



Agenda

Huntington Board of Zoning Appeals
Tuesday, December 16, 2025 - 5:30pm

1. Call to Order
2. Roll Call
3. Approval of the November 2025 Minutes
4. Approval of the November 2025 Orders
 - BZA 25-27
 - BZA 25-28
 - BZA 25-29
 - BZA 25-30
5. New Petitions

BZA 25-33

Petitioner: Everett Station LLC, AU Associates, 159 Old Georgetown St., Lexington, KY 40508

Property Owner: Tiger LLC, 1216 7th Ave., Huntington, WV 25701

Property Location: Cabell County Tax District 5, Map 23, Parcel 324. This parcel is located at the end of Everett Street, and sits between 8th Avenue and 9th Avenue, adjacent the railroad.

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

BZA 25-31

Petitioner: Kassandra Baker, 400 Riverbend Dr., Ona, WV 25545

Property Owner: Progress LLC, P.O. Box 8, Barboursville, WV 25504

Property Location: 418 8th St., Suite D, Huntington, WV 25701

Issue: A petition for a conditional use to allow for a tattoo parlor in a C-3 Central Business District.

BZA 25-32

Petitioner: J.D. Maynard, 4333 Waverly Rd., Huntington, WV 25704

Property Owner: Randall Wiles, 3501 Brandon Rd., Huntington, WV 25704

Property Location: 3501 Brandon Rd., Huntington, WV 25704

Issue: A petition for a variance to allow for a second driveway in an R-2 Single-family Residential District.

BZA 25-34

Petitioner: Robertson Loia Roof, 3460 Preston Ridge Rd., Suite 275, Alpharetta, GA 30005

Property Owners: Huntington Municipal Development Authority, 800 5th Ave., Huntington, WV 25701 and Marshall University Board of Governors, 1 John Marshall Dr., Huntington, WV 25755

Property Location: Between 3rd and 5th Avenues at 24th St.

Issue: A petition for a variance to increase the maximum height of free-standing lights to 30 ft.

6. Announcements/Discussion
7. Adjournment

**Minutes
City of Huntington Board of Zoning Appeals
November 18th, 2025**

A meeting of the City of Huntington Board of Zoning Appeals was held on November 18, 2025 at 5:30 p.m. in the City Hall Council Chambers. *Mr. Earl* called the meeting to order and Mr. Curry confirmed a quorum was present.

Members Present: Steven Yates, Dan Earl, Sara Loftus and Whitney Gesner

Members Absent: Gina Browning and Matt Smith

Staff Present: Katie Parsons, Planner I
Steve Curry, Associate Planner
Ericka Hernandez, Assistant City Attorney
Zane Parsley, Planning Director

Mr. Earl asked if there were any objections to the October 2025 minutes, seeing none, the minutes were approved.

Mr. Earl asked if there were any objections to the orders from October 2025, seeing none, the order was approved.

BZA 25-27

Petitioner: James Slone, 244 County Rd. 411, Proctorville, OH 45669

Property Owner: Bridge Street Properties LLC, 244 County Rd. 411, Proctorville, OH 45669

Property Location: Southeast parcel at intersection of Guyan and Water Streets, adjacent to the east to 117 Main Street (Parcel 5-12-68).

Issue: A petition for a conditional use for a private garage in a C-1 Neighborhood Commercial District.

Mr. Curry read the staff report.

James Slone, 244 County Rd. 411, Proctorville, OH 45669 appeared before the board to represent his petition. He stated that he had several parcels located in between Bridge Street and Guyan/Water Streets that he was unsure on how to develop them. He stated he had a need for a private garage and decided to utilize this parcel to complete his project.

Mr. Earl inquired about the size of the garage Mr. Slone was proposing to build. Mr. Slone stated he initially wanted to do a 40' by 50' building. He decided he was going to do a smaller building due to cost, 34x50.

There was no one present from the public to speak in favor or in opposition.

Mr. Yates made a motion to approve BZA 25-27. *Ms. Loftus* seconded.

BZA Roll Call: *Ms. Gesner, Yes; Mr. Yates, Yes; Ms. Loftus, Yes; Mr. Earl, Yes.*

BZA 25-27 were approved with a vote 4 Yes, 0 No.

BZA 25-28

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

Property Location: 1821 & 1825 Jefferson Ave., Huntington, WV 25704

Issue: A petition for a conditional use to allow for a trade school in a C-1 Neighborhood Commercial District.

Ms. Parsons read the Staff Report.

Jason Mills, 1848 Madison Ave., Huntington, WV 25704 appeared before the board to represent IBEW #317 in regards to their petition. Mr. Mills stated they only wished to expand their training abilities to better prepare their members for real world situations.

There was no one present in favor or in opposition for the petition.

There were no comments or questions from the board regarding the petition.

Mr. Loftus made a motion to approve BZA 25-28. *Ms. Gesner* seconded.

BZA Roll Call: *Ms. Gesner, Yes; Mr. Yates, Yes; Ms. Loftus, Yes; Mr. Earl, Yes.*

BZA 25-28 was approved with a vote 4 Yes, 0 No.

BZA 25-29

Petitioner: Henry Alvarez, 2934 3rd Ave., Huntington, WV 25702

Property Owner: Jose Monge, 133 N. Edgemont Rd., Huntington, WV 25701

Property Location: 320 Bridge St., Huntington, WV 25702

Issue: A petition for a conditional use for a neighborhood bar in a C-1 Neighborhood Commercial District.

Mr. Curry read the Staff Report.

Mr. Earl asked how many parking spaces would be required for the neighborhood bar, in which Mr. Curry responded by stating ONE space for every FOUR seats.

Henry Alvarez, 2934 3rd Ave., Huntington, WV 25702 was present to represent his petition for a neighborhood bar, as well as the property owner Jose Monge of 133 N. Edgemont Rd., Huntington, WV 25701. He stated that he wanted a neighborhood bar that would be a relaxed environment with TV's to watch games, darts and pool tables. Mr. Alvarez went on to say that the property owner Mr. Monge would allow for parking in the lot adjacent to the building.

Mr. Curry explained transparency and the requirements for the proposed neighborhood bar to be in compliance with the current zoning ordinance.

Mr. Alvarez inquired about what would be needed to bring the building into compliance with transparency, and Mr. Curry explained that widening of the windows and replacing the current door with a glass door would be suffice. Mr. Alvarez obliged and stated he would make sure these changes occurred.

Mr. Earl inquired about the parking and transparency requirements, and Mr. Curry explained that his conditional use could be approved and then the planning department would review Mr. Alvarez's plans when they're provided and advise him if any variances would be needed.

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

Mr. Earl along with other members agreed that if Mr. Alvarez needed further approvals unrelated to the conditional use he sought, he would appear before the board at a future meeting.

Ms. Yates made a motion to approve BZA 25-29. *Ms. Loftus* seconded.

BZA Roll Call: *Ms. Gesner, Yes; Mr. Yates, Yes; Ms. Loftus, Yes; Mr. Earl, Yes.*

BZA 25-29 was approved with a vote 4 Yes, 0 No.

BZA 25-30

Petitioner/Property Owner: C. J. Hughes Construction Co. Inc., 97 3rd Ave. W, Huntington, WV 25704

Property Location: 112, 118, 124 & 128 Washington Ave., Huntington, WV 25704

Issue: A petition for a variance to increase the height of a fence in a C-2 Highway Commercial District.

Ms. Parsons read the staff report.

Shawn Hacker appeared before the board to represent C. J. Hughes in regards to their petition. He stated that in 2024 C. J. Hughes acquired the four parcels in question, and demolished two houses that previously sat on two of the parcels. They want to develop the land and after discussion with planning staff they consolidated their lots. Mr. Hacker stated that C. J. Hughes is working with the Huntington Stormwater and Triad to develop a plan satisfactory to allow for the graveling of the new consolidated lot. They will then like to utilize the lot as a temporary

There was no one to speak in favor or in opposition.

Mr. Earl stated he saw no issue with the fence as long as the condition that they sit seven feet back from the property line

Mr. Yates motioned to approve BZA 25-30 with the condition that the fence sit back seven feet from the property line. *Ms. Loftus* seconded.

BZA Roll Call: *Ms. Gesner, Yes; Mr. Yates, Yes; Ms. Loftus, Yes; Mr. Earl, Yes.*

BZA 25-30 was approved with a vote 4 Yes, 0 No.

Mr. Earl adjourned the meeting at 6:03 p.m.

Date approved: _____

Chairperson: _____ Prepared by: _____
Dan Earl, Acting Chair Katie Parsons, Planner I

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

BZA 25-27

Petitioner/Property Owner: James Slone, 244 County Rd. 411, Proctorville, OH 45669

Subject Property: Cabell County parcel ID 5-12-68, located at the corner of Guyan Street and Water Street

In re: A petition for a conditional use for a private garage in a C-1 Neighborhood Commercial District

Individual Speaking on Behalf of Petition: James Slone, 244 County Rd. 411, Proctorville, OH 45669

ORDER

On November 18, 2025, Mr. Sloan appeared before the City of Huntington Board of Zoning Appeals to provide testimony related to BZA 25-27. Other citizens were permitted to voice their positions as well, per the practice of this Board, and no one provided testimony.

FINDINGS OF FACT

After reviewing all evidence at the November 18th, 2025 meeting and hearing testimony from Mr. Mills the Board finds as follows:

1. James Sloan is the petitioner and the property owner.
2. The property is now rezoned to C-1 Neighborhood Commercial.
3. The property is located on Water Street, between Guyan Street and Main Street.
4. The property is currently vacant land.
5. Neighboring parcels are also vacant.
6. The two neighboring residential properties are separated from the subject property by an alleyway and large setback.
7. The petitioner wishes to build a 34' x 50' private garage on the property.
8. The property is near the floodwall.

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 C-1 district is to conveniently provide goods and services to the residents of the neighborhoods while maintaining and promoting the sense of community provided by the commercial hub located in the neighborhood.” City of Huntington Ordinance §1327.02. A private garage is a conditional use in the C-1 Highway Commercial District. City of Huntington Ordinance, §1320.04.

Since the proposed use is a private garage, not a commercial venture, we do not see any negative impact on traffic congestion or to the use and enjoyment of other properties in the immediate vicinity. We also do not foresee any negative impact to public health, safety or general welfare or any negative affect on the development or improvement of the surrounding properties or the orderly development of the neighboring properties. Due to this, we believe approving the conditional use is warranted.

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 25-27 for a **Conditional Use**. 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: _____
Dan Earl, Acting Chair Steve Curry, Planner II

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

BZA 25-28

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

Subject Property: 1821 & 1825 Jefferson Ave., Huntington, WV 25701

In re: A petition for a conditional use to allow for a trade school in a C-1 Neighborhood Commercial District.

Individual Speaking on Behalf of Petition: Jason Mills, 1848 Madison Ave., Huntington, WV 25701 of IBEW #317.

ORDER

On November 18, 2025, Mr. Mills appeared before the City of Huntington Board of Zoning Appeals to provide testimony related to BZA 25-28. Other citizens were permitted to voice their positions as well, per the practice of this Board, and no one provided testimony.

FINDINGS OF FACT

After reviewing all evidence at the November 18th, 2025 meeting and hearing testimony from Mr. Mills the Board finds as follows:

1. The International Brotherhood of Electrical Workers Local Union (IBEW) #317 is the petitioner and the property owner.
2. The petitioner recently acquired and rezoned the properties in question to C-1 Neighborhood Commercial.
3. The petitioner owns approximately 75% of the 1800 block between Jefferson Ave. and Madison Ave. and 18th St. W and 19th St. W and is used for their main building and technical center.
4. The petitioner seeks to expand the Huntington Electrical Joint Apprenticeship Training Committee's (JATC) Training Center to include an outdoor training facility.
5. The petitioner had an indoor training facility approved by this Board in 2021.
6. The petitioner already operates a trade school on the same block to the west and across the alley to the south.
7. Some residential uses exist on this block, but no opposition appeared.
8. Currently the lots are vacant.

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

A trade school is a conditional use in the C-1 Highway Commercial District. City of Huntington Ordinance, §1320.04.

We do not foresee any negative impact to public health, safety, morals, and general welfare by expanding the petitioner's trade school, any negative affect on the development or improvement of the surrounding properties, nor any injury to the use and enjoyment of other properties in the immediate vicinity, particularly since this school has been located in this area for many years. It is also unlikely that there will be any significant impact to traffic congestion since the majority of relevant parking is on the block to the south.. Due to this, we believe approving the conditional use is warranted.

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 25-28 for a **Conditional Use**. 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: _____
Dan Earl, Acting Chair Katie Parsons, Planner I

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

BZA 25-29

Petitioner: Henry Alvarez, 2934 3rd Ave., Huntington, WV 25702

Property Owner: Jose Monge, 133 N. Edgemont Rd., Huntington, WV 25701

Property Location: 320 Bridge St., Huntington, WV 25702

In re: A petition for a conditional use for a neighborhood bar in a C-1 Neighborhood Commercial District

Individual Speaking on Behalf of Petition: Henry Alvarez, 2934 3rd Ave., Huntington, WV 25702

ORDER

On November 18, 2025, Mr. Sloan appeared before the City of Huntington Board of Zoning Appeals to provide testimony related to BZA 25-29. Other citizens were permitted to voice their positions as well, per the practice of this Board, and no one provided testimony.

FINDINGS OF FACT

After reviewing all evidence at the November 18th, 2025 meeting and hearing testimony from Mr. Mills the Board finds as follows:

1. Henry Alvarez is the petitioner.
2. Jose Monge is the property owner.
3. The property is zoned C-1 Neighborhood Commercial.
4. Future Land Use Map designates this area as Neighborhood Center.
5. The property consists of a 6,683 square foot building with three storefronts, this petition pertains to the westernmost storefront only.
6. The property is located in or near Guyandotte's historic downtown.
7. The petitioner wishes to develop the property into a neighborhood bar.
8. A "bar, neighborhood" is a bar that does not exceed 2,000 square feet.
9. The portion of the building used for the neighborhood bar will be smaller than 2,000 square feet.
10. The building has street parking on the Bridge Street and Buffington Street sides with no off-street parking on site. Adjacent vacant parcels may be used for off-street parking if consolidated with the main parcel.
11. The proposed neighborhood bar would be located adjacent to a Marathon gas station and several other commercial buildings with apartments upstairs and also across Buffington Street.
12. The first-floor front facade does not meet transparency requirements.

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 C-1 district is to conveniently provide goods and services to the residents of the neighborhoods while maintaining and promoting the sense of community provided by the commercial hub located in the neighborhood.” City of Huntington Ordinance §1327.02. A neighborhood bar is a conditional use in the C-1 Highway Commercial District. City of Huntington Ordinance, §1320.04.

Given the development patterns in the area, a neighborhood bar would be in line, so we believe approving the conditional use is warranted. It is unlikely that a small bar will negatively affect the public health or general welfare. Since most of the surrounding uses are commercial, the potential injury to the use and enjoyment of other properties in the immediate vicinity would be low.

This approval does not alleviate Petitioner from other development requirements, such as minimum 50 percent transparency required by code (§1327.02) for commercial uses in the C-1 Neighborhood Commercial zone. The petitioner must also ensure that the required available parking requirements set by zoning code (§1343.A) also be met. If the petitioner cannot meet either the transparency or parking requirements not be met, the petitioner must apply for variances for unmet requirements which must be approved by the Board of Zoning Appeals at a later meeting.

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 25-29 for a **Conditional Use**. 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: _____
Dan Earl, Acting Chair Steve Curry, Planner II

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

BZA 25-30

Petitioner/Property Owner: C. J. Hughes Construction Co. Inc., 97 3rd Ave. W, Huntington,
WV 25704

Subject Property: 112, 118, 124, & 128 Washington Ave., Huntington, WV 25704

In re: A petition for a variance to increase the height of a fence in a C-2 Highway Commercial
District

Individual Speaking on Behalf of Petition: Shawn Hacker, 97 3rd Ave., W, Huntington, WV 25704

ORDER

On November 18, 2025, Mr. Hacker appeared before the City of Huntington Board of Zoning Appeals to provide testimony related to BZA 25-30. Other citizens were permitted to voice their positions as well, per the practice of this Board, and no one provided testimony.

FINDINGS OF FACT

After reviewing all documentary evidence submitted and hearing testimony at the November 18th, 2025 meeting, the Board finds as follows:

1. C.J. Hughes is the petitioner and the property owner.
2. The property is currently zoned C-2 Highway Commercial District.
3. The petitioner bought the properties, and consolidated the parcels in early November of 2025.
4. The petitioner plans to build a 7ft fence around the entire perimeter with two ingress and egress points off of Washington Ave.
5. The petitioner seeks to build a higher fence for safety and prevent theft.
6. The petitioner's future desire for the property is to build an office and have a paved parking area for employees.

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

“The purpose of the C-1 district is to conveniently provide goods and services to the residents of the neighborhoods while maintaining and promoting the sense of community provided by the commercial hub located in the neighborhood.” City of Huntington Ordinance §1329.02. According to §1341.19(C)(2)(a), “Any fence located in the front yard or required front yard, whichever is greater, shall not exceed four feet in height.”

Permitting the fence will permit Petitioner to protect their property and belongings in an area where theft is not uncommon. We are sympathetic to Petitioner’s concern regarding theft in the vicinity of its property and regard it as a condition of the area beyond Petitioner’s control. Permitting a seven-foot fence would help eliminate this hardship, permit Petitioner a reasonable use of the land, allow the intent of the Zoning Ordinance to be observed. Alternatively, however, we are concerned at how a seven-foot fence on the property line next to the sidewalk could have a negative on surrounding property owners and the pedestrian that use the area; therefore, we believe the best way to protect the neighborhood and not negatively affect the public health, safety, or welfare, or the rights of the adjacent property would be to condition approval on an adequate setback of a minimum of seven (7) feet from the property line.

DECISION

WHEREFORE, based upon the findings of fact from the full testimony heard at the hearing and all other documentary evidence presented, the Board **CONDITIONALLY APPROVES** petition BZA 25-30 for a **Variance** on the condition that the fence is installed a minimum of seven (7) feet from the front yard property line.

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: _____
Dan Earl, Chair Katie Parsons, Planner I

Staff Report: A petition for a conditional use to allow for a tattoo parlor in a C-3 Central Business District.

**Legal Ad
BZA 25-31**

Issue: A petition for a conditional use to allow for a tattoo parlor in a C-3 Central Business District.

Petitioner: Kassandra Baker, 400 Riverbend Dr., Ona, WV 25545

Property Owner: Progress LLC, P.O. Box 8, Barboursville, WV 25504

Property Location: 418 8th St., Suite D, Huntington, WV 25701

Introduction

The petitioner, Ms. Baker is applying for a conditional use to allow for a tattoo parlor in a C-3 Central Business District to be able to offer tattoo services.

Existing Conditions / Background

The space the petitioner will be occupying is Suite E, inside of a commercially leased space on 8th street. This space will neighbor and share spaces with other similar personal services/retail businesses located inside the Progress Building. This property sits directly next to the alleyway in between 4th and 5th Avenues on 8th Street. Neighboring properties consist of retail shops, restaurants, government buildings and personal service businesses.

Proposed Conditions

Ms. Baker is currently leasing a 561 square foot suite inside the Progress Building located on 8th street between 4th and 5th

Avenue to perform permanent makeup services on clients. If the proposed conditional use is approved the petitioner will also offer tattoos to clients.

Zoning Ordinance

Per §1320.04, a “tattoo parlor” is only conditionally permitted in a C-3 Business 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 Central Business District. Characteristics of this include:

- 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 8th Street looking east towards 5th Ave.



View of the petitioned property from 8th Street looking west towards 4th Ave.

Staff Comments

Ms. Baker is an established business owner in a neighboring town of the City of Huntington. Ms. Baker would like to expand her business to this municipality and off services such as permanent makeup, which is categorized as “personal services” and tattoo services categorized as “tattoo parlor” per §1315.02 personal services is defined as:

“PERSONAL SERVICE - An establishment that provides a service oriented to personal needs of the general public and which does not involve primarily retail or wholesale sales or service to businesses. Personal services include barber and beauty shops, permanent cosmetics, massage therapy, photography studios, shoe repair shops, household

appliance repair shops, dry cleaning and laundry, and other similar establishments.”

Permanent makeup services which are permitted by right in a C-3 Business District falls into the defined use described above, however per §1315.02, a “tattoo parlor” is defined as:

“TATTOO PARLOR - Any building, room, space or portion thereof that provides services for the creation of an indelible mark, figure, work, or graphic illustration upon a human body by the insertion of pigment under the skin or by the production of scars. For the purposes of the Zoning Ordinance, facilities offering permanent cosmetics shall not be considered Tattoo Parlors.”

Therefore, the petitioner is required to obtain a conditional use permanent for a tattoo parlor to be able to perform any permanent tattooing that is unrelated to cosmetic services.

Staff Recommendation

The location the petitioner is proposing to operate tattoo services, aligns with the future uses in the comprehensive plan. Due to the nature of the surrounding businesses and services offered in the vicinity of this location, staff does not foresee any negative impact on general health, welfare or enjoyment of others. Off-street parking is offered throughout the area, and adequate ingress and egress would be maintained with the addition of this new business. Staff recommends approval of this conditional use.

Summary / Findings of Fact

1. Cassandra Baker is the petitioner.
2. Progress, LLC is the property owner.

3. This property is currently zoned C-3 Central Business District.

4. Future Land Use Map designates this area as Central Business District.

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: Kassandra Baker Phone: 304-942-6833
Mailing Address (city, state, zip): 400 Riverbend Dr. Ona, WV 25505
Email: Kassiedc@yahoo.com
Property Owner (if applicable): Justin Randolph Progress, LLC Phone: 304-389-1372
Mailing Address (city, state, zip): PO Box 8 Barboursville WV 25504

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

418 8th Street Huntington, WV 25701 BLK 95 PT LT 1-2-3
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 DU to allow the following:

to allow a tattoo parlor in a C3 district.

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 NOV 18, 25.
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, Dec 16, 25 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.

Kassandra Baker
Signature of Applicant

11-13-25
Date

[Signature]
Signature of Property Owner

11/13/25
Date

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

For office use only	
Received:	Project Name:
<u>11/13/2025</u>	<u>BZA 25-31</u>



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):

Business that would be located in the central business district that would "mesh" well with existing businesses/future businesses.

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

No negative effect. My business will offer clean, safe and sanitary services.

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

No negative effect. In our shared space I hope to work together with local businesses for advertising for all.

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

~~Location of the building is in a central business district and is a good fit for the area.~~
No negative effect.

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

I am in a suite inside the Progress building. These issues have already been established.

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

There is paid on street parking and a parking garage across the street. This is a shared space.



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 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 1341.41

Brief description of the requirement:

Location shall be 250ft from residential zone.

How will the requirement be met:

my site is more than 250ft from a residential zone.

Article 1341.41

Brief description of the requirement:

Health Department Permit

How will the requirement be met:

I will pay all fees required and meet all standards/rules for a tattoo permit.

Article _____

Brief description of the requirement:

How will the requirement be met:

Article _____

Brief description of the requirement:

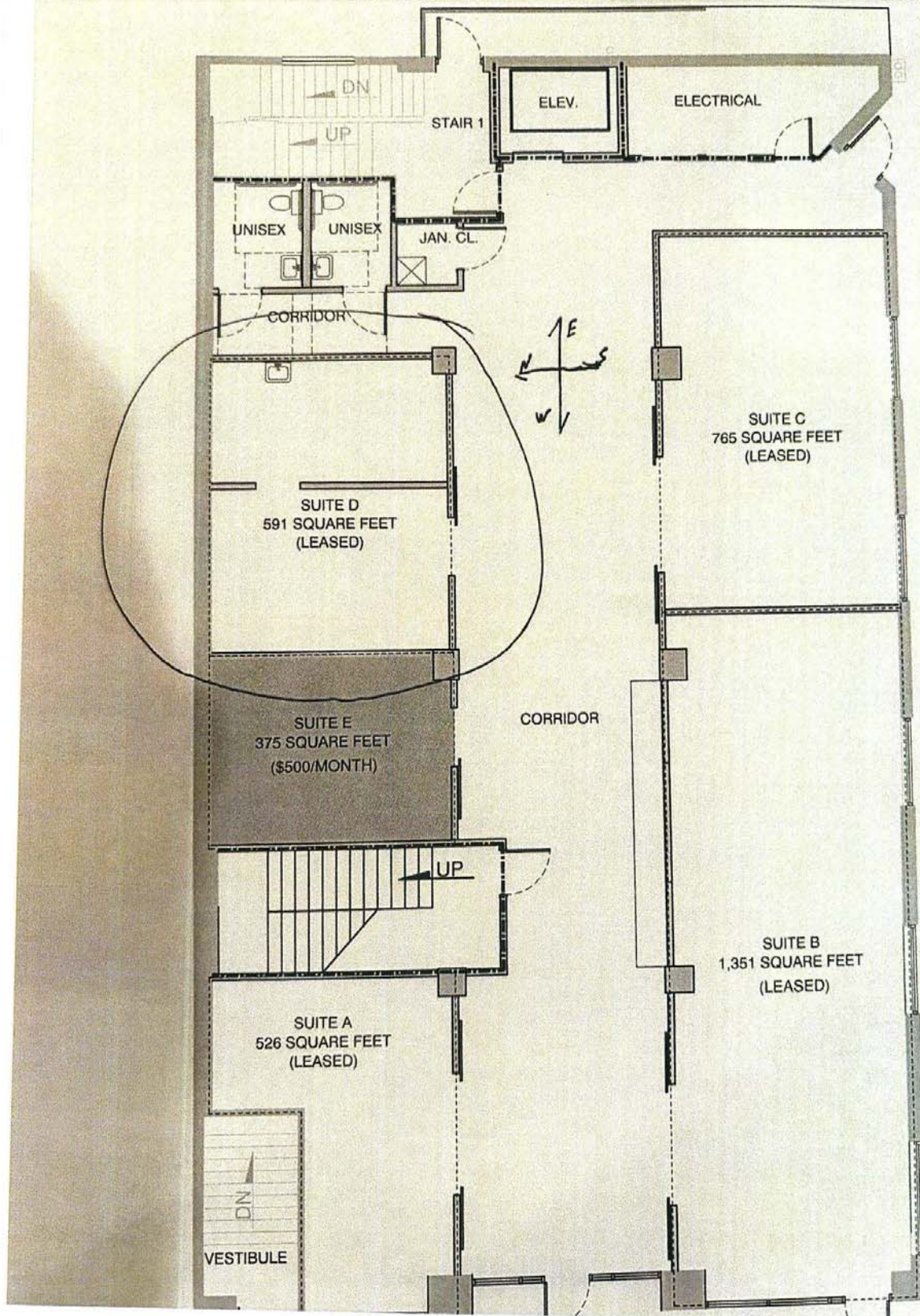
How will the requirement be met:

Article _____

Brief description of the requirement:

How will the requirement be met:

ibit C



Aerial Map



418 8th St., Suite D

Cabell County Tax District 5, Map 17, Parcel 241

BZA 25-31

A petition for a conditional use for a tattoo parlor in a C-3 Central Business District.



Zoning Map

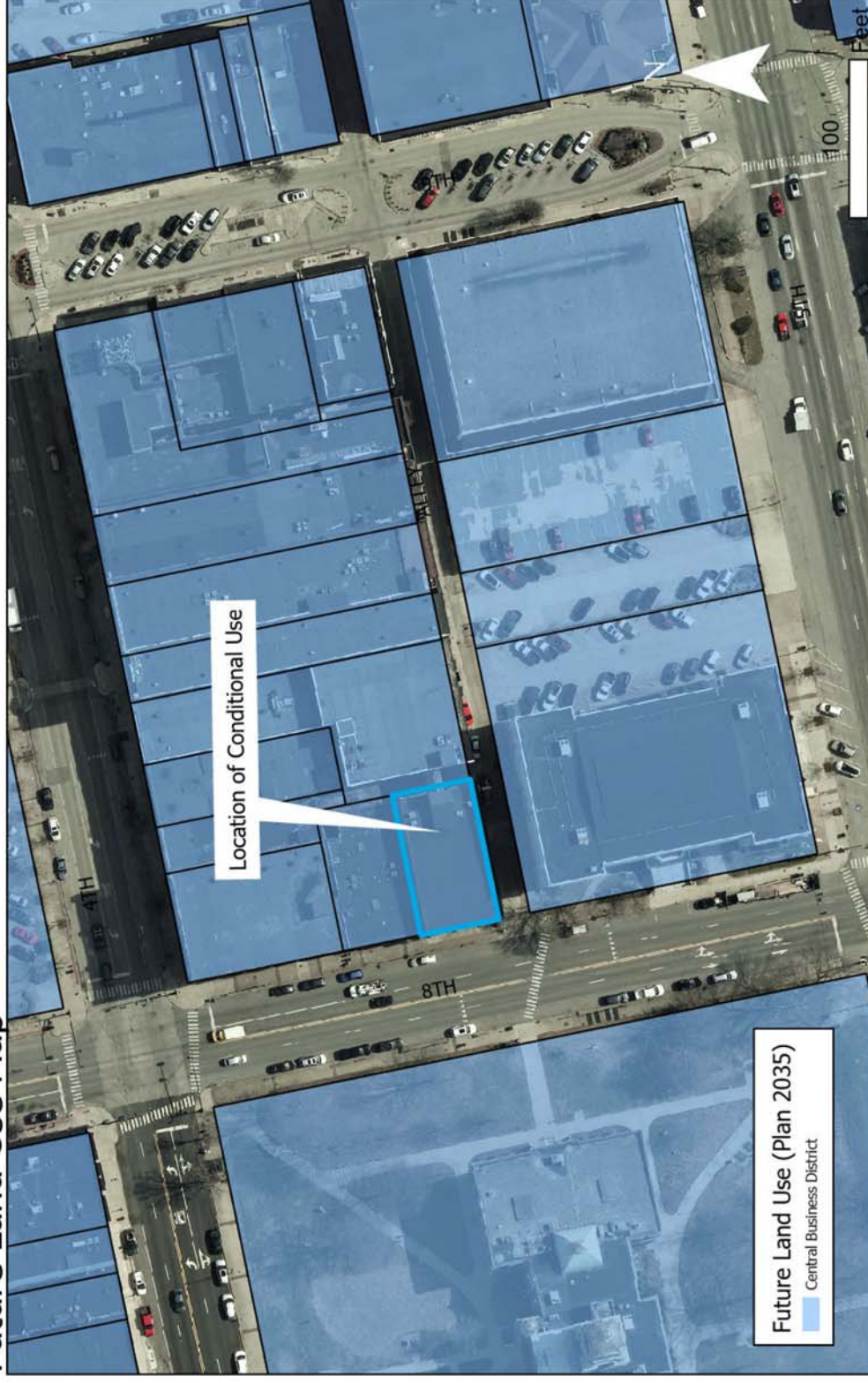


418 8th St., Suite D
Cabell County Tax District 5, Map 17, Parcel 241
BZA 25-31

A petition for a conditional use for a tattoo parlor in a C-3 Central Business District.



Future Land Use Map



418 8th St., Suite D
Cabell County Tax District 5, Map 17, Parcel 241
BZA 25-31
A petition for a conditional use for a tattoo parlor in a C-3 Central Business District.



Staff Report: A petition for a variance to allow for a second driveway in an R-2 Single-family Residential District.

**Legal Ad
BZA 25-32**

Issue: A petition for a variance to allow for a second driveway in an R-2 Single-family Residential District.

Petitioner: J.D. Maynard, 4333 Waverly Rd.,
Huntington, WV 25704

Property Owner: Randall Wiles, 3501
Brandon Rd., Huntington, WV 25704

Property Location: 3501 & 3509 Brandon
Rd., Huntington, WV 25704

Introduction

J.D. Maynard of DjM Architects, is petitioning on behalf of Randall Wiles to allow for a second driveway to be located on his property.

Existing Conditions / Background

The property owner, Mr. Wiles has lived at his address 3501 Brandon Road since 1988. He purchased the neighboring property 3509 Brandon Road in 2003, and the property was occupied by a tenant for many years, but is now vacant. Mr. Wiles was seen before the Board of Zoning Appeals on June 17th, 2025 regarding a petition for a variance to increase the height of an accessory structure in an R-2 Single-family Residential District. This variance was approved, and Mr. Wiles consulted with Mr. Maynard to design his approved garage, and property changes.

Proposed Conditions

If the variance for the driveway is approved Mr. Wiles will consolidate the two parcels and demolish the house currently sitting on

3509 Brandon Road and move forward with his approved design regarding his garage and driveway.

Zoning Ordinance

Per §1343.08(D)(1) "For any principal use that is residential only, there may only be one driveway, which must be a single-lane driveway..."

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 Traditional Residential, which is characterized by:

- Medium density
- Smaller lots with grid streets where parking primarily enters from the alley

- Sidewalks throughout
- Residential density per acre increases near transitions
- Primarily single-family
- Commercial uses are sparse and with conditions
- New development is incremental and designed to infill into the prevailing architectural standards of the district

Pictures



View of petitioned property looking southwest from Brandon Road



View of petitioned property looking south from Brandon Road



View of petitioned property looking southeast from Brandon Road

Staff Comments

In an R-2 Single-family Residential District, only a single 12' wide driveway lane is permitted. Mr. Wiles currently has a shared driveway between the two properties in question. In June after the petitioner's variance request for an increase in his proposed garage height was approved, Mr. Wiles began consulting with Mr. Maynard of DjM Architects to designs the addition and changes to his property. Due to the size of the RV and the current nature of the property, a design including a separate secondary driveway leading straight to the proposed garage was created.

Staff Recommendation

The petitioner already has a variance approved for the height of the garage, and will not move forward with construction if this petition is not granted as well.

Due to the nature of how a variance is determined, staff maintains a neutral position on Mr. Wile's request.

Summary / Findings of Fact

1. Randall Wiles is the petitioner and the property owner.

2. The property is currently zoned R-2 Single-family Residential.
3. The petitioner received a variance in relation to this current petition in June of 2025
4. The Future Land Use Map has this designated as Traditional Residential.

Attachments

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



PLANNING & ZONING

City of Huntington
Planning & Zoning
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(304) 696-5540, option 3
planningdept@huntingtonwv.gov

Variance of Zoning Regulations Application

Applicant Name: J.P. MAYNARD Phone: 304-617-1124
Mailing Address (city, state, zip): 4333 WAVERLY ROAD HUNTINGTON, WV 25704
Email: jdmaynard@djmarchitecture.com
Property Owner (if applicable): RANDY WILES Phone: 304-939-1950
Mailing Address (city, state, zip): 3501 BRANDON ROAD HUNTINGTON, WV 25704

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

6-3-281

Variance request pursuant to:

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

SECTION 1343.08 D

Description of the variance being requested:

1. FOR ANY PRINCIPAL USE THAT IS RESIDENTIAL ONLY, THERE MAY ONLY BE ONE DRIVEWAY, WHICH MUST BE A SINGLE-LANE DRIVEWAY.
VARIANCE FOR ADDITIONAL (OR SECOND LANE) DRIVEWAY

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: _____



PLANNING & ZONING

City of Huntington
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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 PROPERTY PREVIOUSLY WAS TWO DIFFERENT PARCELS, SO TWO DRIVEWAYS IS TYPICAL FOR TWO PARCELS WITHIN THE NEIGHBORHOOD.

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):

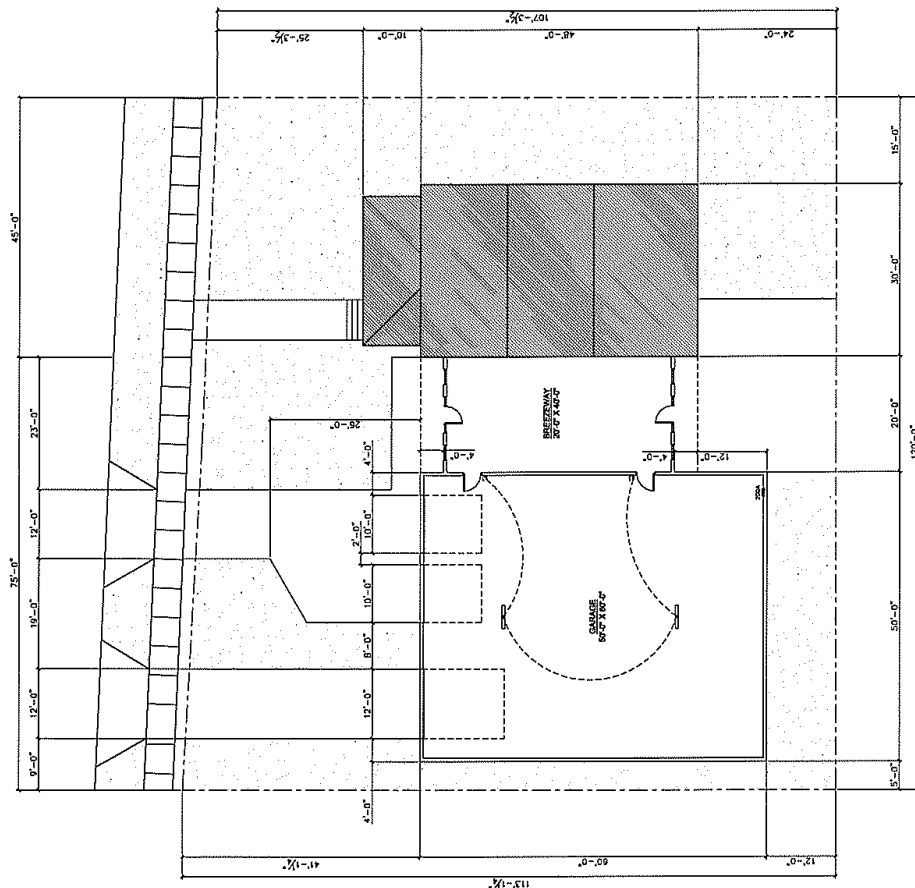
(EXISTING)
THE SINGLE SHARED DRIVEWAY OF TWO PARCELS IS NOT CONDUCTIVE TO A GARAGE ADDITION OR USE OF THE LAND AS ONE PARCEL.

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

THE GARAGE HAS THREE GARAGE DOORS AND THE VARIANCE WOULD ALLOW A MORE EFFICIENT AND REASONABLE USE OF THE SITE.

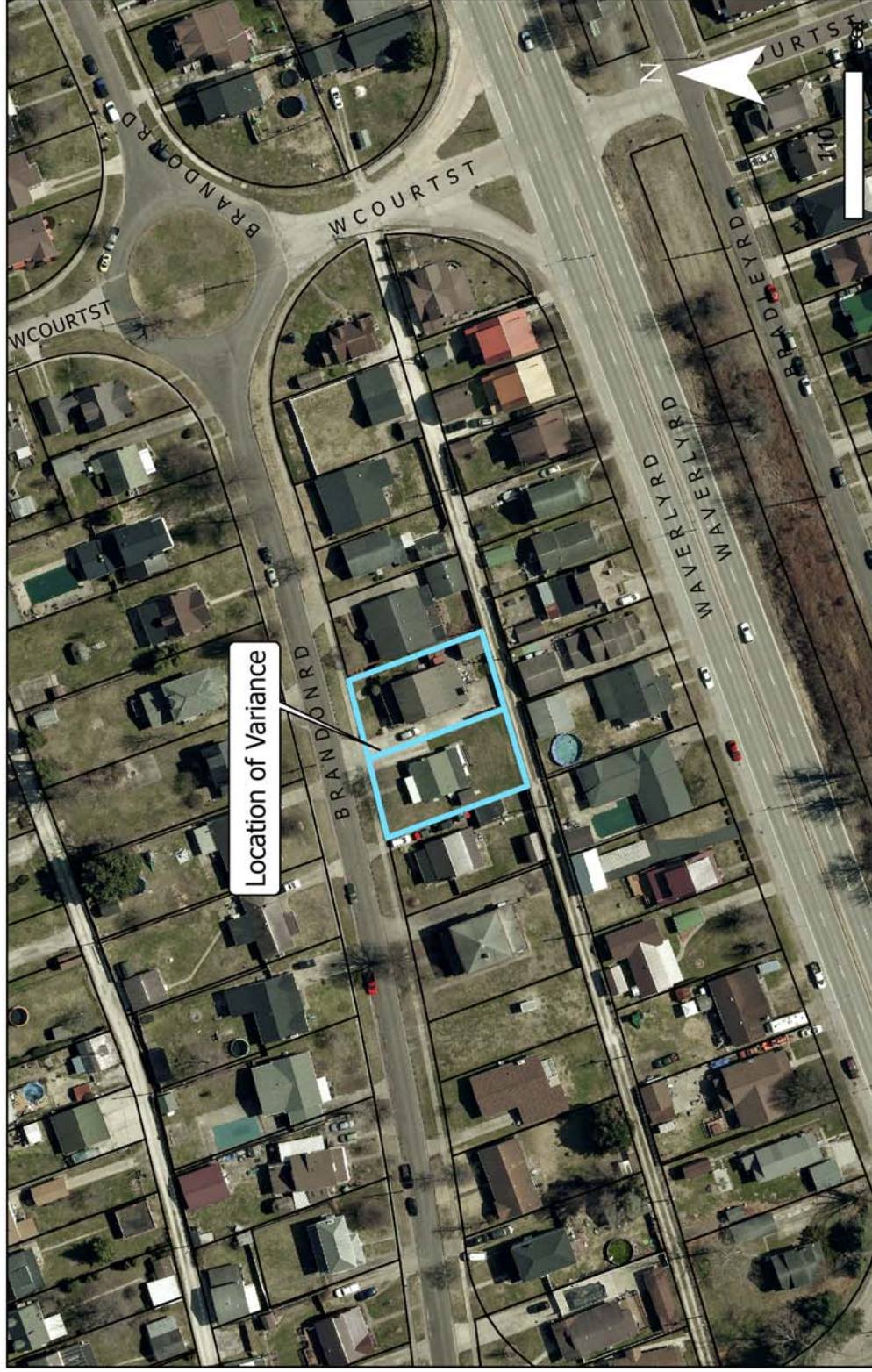
4. How would an approval of the Variance allow for the intent of the Zoning Ordinance to be observed and substantial justice done:

TWO SEPERATE DRIVEWAYS PERMITS AN INCREASED AREA OF GRASS IN FRONT YARD VERSUS LARGER PAVED APRON AREA



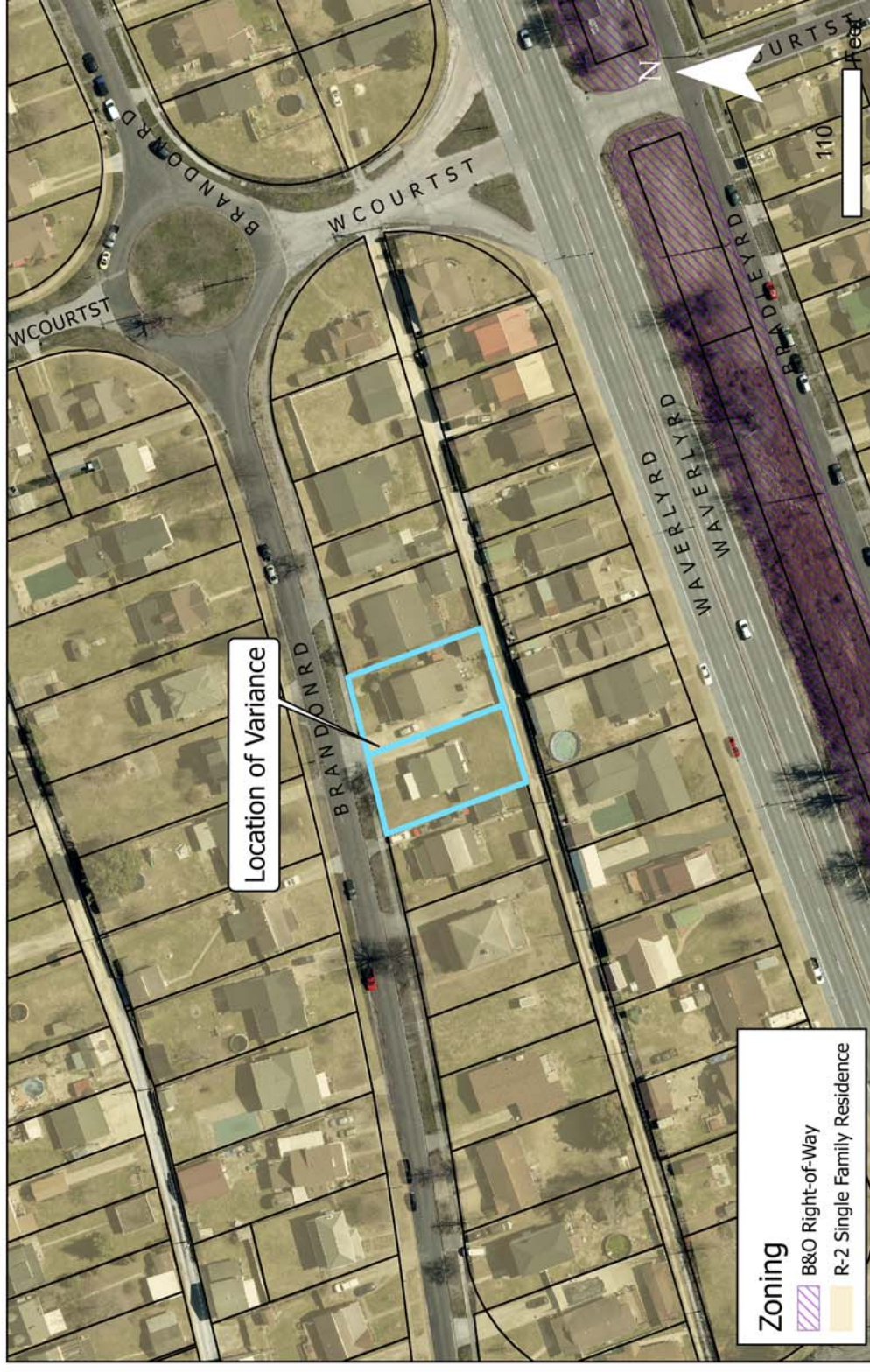
1 SITE PLAN
A1 1" = 1'-0"

Aerial Map



3501 and 3509 Brandon Road
Wayne County Tax District 6, Map 3
Parcel 279 and Parcel 280
BZA 25-32
A petition for a variance to allow for a second driveway in an R-2 Single-family Residential District.

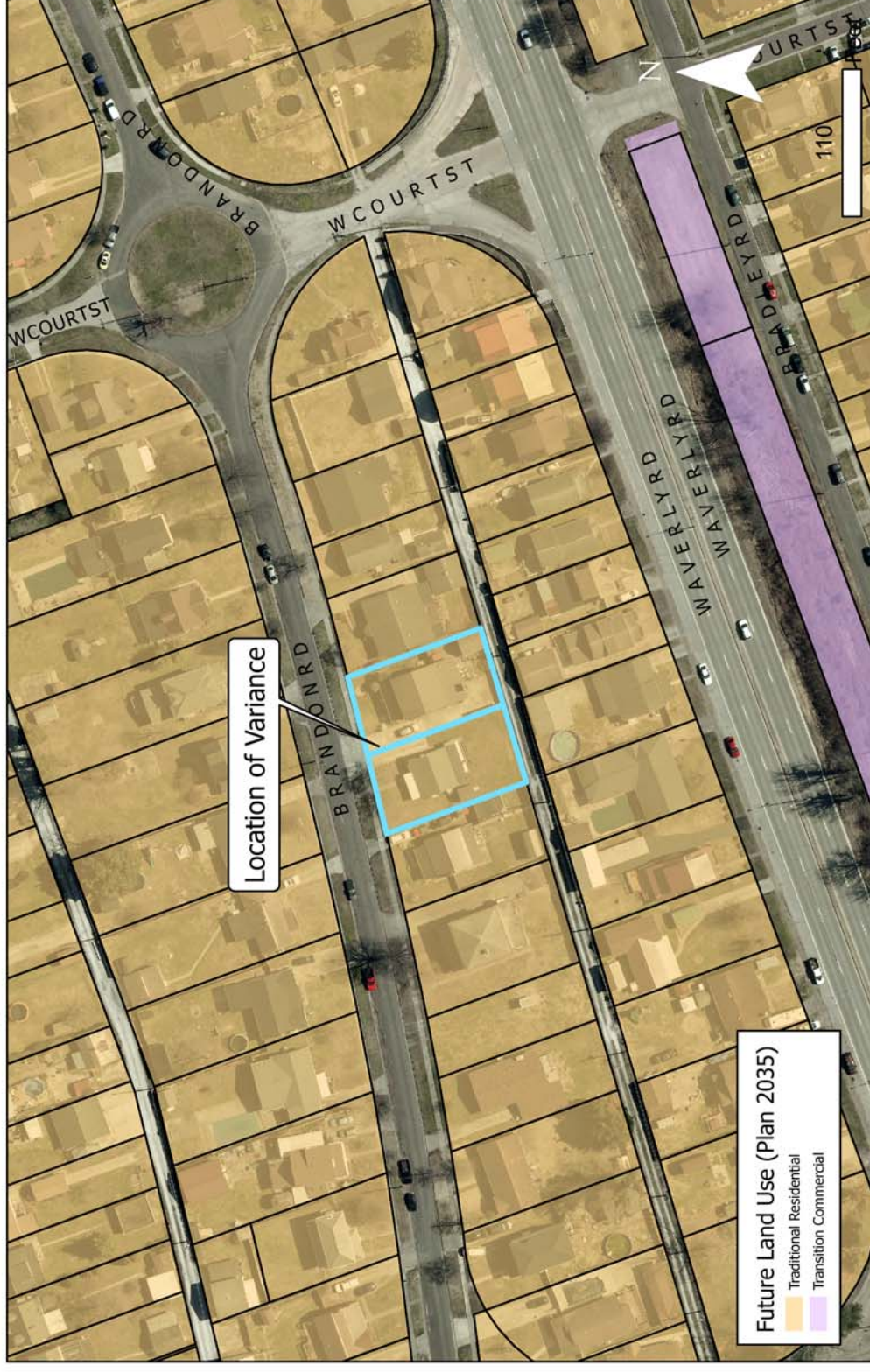
Zoning Map



3501 and 3509 Brandon Road
Wayne County Tax District 6, Map 3
Parcel 279 and Parcel 280
BZA 25-32
A petition for a variance to allow for a second driveway in an R-2 Single-family Residential District.



Future Land Use Map



3501 and 3509 Brandon Road
Wayne County Tax District 6, Map 3
Parcel 279 and Parcel 280
BZA 25-32
A petition for a variance to allow for a second driveway in an R-2 Single-family Residential 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 25-33**

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

Petitioner: Everett Station LLC, AU Associates, 159 Old Georgetown St., Lexington, KY 40508

Property Owner: Tiger LLC, 1216 7th Ave., Huntington, WV 25701

Property Location: Cabell County Tax District 5, Map 23, Parcel 324. This parcel is located at the end of Everett Street, and sits between 8th Avenue and 9th Avenue, adjacent the railroad.

Introduction

AU Associates is a Lexington, Kentucky–based real estate development firm. The developer has constructed five affordable, income-based apartment communities within the State of West Virginia and is now seeking to develop a new multi-family residential project on a large parcel in the Guyandotte neighborhood. The proposed development is intended to expand affordable housing options for residents of the City of Huntington and support ongoing community revitalization efforts.

Existing Conditions / Background

The subject property consists of a 2.23-acre parcel located at the terminus of Everett Street between 8th and 9th Avenues in the Guyandotte neighborhood. The site has remained largely vacant and undeveloped for

many years. Historical records indicate the parcel was owned by Neighborgall Construction from 1980 until its sale to Tiger LLC in 2012. Existing uses on the property include a large storage building situated along the southern portion of the site, as well as a substantial privacy fence that follows the property boundaries. The surrounding area is predominantly residential in character, with a railroad line running adjacent to the eastern edge of the parcel.

Proposed Conditions

If the conditional use is approved, AU Associates will develop (two) two-story buildings that in total will contain 32 separate units. The developer also wishes to extend Everett Street to complete the connection from 8th Avenue to 9th Avenue.

Zoning Ordinance

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

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 Light Industrial and Commercial. Characteristics of this district 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

Pictures



View of petitioned property from 8th Ave, looking south towards Everett Street.



View of the petitioned property from 9th Ave, looking north towards the parcel.



View of petitioned property from the corner of 9th Ave and Nickel Plate Rd looking northwest.



View of the petitioned property from Everett Street looking South towards the railroad.



View of the petitioned property from the edge of the parcel along 8th Ave looking southeast towards the dead end of Everett Street.

Staff Comments

The proposed development is consistent with the goals and objectives of the City of Huntington's Comprehensive Plan, which encourages a variety of residential housing types and supports infill development on underutilized properties. Staff does not anticipate that the proposed use will negatively impact public health, safety, morals, or general welfare. The surrounding area is characterized primarily by single-family residential uses, with approximately eight residential properties located directly adjacent to or across from the subject parcel. Staff does not expect the proposed multi-family development to impair the use or enjoyment of nearby permitted uses.

The developer intends to improve the existing vacant parcel by constructing a new multi-family residential complex. Staff notes that temporary disruptions to the normal and orderly function of Everett Street residents may occur during the construction phase. However, these impacts are typical of development and are expected to be temporary. The project includes the extension of Everett Street and the intended development of off-street parking to serve the

future residents. These improvements will enhance ingress and egress for the area and are anticipated to reduce traffic on Everett Street upon project completion.

Staff Recommendation

After reviewing the submitted site plan, applicable development requirements for multi-family residential use, and after direct consultation with the developer, Staff recommends approval of the requested conditional use permit.

Summary / Findings of Fact

1. Everett Station LLC, AU Associates is the petitioner
2. Tiger LLC is the property owner
3. The parcel is currently zoned I-1 Light Industrial/Commercial
4. The developer/petitioner intends to build (2) multi-family buildings, as well as connect Everett Street between 8th and 9th Ave.
5. The Future Land Use Map designates this area as Light Industrial and Commercial

Attachments

- Application
- Site Plan
- 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: Everett Station LLC **Phone:** 859.233.2009

Mailing Address (city, state, zip): 159 Old Georgetown Street

Email: Vinny@auassociates.com

Property Owner (if applicable): Tiger LLC **Phone:** 859.233.2009

Mailing Address (city, state, zip): 1216 7th Ave Huntington, WV 25701

Please list the Location (address) and Description (Tax Map Number, Parcel, and Lot,):
Everett Street - BLK C 2.197 AC SO LD ADN (Tax Map 23, Parcel 324,

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 to allow the following:
Multi-Family Dwellings

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 11/24/25.
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, January 5th** 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 of Applicant



Signature of Property Owner

Date

11/24/2025
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

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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):**
This area allows for residential uses therefore is appropriate with the comprehensive plan.

2. **Effect upon public health, safety, and general welfare:**
There are no adverse effects on public health, safety, or welfare as the intent is to create more affordable housing and increase public use of an otherwise vacant parcel

3. **Effect upon the use and enjoyment of other property in the immediate vicinity for the purposes already permitted:**
There are no negative effects of enjoyment of properties in the vicinity as we are proposing to add more residential units to an existing residential neighborhood.

4. **Effect upon the normal and orderly development and improvement of the surrounding properties for uses already permitted in the district:**
This is a residential area and there should be no effect on the development of surrounding properties.

5. **Have adequate provisions for utilities, access roads, drainage, and other facilities been provided for:**
Yes, we are working with our engineer, Terradon, who has assured us that all of these items are addressed.

6. **Has adequate ingress and egress been designed to minimize traffic congestion on the public street:**
Yes, our engineer has developed a plan for adequate ingress and egress into the site. The intention is to extend Everett Street and provide a connection from 8th ave to 9th ave. Also, we will provide two small parking lots for our residents at or above the city requirements for parking spaces.



PLANNING & ZONING

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planningdept@huntingtonwv.gov

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

Brief description of the requirement:

Conditional use for multi-family dwellings in a light industrial zone.

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 _____

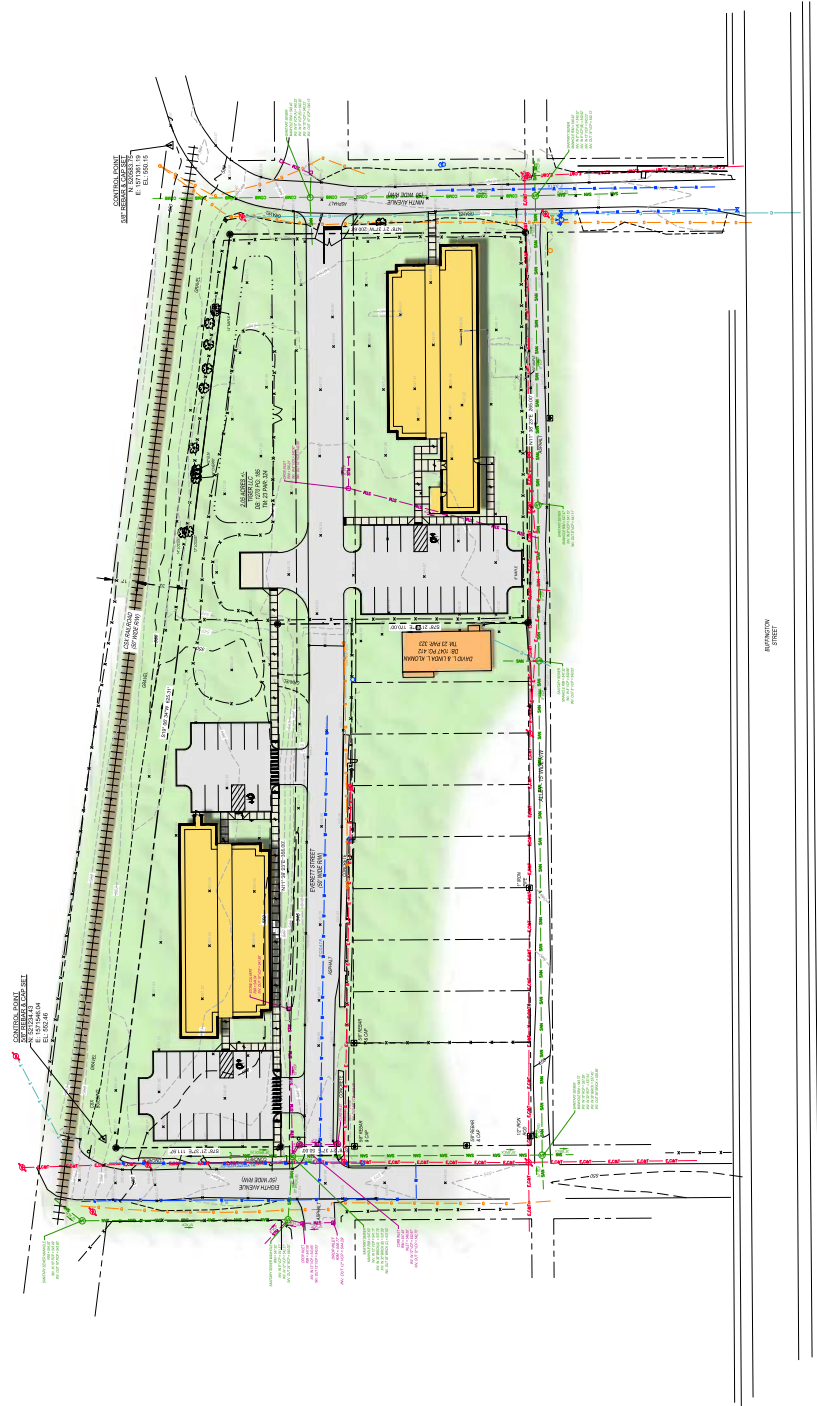
Brief description of the requirement:

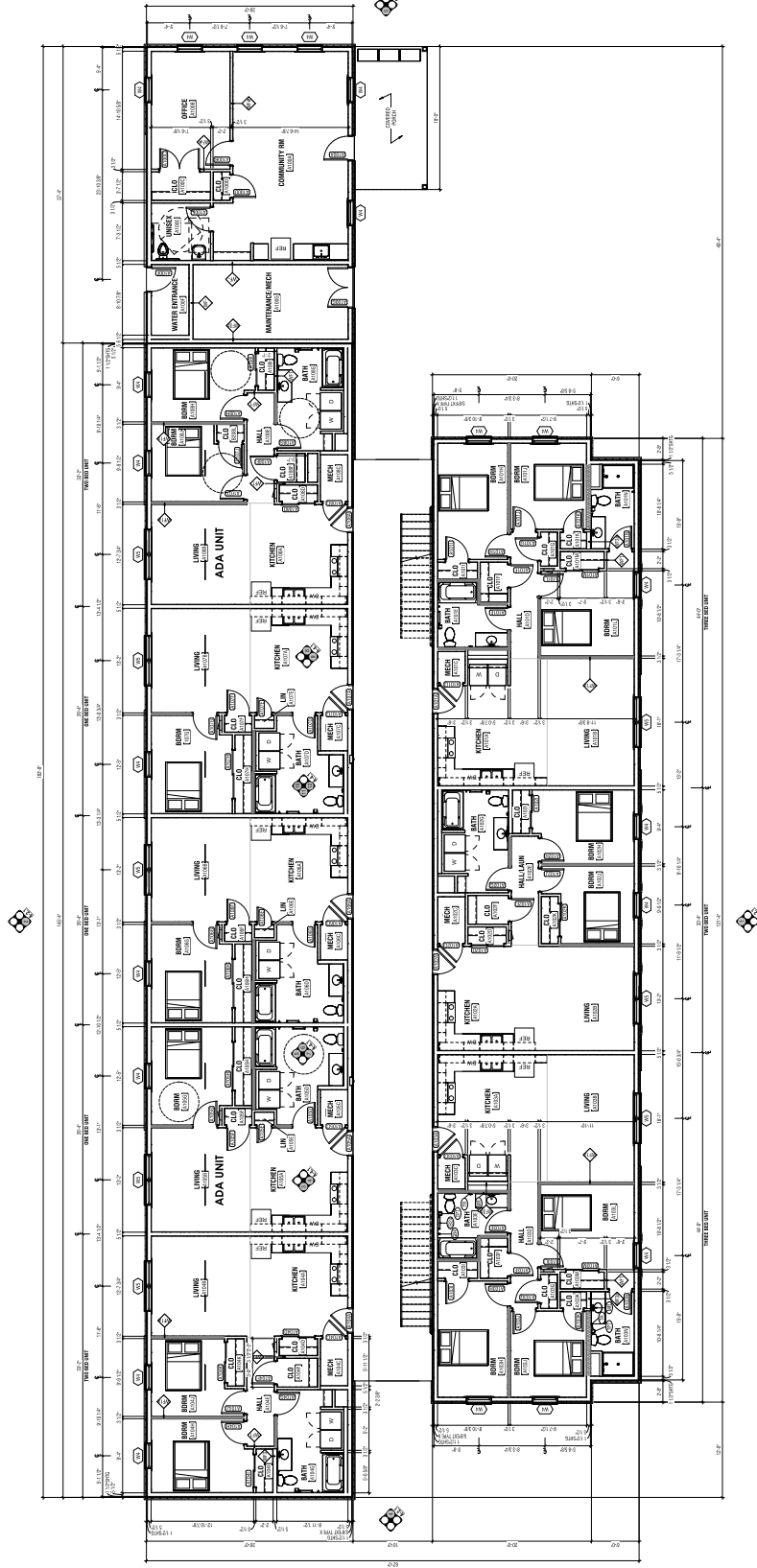
How will the requirement be met:

Article _____

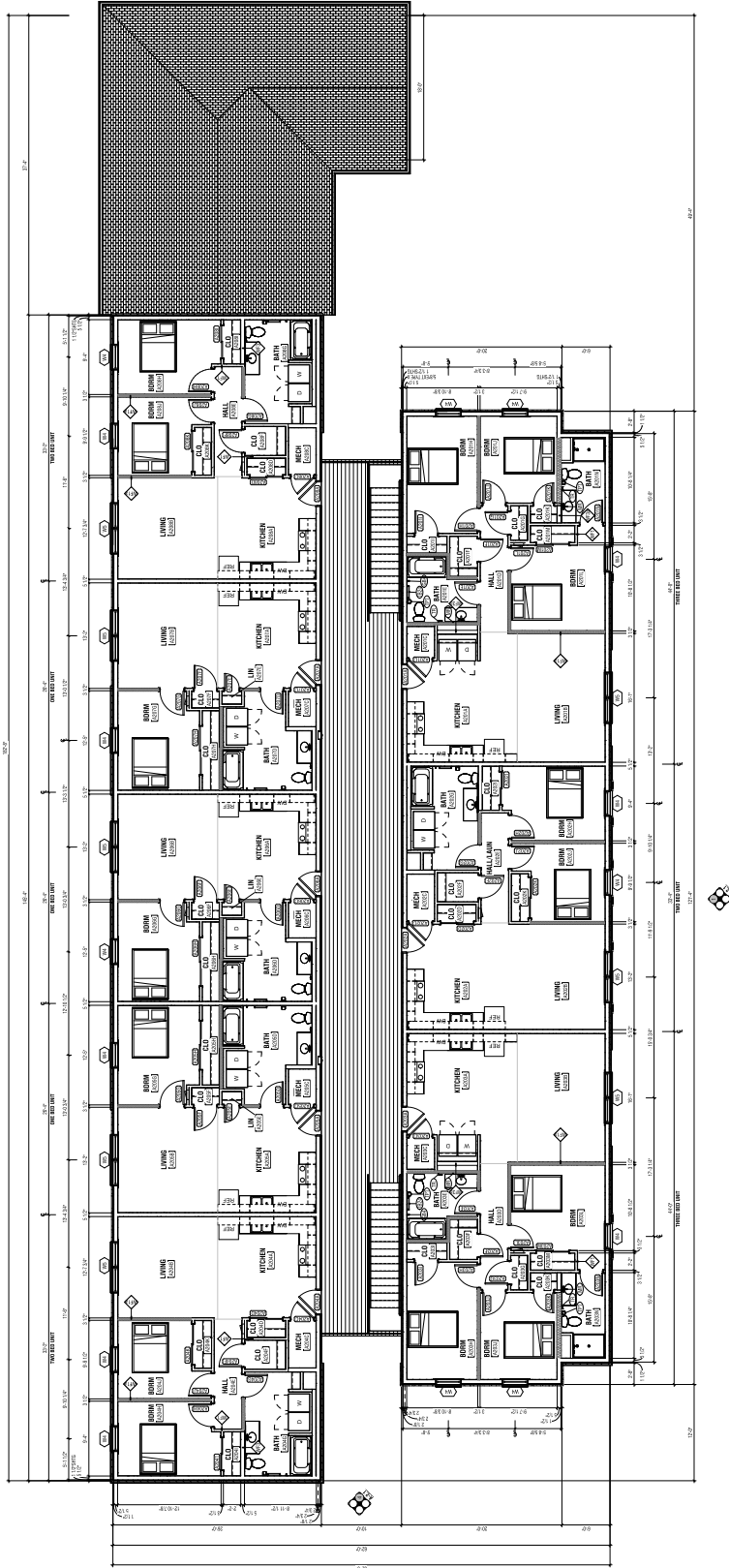
Brief description of the requirement:

How will the requirement be met:

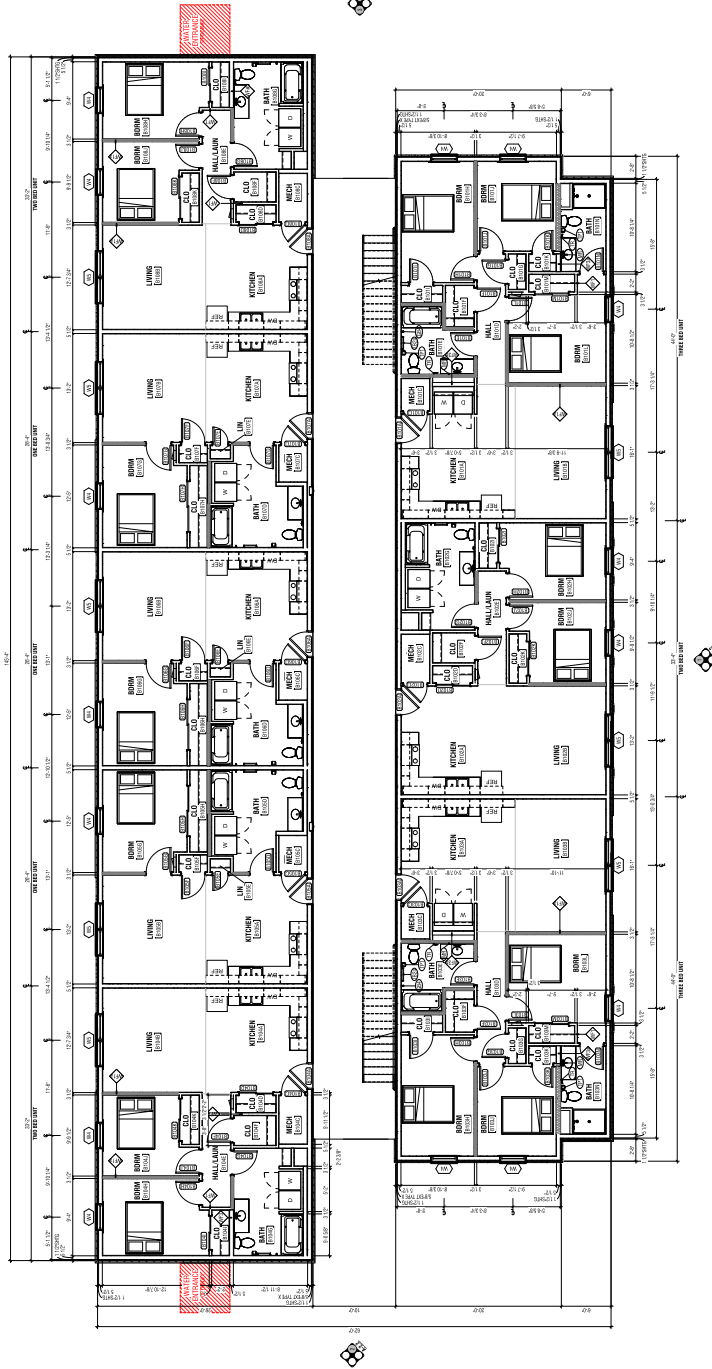


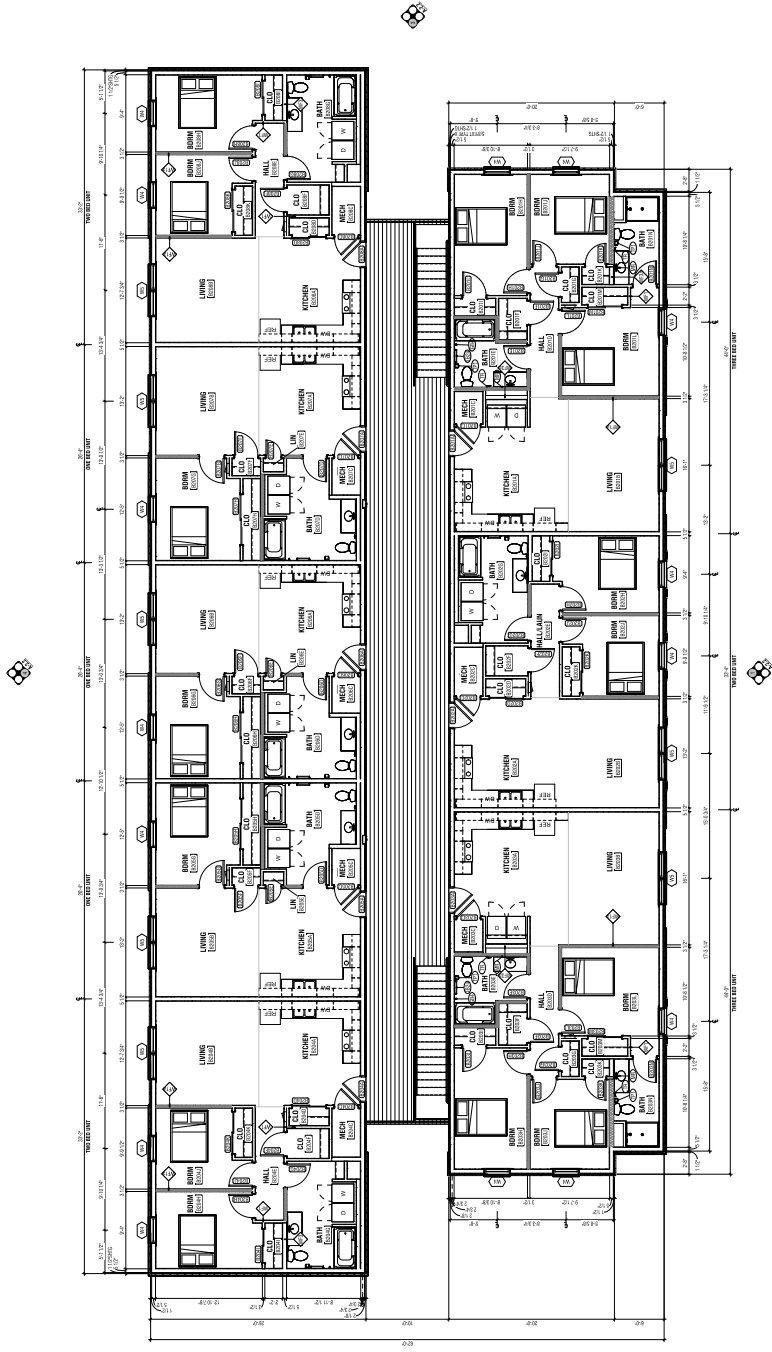


01 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



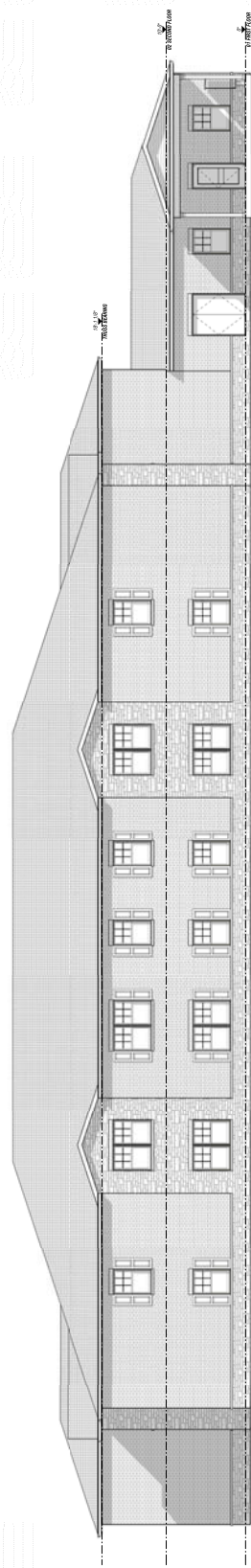
1 BUILDING A - SECOND FLOOR
 SCALE: 1/8" = 1'-0" SHEET A-1.2



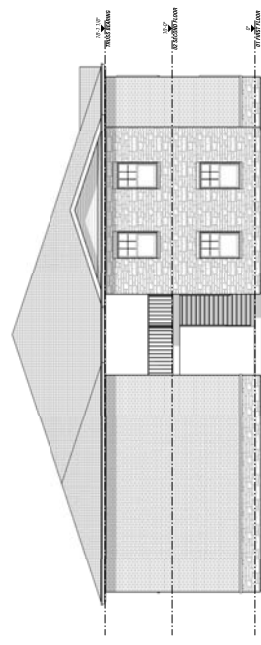


1 BUILDING B - SECOND FLOOR
SCALE: 3/16" = 1'-0" SHEET: A-1.4

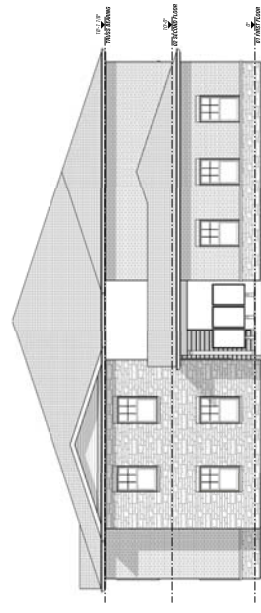
NOT FOR
CONSTRUCTION
12/01/2023
REVISED



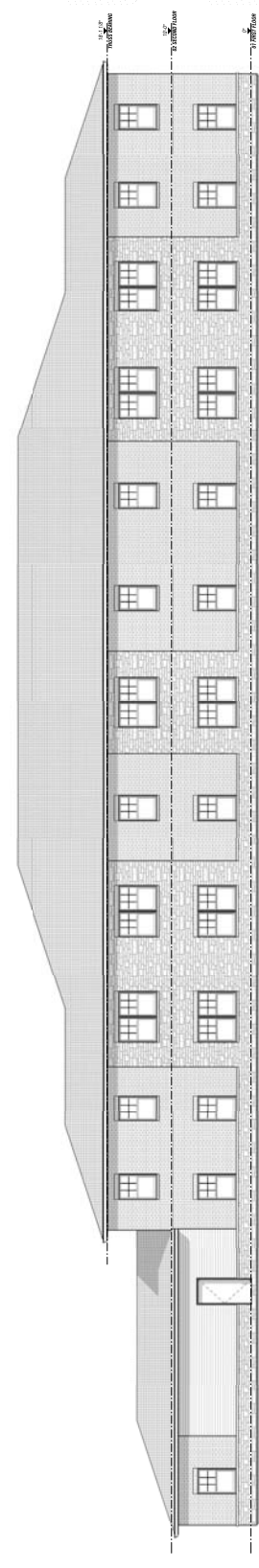
1 EXTERIOR ELEVATION - SOUTH
SCALE: 3/8" = 1'-0" SHEET A-2.1



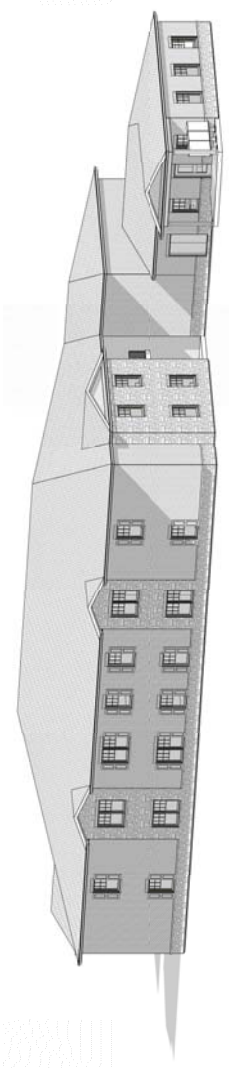
4 EXTERIOR ELEVATION - WEST
SCALE: 3/8" = 1'-0" SHEET A-2.1



5 EXTERIOR ELEVATION - EAST
SCALE: 3/8" = 1'-0" SHEET A-2.1



2 EXTERIOR ELEVATION - NORTH
SCALE: 3/8" = 1'-0" SHEET A-2.1



3 SE ISOMETRIC
SCALE: 3/8" = 1'-0" SHEET A-2.1

EVERETT STATION APARTMENTS
Enter address here
BUILDING A - ELEVATIONS/3D

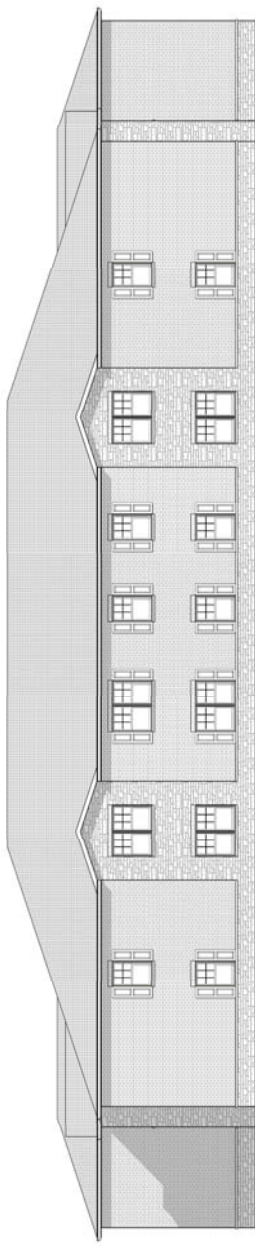
NOT FOR
CONSTRUCTION
5/20/2023
EVERETT STATION

EVERETT STATION APARTMENTS
Enter address here
BUILDING B - ELEVATIONS/3D

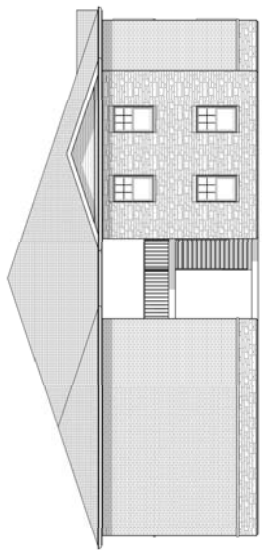


OMNI
ARCHITECTS

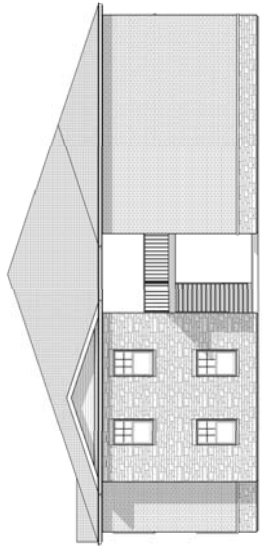
A-2.2
Architectural Drawings
5/20/2023
Project: Everett Station Apartments
Sheet: A-2.2



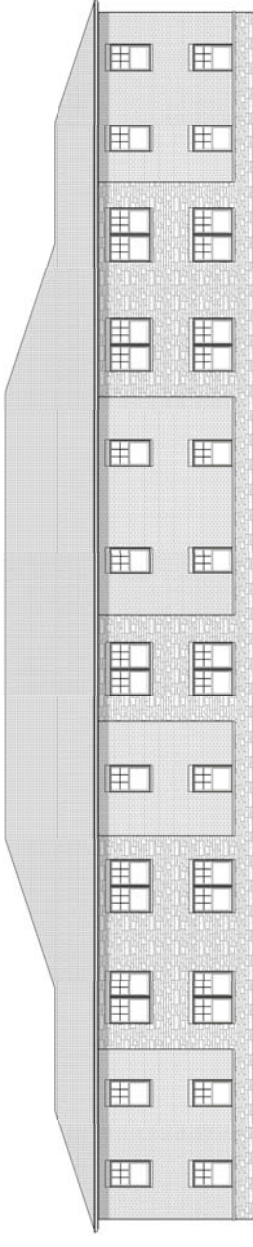
1 EXTERIOR ELEVATION - SOUTH1
SCALE: 3/16" = 1'-0" SHEET A-2.2



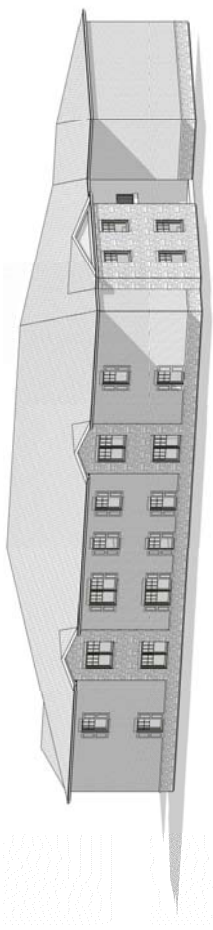
2 EXTERIOR ELEVATION - WEST2
SCALE: 3/16" = 1'-0" SHEET A-2.2



3 EXTERIOR ELEVATION - EAST 3
SCALE: 3/16" = 1'-0" SHEET A-2.2

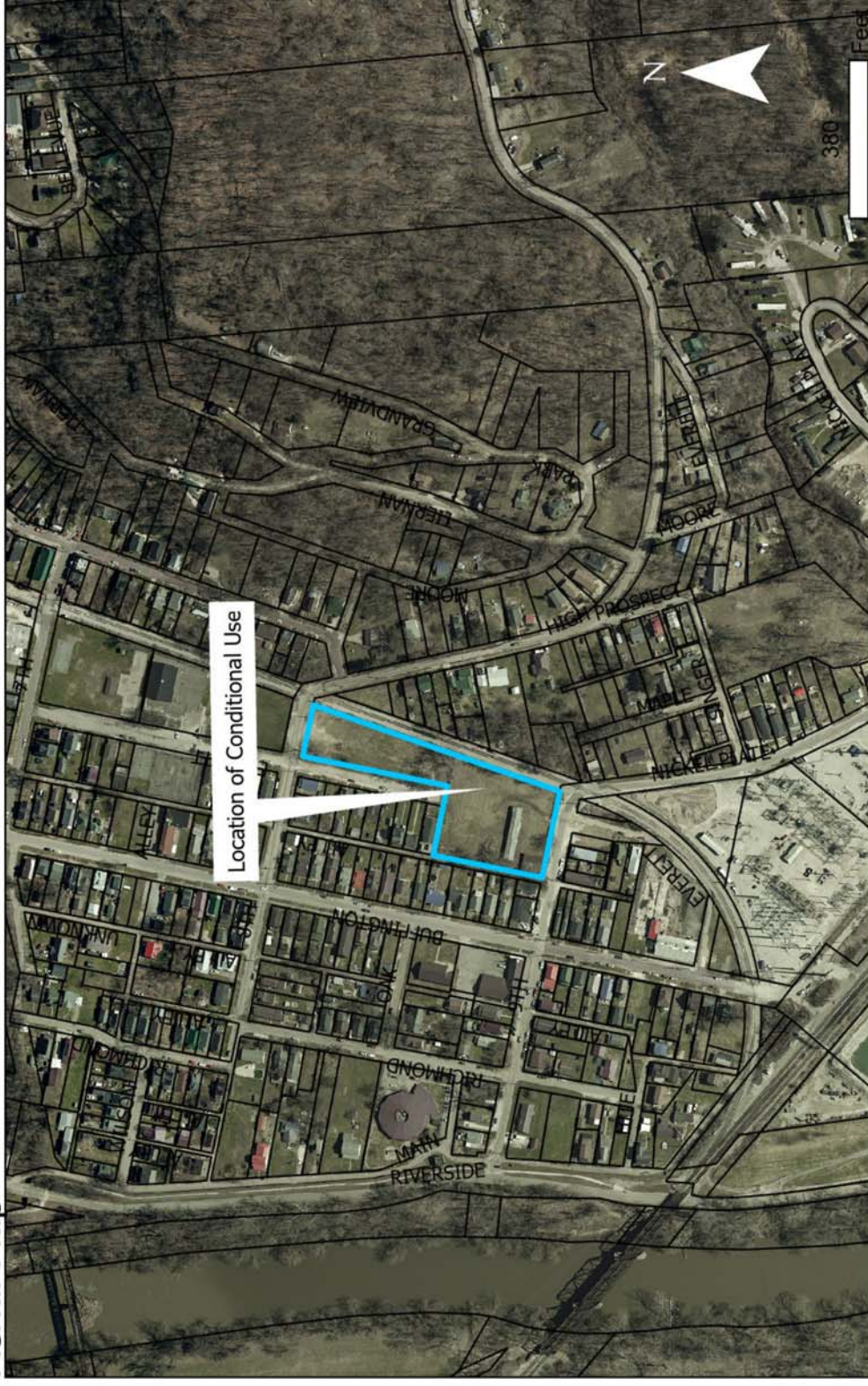


4 EXTERIOR ELEVATION - NORTH4
SCALE: 3/16" = 1'-0" SHEET A-2.2



5 SE ISOMETRIC Copy 1
SCALE: SHEET A-2.2

Aerial Map



Everett Street

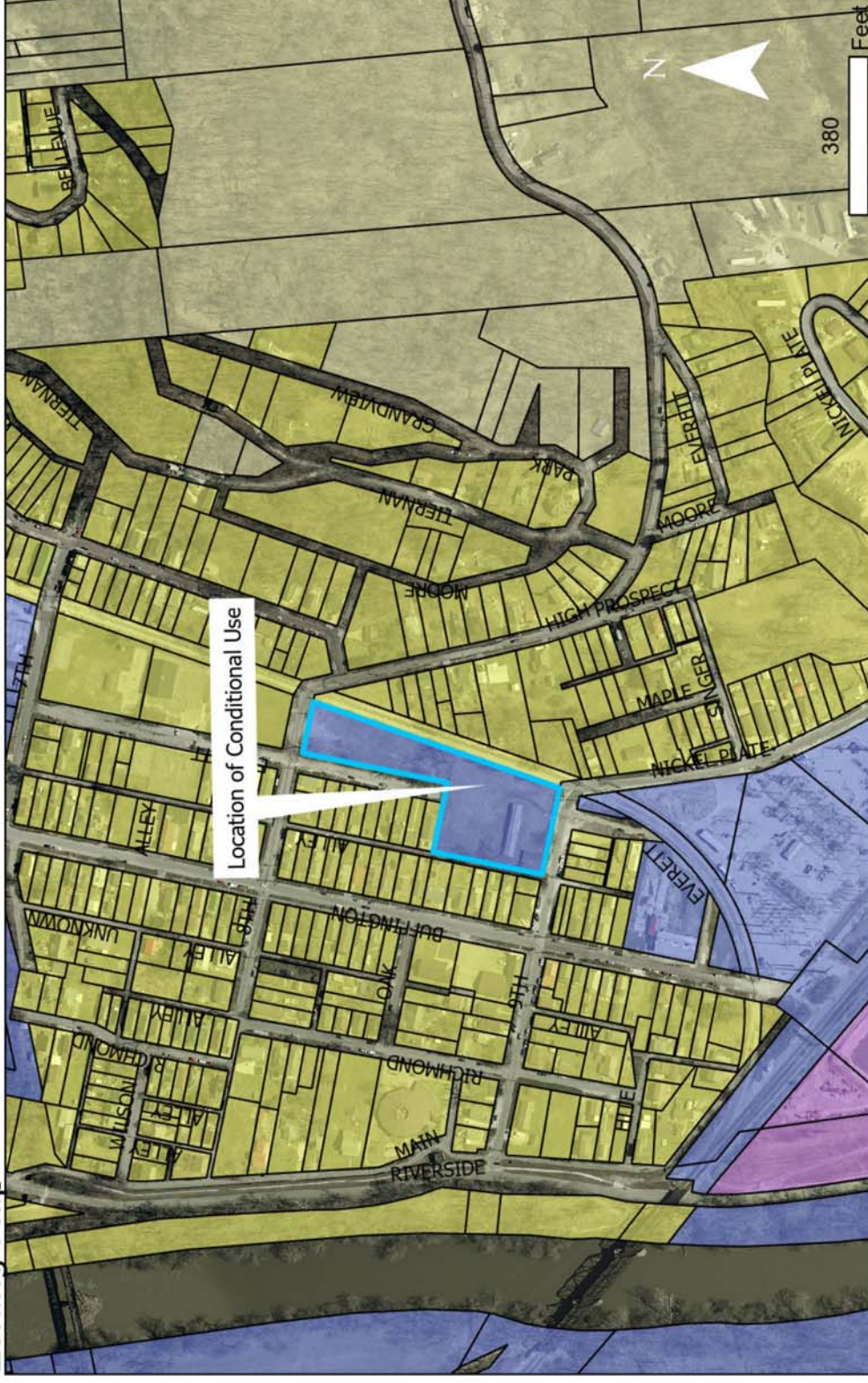
Cabell County Tax District 5, Map 23, Parcel 324

BZA 25-33

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



Zoning Map



Everett Street
 Cabell County Tax District 5, Map 23, Parcel 324
 BZA 25-33

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



[illegible]

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

Staff Report: A petition for a variance to exceed the maximum permitted height of 25 ft. for free-standing lights by 5 ft.

Legal Ad

BZA 25-34

A petition for a variance to exceed the maximum permitted height of 25 ft. for free-standing lights by 5 ft.

Petitioner: Robertson Loia Roof, 3460 Preston Ridge Rd., Suite 275, Alpharetta, GA 30005

Property Owners: Huntington Municipal Development Authority, 800 5th Ave., Huntington, WV 25701 and Marshall University Board of Governors, 1 John Marshall Dr., Huntington, WV 25755

Property Location: Between 3rd and 5th Avenues at 24th St.

Introduction

The petitioner is requesting a variance to increase the height of free-standing lights in their proposed parking lot from the maximum of 25 ft.

Background

This property has been part of several community planning efforts to determine future redevelopment possibilities in line with the Comprehensive Plan. Great care has been taken to support development with the restrictions that arise from prior heavy industrial use on this property.

Existing Conditions

The property is currently vacant land and is known as the historical site of the American Car Foundry business. It sits between the eastbound and westbound lanes of US Route 60, a main thoroughfare, which is heavily traveled by both private and commercial traffic. The property is adjacent to the west by Marshall University's sports complex and football stadium, to the north by property in redevelopment, and to the south and east by C-2 Highway Commercial and I-1 Light Industrial and Commercial zoned properties. The rear of the closest residence is approximately 250 feet away from the eastern boundary of the property.

Proposed Conditions

The petitioner is proposing to build an approximately 99,000 sq. ft. grocery store with an adjacent fueling station. Between the structures will be a parking lot for approximately 350 cars which will be illuminated by approximately 15 freestanding lights on 30-foot poles.

Variance

The Board must decide whether to grant a variance. In order to grant a variance, you 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;
4. And that the variance will allow the intent of the Zoning Ordinance to be observed and substantial justice done.

Photos

View of the proposed development between 3rd and 5th Avenues from 3rd Avenue. The light pictured here is approximately 30 feet tall.



View of the proposed development between 3rd and 5th Avenues looking southeast from the corner of 3rd Avenue and the railroad tracks.



View of the proposed development between 3rd and 5th Avenues looking southwest from the corner of 3rd Avenue and 24th Street.



View of the proposed development between 3rd and 5th Avenue looking west from 4th Avenue and 24th Street.

Zoning Ordinance

Per *Section 1345.16(B)*, the maximum height of free-standing lights shall be the same as the principal building, but not exceeding twenty-five (25) feet.

Staff Findings of Fact

1. Robertson Loia Roof is the petitioner.
2. Huntington Municipal Development Authority and Marshall University Board of Governors are the owners.
3. The petitioner is proposing to build an approximately 99,000 square foot grocery store.
4. The property is known as the historical site of the American Car Foundry business.
5. Prior use of this property was heavy industry.
6. The front façade of the proposed structure is 37 feet 8 inches in height.
7. The height of the proposed structure ranges from 24 feet to 27 feet.
8. The rear of the closest residence is approximately 250 feet away from the eastern boundary of the property.
9. The property is zoned C-2 Highway Commercial district.
10. The property is approximately 9.6 acres.

Staff Comments

The property's unique location, adjacent to the west by Marshall University's sports complex and football stadium, to the north by property in redevelopment, and to the south and east by C-2 Highway Commercial and I-1 Light Industrial and Commercial zoned properties, makes it unlikely that the increased height of the free-standing lights would cause an adverse effect upon

the public health or the rights of the adjacent property owners or residents. The rear of the closest residence is approximately 200 feet away from the eastern boundary of the property.

The increased height of the free-standing lights would not affect safety and general welfare negatively because the environment will be well-lit regardless of the height. Additionally, the light from the increased height of the free-standing lights would contribute minimally to the current illumination of the area which includes sports stadiums, billboards, and multiple illuminated signs from the highway commercial businesses.

The petitioner has expressed that beyond the height there are no other issues to hinder their ability to comply with the lighting design standards required by City of Huntington Zoning Code Section 1345.16.

Staff Recommendation

Staff's recommendation is neutral.

Attachments

- Application
- Overall Site Plan
- Elevations
- Aerial Map
- Zoning Map
- Future Land Use Map

LIGHT POLE HEIGHT



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: Trevor Evans Phone: 770-674-2600 x439

Mailing Address (city, state, zip): 3460 Preston Ridge Road, Suite 275, Alpharetta, GA 30005

Email: tevans@rlrpc.com

Property Owner (if applicable): Kroger Mid-Atlantic Phone: _____

Mailing Address (city, state, zip): 140 East Shore Drive #300, Glen Allen, VA 23059

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

SW Intersection of 24th Street & 3rd Avenue; Tax Map 10 P/O Parcel 13, Tax Map 10 Parcel 271, Tax Map 20 P/O Parcel 43

Variance request pursuant to:

Article 1345.16 (B) and/or Figure _____ of the City of Huntington Zoning Ordinance.

Description of the variance being requested:

This variance request is intended to revise the maximum allowed height of free-standing lights to 30' (30" base, 27.5" pole).

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 Nov 19th 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, Dec 16th. 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

11/17/25

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:
Increasing the allowable free-standing pole height will allow for improved lighting coverage resulting in improved safety throughout the proposed parking area.

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):
This property's unique location adjacent to the University's football, baseball, & softball stadiums, provides a special condition that makes the request for increased light pole heights more reasonable.

3. How an approval of the Variance would eliminate an unnecessary hardship and permit a reasonable use of the land:
An increase of the allowable height of light poles is a reasonable use of the land based on the adjacent industrial & sport complex uses.

4. How would an approval of the Variance allow for the intent of the Zoning Ordinance to be observed and substantial justice done:
Approval of the requested variance will not affect the development's ability to comply with the other lighting design standards.



SCALE: 1" = 40'

SCALE: 1" = 40'

[illegible]

NOTES:
1. AGGREGATE BASE PER WYDOT 307 OR EQUIVALENT COMPACTED TO 98%
MAXIMUM DRY DENSITY PER MODIFIED PROCTOR ASTM D1557
2. HOT MIX ASPHALTIC COURSES PER WYDOT 401 OR EQUIVALENT.
3. PORTLAND CEMENT CONCRETE PER AC 303B.

[illegible]

KROGER CAR SPACES:

A. RETAIL REQUIRED MINIMUM = 1 SPACE/200 S.F.
1 SPACE/200 S.F. * 99,200 S.F. = 334 SPACES

B. FUEL CENTER REQUIRED MINIMUM = 1 SPACE/EMPLOYEE + 1 SPACE/EMPLOYEE * 1 + 1 = 2 SPACES

KROGER BIKE SPACES:

A. RETAIL REQUIRED MINIMUM = 1 SPACE/200 S.F.
1 SPACE/200 S.F. * 99,200 S.F. = 334 SPACES

B. PROVIDED BIKE SPACES = 12. WAVV WILL BE REQUESTED

GROCERY	99,920 S.F.
REQ'D PARKING	336 SPACES
TOTAL PROVIDED PARKING	365 SPACES
ADA PARKING	13 SPACES
PARKING RATIO	3.65 SPACE/1,000 S.F.
TOTAL BIKE SPACES	12 SPACES
GROCERY AREA	8.80 ACRES
OUTLOT AREA	0.84 ACRES
TOTAL SITE AREA	9.64 ACRES

XXXX/XX/XX	24246	C1
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DATE	XX/XX/XX
SHEET NUMBER	24246
TEST NUMBER	C1

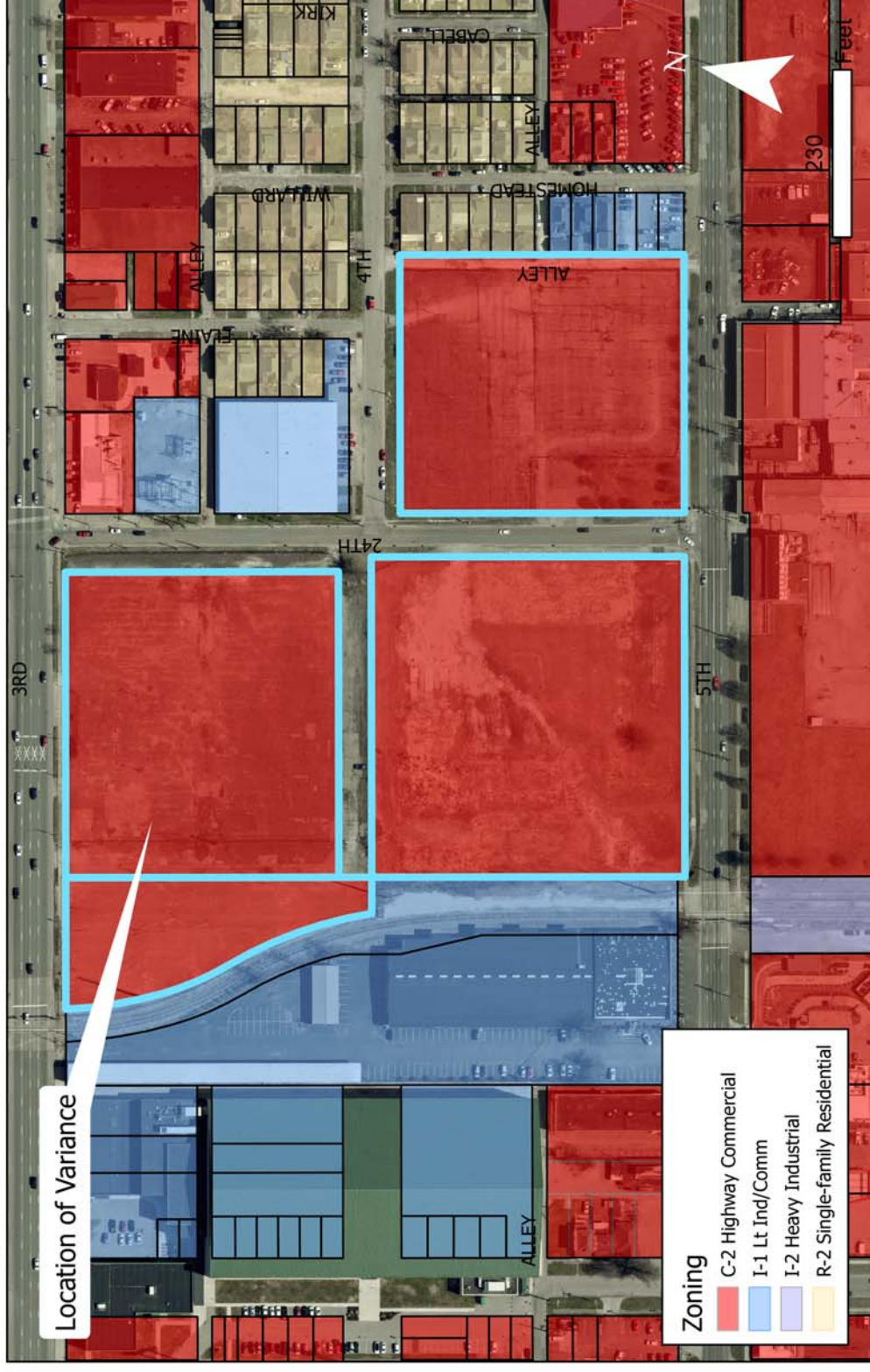
Aerial Map



3rd Ave & 5th Ave
Cabell County Tax District 5, Map 10, Parcel 13 & Parcel 271
Cabell County Tax District 5, Map 20, Parcel 43 & Parcel 45
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Zoning Map



3rd Ave & 5th Ave
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Future Land Use Map



3rd Ave & 5th Ave
Cabell County Tax District 5, Map 10, Parcel 13 & Parcel 271
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