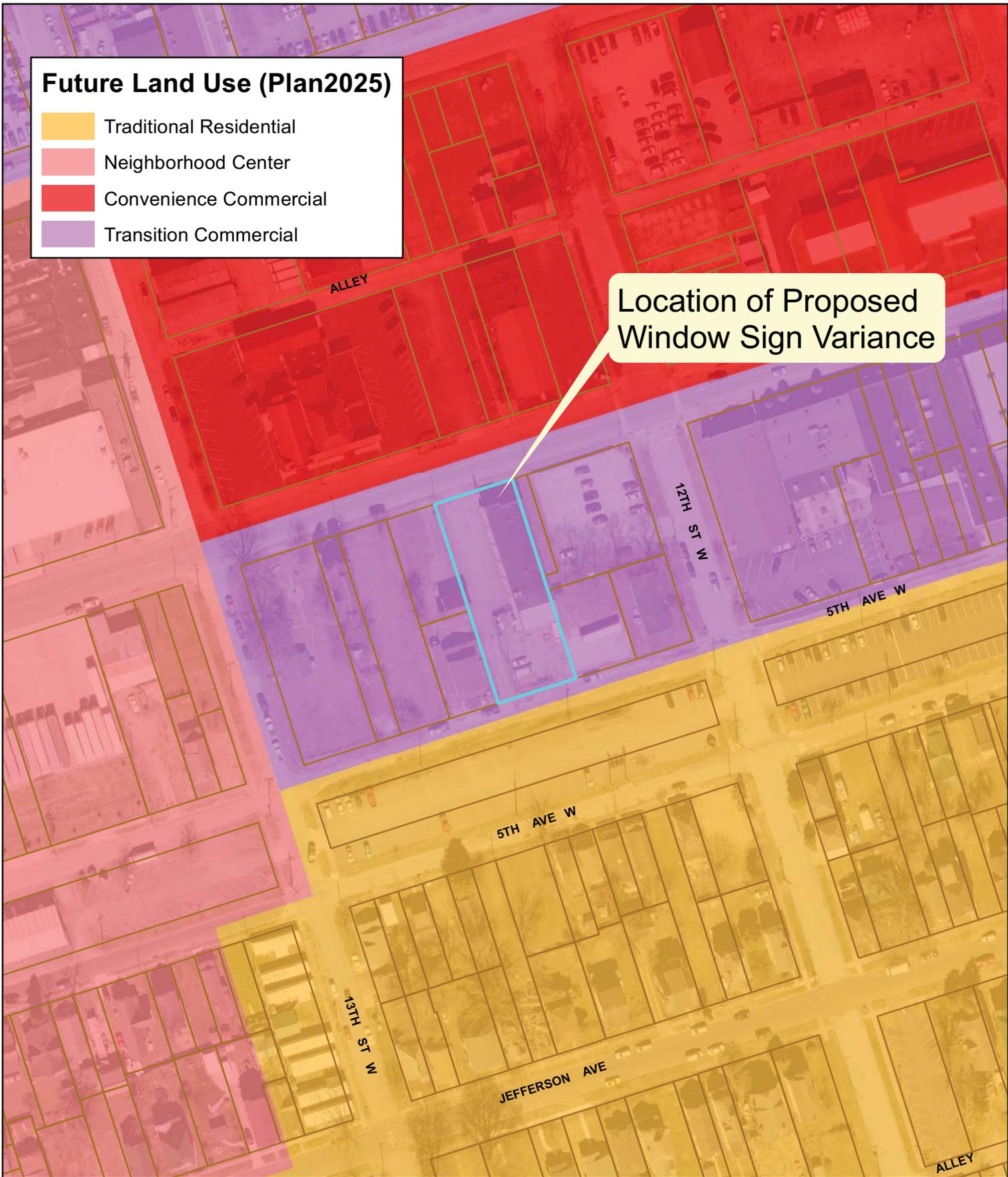
Current Zoning

- C-1 Neighborhood Commercial
- C-2 Highway Commercial
- R-2 Single-family Residential
- R-4 Two-family Residential
- R-5 Multi-family Residential

Location of Proposed Window Sign Variance

**1217 Adams Avenue
Variance for a Window Sign
BZA 21-V-10**





Location of Proposed Window Sign Variance

1217 Adams Avenue Variance for a Window Sign BZA 21-V-10





APPLICATION FOR APPEAL FOR VARIANCE OF ZONING REGULATIONS

Planning and Zoning Huntington City Hall 800 Fifth Avenue P.O. Box 1659 Huntington, WV 25717 (304) 696-5540, opt 3

Applicant Name: Grace Christian Preschool - Daycare Phone: 304-522-8635

Address (city, state, zip): 1217 Adams Ave, Huntington, WV 25704

Email: jskaggs@gracegospelwv.net

Property Owner: Grace Gospel Church Phone: 304-522-8635

Address (city, state, zip): 1111 Adams Ave, Huntington, WV 25704

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

1217 Adams Ave, Huntington, WV 25704 / Tax Map Number: 41-137

Parcel ID: 06-07-0041-0137-0000 / Lot: 9-10-11 Info taken from Mapwv.gov/parcel/

Variance requested pursuant to:

Article Section 1345.08A and/or Figure of the City of Huntington Zoning Ordinance.

Description of the variance being requested:

Window Cling that provides one way vision for the large window on the front of the building. Window dimensions are 88" x 188" and is 36" off the ground.

Description of property including tax map, parcel, lot number (if applicable), street address and/or other description:

Daycare building. Tax Map: 41-137 / Parcel ID: 06-07-0041-0137-0000 Lot: 9/10/11 | 1217 Adams Ave, Huntington, WV 25704

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

- 1 This type of window covering provides protection for the children from transients looking in while allowing teachers a clear view outside.
2 This type of window covering is aesthetically pleasing and helps improve the face of the neighborhood.
3 Many other businesses within city limit have same type of window covering.

(Attach additional pages if necessary)

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

- Site plan of Real Estate involved (if applicable); drawn to scale with scale shown, with direction North clearly indicated on the drawing, showing all boundary lines and placement of existing and/or proposed structures, and with all dimensions shown (setbacks, buildings, etc.).
- Valid State or Federal Photo ID.
- Any and all documentation and evidence to support the request.
- One Hundred Sixty dollars (\$160.00) filing fee for each variance sought.

All of the above documentation is to be submitted to the office of Planning and Zoning by: _____ in order to be placed on the next Board of Zoning Appeals agenda. Incomplete documentation will delay applicants review by the BZA.

I/We, the undersigned, am/are aware that a Public Hearing by the Board of Zoning Appeals will be held on Tuesday, October 19th. 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.

FOR OFFICE USE Received: _____ Staff Initials: _____ Project Number: _____
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Julia D. Skaggs
Signature of Applicant

9/21/2021
Date

Kevin Wip
Signature of Property Owner

9/21/2021
Date

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

FOR OFFICE USE ONLY

Board of Zoning Appeals

- Approved
- Denied

Date of Decision: _____
Conditions: _____

Planning Staff: _____ Title: _____ Date: _____

