



Charleston Board of Zoning Appeals

AGENDA

8:30 a.m., Thursday, April 23, 2020

Join via internet at: <https://zoom.us/j/894514308>

Or call: 312-626-6799 or 929-436-2866 or 253-215-8782

Webinar ID: 894 514 308

I. Items for Review

VAR-20-2976

--continued from 3/12/2020--

Application of CF Properties Unlimited Inc requesting a variance of the rear and side setback requirements in order to construct a single family dwelling on the property located at **310 68th Street, SE.**

VAR-20-2977

Application of Carrie Matt requesting a variance of the accessory structure regulations in order to install a storage building in the front yard of the property located at **1207 2nd Avenue.**

VAR-20-2978

Application of Steve Duffield requesting a variance of the surfacing requirements in order to use gravel for a parking area on the property located at **111 Wyoming Street.**

CUP-20-0201

Application of Millie Snyder on behalf of Shape Shop requesting a conditional use permit in order to establish a restricted accessory parking area on the property located at **701 6th Street.**

CUP-19-0199

--continued from 2/27/2020--

Application of Kevin Sloane requesting a conditional use permit in order to operate a bar and live music venue on the property located at **706 Lee Street, East.**

II. Approval of minutes for the March 12, 2020 hearing.



**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Until further notice, BZA hearings will be accessible via Zoom.

Case Description

VAR-20-2976—Application of C F Properties Unlimited Inc requesting a variance of the rear and side setback requirements in order to construct a single family dwelling on the property located at **310 68th Street, SE.**

The file (including the application, site plan and other supporting documentation) is available for your inspection online at <https://charlestonwv.civicclerk.com/>. If you have questions, email lori.brannon@cityofcharleston.org or call 304-348-8105.

Hearing Details

WHEN: 8:30 a.m.
Thursday, April 23, 2020

WHERE: Join via internet at: <https://zoom.us/j/894514308>
Or call: 312-626-6799 or 929-436-2866 or 253-215-8782
Webinar ID: 894 514 308

Public Participation

Anyone who wishes to comment on the case described above is encouraged to do so in one of the following ways:

1. Send a written statement to lori.brannon@cityofcharleston.org. These statements will become a part of the record and will be shared with members of the Board prior to the hearing.
2. Speak directly to the Board by joining the meeting via Zoom using the details listed above. You must provide your name and the phone number or e-mail address you'll be using to join the hearing to lori.brannon@cityofcharleston.org by 5 pm on Tuesday, April 21, 2020.

As a matter of general policy these proceedings will not be transcribed by the Board. Anyone wishing a legal transcript must provide a court reporter at his/her own expense.

Board of Zoning Appeals
Application for Variance

BZA # VAR-20-2976

Hearing Date: 3/12/20

Applicant Information	Property Information
Name: <u>CF PROPERTIES UNLIMITED INC</u>	Address: <u>310 6th STREET SE</u> <u>CHARLESTON WV 25304</u>
Address: <u>729 MAIN STREET</u> <u>WINDERMERE, FL 34786</u>	Tax Map and Parcel: <u>72 54 (09 72005400000000)</u>
Phone: <u>304-751-5191</u>	Zoning District: <u>09</u>
Agent Name, Address and Phone Number: (if other than applicant)	Property Owner and Mailing Address: (if other than applicant)

INSTRUCTIONS: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application:

1. a site plan drawn to scale;
2. a list of the owners, with their mailing addresses, of the properties within a 100 foot radius of the property for which the variance is being sought; and
3. \$125.00 filing fee in the form of cash, personal check or money order made payable to the City of Charleston.

You are also encouraged to submit any additional information, including photographs, elevations, testimonials or other documentation which may support your application. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions.

THE PLANNING DEPARTMENT WILL NOT ACCEPT INCOMPLETE APPLICATIONS.

A variance is a method by which a property owner receives permission to vary from the development standards established in the Zoning Ordinance governing such matters as building location, building dimensions, setback requirements, placement and quantity of parking, landscaping, signage, and other features included in site design. **Please describe your variance request.**

SIDE SETBACK ON SOUTH SIDE OF HOME
ADJACENT TO DOH RDW FOR 1-77 & 69TH STREET SE TO BE 4', OPPOSITE
SIDE SETBACK ADJACENT TO EXISTING HOME TO BE 5' AS REQUIRED. REAR
SETBACK DEPENDENT UPON PREVAILING FRONT SETBACK BUT NOT LESS
THAN 15'. (SEE ATTACHED INCLUDED SITE PLAN IMAGE)

Applicable Section(s) of the Zoning Ordinance _____

Please describe the proposed work to be done on the property. SINGLE FAMILY HOME (12'x58'
1200 SF w/ 192 SF FRONT PORCH) TO BE CONSTRUCTED. HOME SHALL BE
SINGLE STORY w/ TWO OFF STREET PARKING @ FRONT.

IMPORTANT: According to Section 8A of the Code of the State of West Virginia and Section 29-040 of the City of Charleston's Zoning Ordinance, the Board of Zoning Appeals may grant a variance if and only if **ALL** of the following four criteria can be satisfied:

- 1.) The variance, if granted, will not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents; and,
- 2.) The variance arises from special conditions or attributes which pertain to the property for which a variance is being sought and which were not created by the person or entity seeking the variance; and,
- 3.) The variance, if granted, would eliminate an unnecessary hardship and permit a reasonable use of the land; and,
- 4.) The variance, if granted, will allow the intent of the Zoning Ordinance to be observed and substantial justice done.

1.) If granted, your variance must not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents. For example, public safety cannot be compromised by limiting access for emergency vehicles, and neighboring property owners must not be hindered in the use their properties in any manner permitted in the Zoning Ordinance. If your variance request is granted, how will others in the area be affected? INCREASED PROPERTY VALUE BY IMPROVEMENT OF VACANT LAND.

2.) Your request must arise from special conditions or attributes which pertain to the subject property and which you did not create. The size, shape and topography of your lot are examples of the physical conditions which may satisfy this criterion. In comparison with other properties in the vicinity and under the same zoning regulations, what is unusual or different about the subject property? OLDER NARROW LOT MEASURING APPROX 33' WIDE (FRONTAGE ON 68TH ST SE). HOME WE DESIRE TO BUILD MEASURES 24' WIDE, LEAVING 9' FOR SETBACKS.

3.) **An unnecessary hardship is neither personal nor financial in nature.** In this application, an unnecessary hardship is a problem created by some feature of the land which prevents the owner from making reasonable use of the property as permitted by the Zoning Ordinance. The following three questions help to determine if there is an unnecessary hardship with regard to your property.

Without a variance, are you deprived of all beneficial use of your land? YES. HOUSE DESIGN/PLAN WOULD HAVE TO BE MODIFIED OR REDRAWN. AS A NARROW LOT PLAN SPACE IS VALUABLE AND THE REDUCTION OF THE WIDTH BY ONE FOOT MAY ADVERSELY AFFECT THE DESIGN AND FUTURE SALE OF THE HOME.

Is your situation due to unique circumstances that are not shared by other land in the district? EXISTING OLDER HOMES DO NOT CONFORM TO CURRENT SETBACKS.

Would approval of your variance request alter the essential character of the surrounding neighborhood or community? NO. IT WOULD REMAIN CONSISTENT w/ NEIGHBORHOOD AND INCREASE PROPERTY VALUES.

4.) The general purpose and intent of the Zoning Ordinance of the City of Charleston is to protect and promote the public health, safety, convenience, morals and general welfare. For more specific information in regard to the scope and intent of the Zoning Ordinance, please see Section 1-020 as well as the section from which you are requesting this variance. Will approval of the variance allow the intent of the Zoning Ordinance to be observed?

YES.

Substantial justice is the idea that a standard of fairness has been satisfied according to the substance of the law. Does your variance request represent the least deviation from the Zoning Ordinance necessary to achieve an outcome that is fair to both you and to your community? YES.

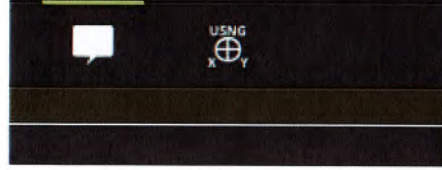
I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Signature

Date

01/29/20

Planning Department Use Only	
The following is a list of related cases:	
The following is a list of zoning ordinance violations, building code violations and enforcement actions relating to the subject property:	
Application reviewed by:	
Action: ☐ Approved ☐ Rejected	
If approved, were there any specific conditions or limitations imposed by the BZA?	
Planning Official Signature and Title	
Date	



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CHARLESTON WV

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ROOSEVELT 6644

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1° 33' 52.535" W

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**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Until further notice, BZA hearings will be accessible via Zoom.

Case Description

VAR-20-2977—Application of Carrie Matt requesting a variance of the accessory structure regulations in order to install a storage building in the front yard of the property located at **1207 2nd Avenue**.

The file (including the application, site plan and other supporting documentation) is available for your inspection online at <https://charlestonwv.civicclerk.com/>. If you have questions, email lori.brannon@cityofcharleston.org or call 304-348-8105.

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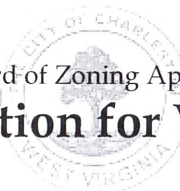
Public Participation

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1. Send a written statement to lori.brannon@cityofcharleston.org. These statements will become a part of the record and will be shared with members of the Board prior to the hearing.
2. Speak directly to the Board by joining the meeting via Zoom using the details listed above. You must provide your name and the phone number or e-mail address you'll be using to join the hearing to lori.brannon@cityofcharleston.org by 5 pm on Tuesday, April 21, 2020.

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Board of Zoning Appeals
Application for Variance



BZA # _____

Hearing Date: _____

Applicant Information	Property Information
Name: <u>Carrie L. Matt</u>	Address:
Address: <u>1207 Second Ave</u>	Tax Map and Parcel:
Phone: <u>1-214-687-7911</u>	Zoning District:
Agent Name, Address and Phone Number: (if other than applicant) <u>Leonard Building</u> <u>www.leonardusa.com</u> <u>5408 MacCorkle Ave Ph.</u> <u>S. Chas. Wv 25309 (304-768-1693)</u>	Property Owner and Mailing Address: (if other than applicant) <u>Carrie L. Matt</u> <u>1207 Second Ave</u> <u>Chas. Wv 25302</u>

INSTRUCTIONS: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application:

1. a site plan drawn to scale;
2. a list of the owners, with their mailing addresses, of the properties within a 100 foot radius of the property for which the variance is being sought; and
3. \$125.00 filing fee in the form of cash, personal check or money order made payable to the City of Charleston.

You are also encouraged to submit any additional information, including photographs, elevations, testimonials or other documentation which may support your application. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions.

THE PLANNING DEPARTMENT WILL NOT ACCEPT INCOMPLETE APPLICATIONS.

A variance is a method by which a property owner receives permission to vary from the development standards established in the Zoning Ordinance governing such matters as building location, building dimensions, setback requirements, placement and quantity of parking, landscaping, signage, and other features included in site design. Please describe your variance request.

Building to be placed on right side of front yard - Building was on property when purchased but torn down due to age and falling

Applicable Section(s) of the Zoning Ordinance _____

Portable New -

Please describe the proposed work to be done on the property.

Building is to be bought to side. Building very nice/windows/door to give appearance to fix right into color schemes.
All structure to bldg. New - leaving still a nice yard. All fence in yard

IMPORTANT: According to Section ---- of the Code of the State of West Virginia and Section 29-040 of the City of Charleston's Zoning Ordinance, the Board of Zoning Appeals may grant a variance if and only if **ALL** of the following four criteria can be satisfied:

- 1.) The variance, if granted, will not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents; and,
- 2.) The variance arises from special conditions or attributes which pertain to the property for which a variance is being sought and which were not created by the person or entity seeking the variance; and,
- 3.) The variance, if granted, would eliminate an unnecessary hardship and permit a reasonable use of the land; and,
- 4.) The variance, if granted, will allow the intent of the Zoning Ordinance to be observed and substantial justice done.

1.) If granted, your variance must not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents. For example, public safety cannot be compromised by limiting access for emergency vehicles, and neighboring property owners must not be hindered in the use their properties in any manner permitted in the Zoning Ordinance. If your variance request is granted, how will others in the area be affected?

All inclosed within fenced yard plus still have yard left over for flowers

- Clutter free - my mobile chair can be kept here instead of porch, Stop thieve from stealing out of my yard.

2.) Your request must arise from special conditions or attributes which pertain to the subject property and which you did not create. The size, shape and topography of your lot are examples of the physical conditions which may satisfy this criterion. In comparison with other properties in the vicinity and under the same zoning regulations, what is unusual or different about the subject property?

my house sit back next to fence. Therefore No back yard. All other house sits in front and has a back yard. No neighbor close (empty lot) and parking lot on one side.

3.) **An unnecessary hardship is neither personal nor financial in nature.** In this application, an unnecessary hardship is a problem created by some feature of the land which prevents the owner from making reasonable use of the property as permitted by the Zoning Ordinance. The following three questions help to determine if there is an unnecessary hardship with regard to your property.

Without a variance, are you deprived of all beneficial use of your land? Yes - No room in back for anything - yard has a long cement driveway - items on porch to be stored in buildings

Is your situation due to unique circumstances that are not shared by other land in the district?

only house unique - sits right on fence - This building will add beauty to neighborhood and well maintained.

Would approval of your variance request alter the essential character of the surrounding neighborhood or community? Yes - No - 2 home owners on street - Rest Rental property - Property next door to Mary C. Snow School parking Lot.

4.) The general purpose and intent of the Zoning Ordinance of the City of Charleston is to protect and promote the public health, safety, convenience, morals and general welfare. For more specific information in regard to the scope and intent of the Zoning Ordinance, please see Section 1-020 as well as the section from which you are requesting this variance. Will approval of the variance allow the intent of the Zoning Ordinance to be observed?

my building can be observed daily as my sewing machine & fabric and tool will all be there -
I am 77 yrs old and this is my life
some of my dolls will also be in this building

Substantial justice is the idea that a standard of fairness has been satisfied according to the substance of the law. Does your variance request represent the least deviation from the Zoning Ordinance necessary to achieve an outcome that is fair to both you and to your community?

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Signature

Date

Planning Department Use Only

The following is a list of related cases:

The following is a list of zoning ordinance violations, building code violations and enforcement actions relating to the subject property:

Application reviewed by:

Action: ☐ Approved ☐ Rejected

If approved, were there any specific conditions or limitations imposed by the BZA?

Planning Official Signature and Title

Date

HAMPTON



OPTIONS

DOORS

- 9-Lite Single
- 9-Lite Double
- 6 Panel
- 48 x 72 pre-hung door
- Wood w/ Cross Bucking
- Roll-up Garage

WINDOWS

- 24", 30" or 36" Aluminum Slider Windows
- Double Hung w/ Vinyl Shutter Option
- Transom Window

VENTILATION

- Louvered Aluminum Vent (Metal Siding)
- Aluminum End Vent (Vinyl Siding)
- Ridge Vent

ELECTRICAL & LIGHTING

- Pole Light w/ Receptacle
- Interior and Exterior Lighting
- Switches and Receptacles
- Breaker Box
- Heat and Air

PANELING & INSULATION

- Foil Insulation
- Beadboard
- Paneling

PORCHES AND DECKS

RAMPS AVAILABLE

SHINGLE OPTIONS (PAGE 8)

STOCK UNITS AVAILABLE IN: 6x8 / 8x10 / 10x12 / 12x16 / 12x24



www.leonardusa.com



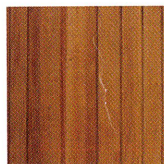
LP SmartSide®

LP SmartSide® Panel siding is used like wood but performs with the strength of engineered siding. Available in three product categories, it features a shiplap edge and is made using a proprietary SmartGuard® manufacturing process to protect against fungal decay and termites, and is backed by a 5/50-Year Limited Warranty.



See www.leonardusa.com for more about LP SmartSide®.

Stain Colors



Mild
Cedar



Banyon
Gray



Paint Colors

TRICON BLACK
SW 6258

NAVAJO WHITE
SW 6126

IMPATIENT PINK
SW 6854

EXTRA WHITE
SW 7006

GRAY SHINGLE
SW 7670

BEE
SW 6683

PLUM BLOSSOM
SW 6974

PAVESTONE
SW 7642

GRIS
SW 7659

TAVERN TAUPE
SW 7508

DAISY
SW 6910

KILIM BEIGE
SW 6106

INVITING IVORY
SW 6372

UNDERSEAS
SW 6214

LAUDABLE LIME
SW 6930

CANOE
SW 7724

ROYCROFT
COPPER RED
SW 2839

ROYCROFT
BOTTLE GREEN
SW 2847

JAVA
SW 6090

STOCK UNIT AVAILABLE IN: 10x16

OTHER SIZES AVAILABLE IN: 10x14 / 12x12 / 12x16 / 12x20 / 12x24



**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Until further notice, BZA hearings will be accessible via Zoom.

Case Description

VAR-20-2978—Application of Steve Duffield requesting a variance of the surfacing requirements in order to use gravel for a parking area on the property located at **111 Wyoming Street**.

The file (including the application, site plan and other supporting documentation) is available for your inspection online at <https://charlestonwv.civicclerk.com/>. If you have questions, email lori.brannon@cityofcharleston.org or call 304-348-8105.

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Board of Zoning Appeals
Application for Variance

BZA # _____

Hearing Date: _____

Applicant Information	Property Information
Name: <u>Stephen T. Duffield</u>	Address: <u>111 Wyoming Street</u>
Address: <u>917 Amherst Drive</u>	Tax Map and Parcel: <u>12-26-114</u>
Phone: <u>304-415-3515</u>	Zoning District: _____
Agent Name, Address and Phone Number: (if other than applicant)	Property Owner and Mailing Address: (if other than applicant)

INSTRUCTIONS: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application:

1. a site plan drawn to scale;
2. a list of the owners, with their mailing addresses, of the properties within a 100 foot radius of the property for which the variance is being sought; and
3. \$125.00 filing fee in the form of cash, personal check or money order made payable to the City of Charleston.

You are also encouraged to submit any additional information, including photographs, elevations, testimonials or other documentation which may support your application. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions.

THE PLANNING DEPARTMENT WILL NOT ACCEPT INCOMPLETE APPLICATIONS.

A variance is a method by which a property owner receives permission to vary from the development standards established in the Zoning Ordinance governing such matters as building location, building dimensions, setback requirements, placement and quantity of parking, landscaping, signage, and other features included in site design. Please describe your variance request.

The property is under contract to purchase. The parking with exception of 78.7% of concrete parking pad all other surface area is gravel. Asking for variance to regravel to meet city standards.

Applicable Section(s) of the Zoning Ordinance _____

Please describe the proposed work to be done on the property.

parking area. Original gravel installed approximately 1990. regravel existing

IMPORTANT: According to Section — of the Code of the State of West Virginia and Section 29-040 of the City of Charleston's Zoning Ordinance, the Board of Zoning Appeals may grant a variance if and only if **ALL** of the following four criteria can be satisfied:

- 1.) The variance, if granted, will not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents; and,
- 2.) The variance arises from special conditions or attributes which pertain to the property for which a variance is being sought and which were not created by the person or entity seeking the variance; and,
- 3.) The variance, if granted, would eliminate an unnecessary hardship and permit a reasonable use of the land; and,
- 4.) The variance, if granted, will allow the intent of the Zoning Ordinance to be observed and substantial justice done.

1.) If granted, your variance must not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents. For example, public safety cannot be compromised by limiting access for emergency vehicles, and neighboring property owners must not be hindered in the use their properties in any manner permitted in the Zoning Ordinance. If your variance request is granted, how will others in the area be affected?

Should have no adverse affects on surrounding property owners, most of the adjacent property is gravel.

2.) Your request must arise from special conditions or attributes which pertain to the subject property and which you did not create. The size, shape and topography of your lot are examples of the physical conditions which may satisfy this criterion. In comparison with other properties in the vicinity and under the same zoning regulations, what is unusual or different about the subject property?

nothing different adjacent lots are in similar condition after buildings demo.

3.) **An unnecessary hardship is neither personal nor financial in nature.** In this application, an unnecessary hardship is a problem created by some feature of the land which prevents the owner from making reasonable use of the property as permitted by the Zoning Ordinance. The following three questions help to determine if there is an unnecessary hardship with regard to your property.

Without a variance, are you deprived of all beneficial use of your land?

Continued use of the parcel area.

Is your situation due to unique circumstances that are not shared by other land in the district?

Would approval of your variance request alter the essential character of the surrounding neighborhood or community? No

4.) The general purpose and intent of the Zoning Ordinance of the City of Charleston is to protect and promote the public health, safety, convenience, morals and general welfare. For more specific information in regard to the scope and intent of the Zoning Ordinance, please see Section 1-020 as well as the section from which you are requesting this variance. Will approval of the variance allow the intent of the Zoning Ordinance to be observed?

Substantial justice is the idea that a standard of fairness has been satisfied according to the substance of the law. Does your variance request represent the least deviation from the Zoning Ordinance necessary to achieve an outcome that is fair to both you and to your community? No

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Signature

Stephen J. Duffield

Date

2/26/2020

Planning Department Use Only	
The following is a list of related cases:	
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Application reviewed by:	
Action: ☐ Approved ☐ Rejected	
If approved, were there any specific conditions or limitations imposed by the BZA?	
Planning Official Signature and Title	
Date	



Parking Area (In Blue)
& Gray

2138^{sq} gravel currently
 - 78.7^{sq} of concrete
2059.3 gravel

Google Maps 110 Randolph St

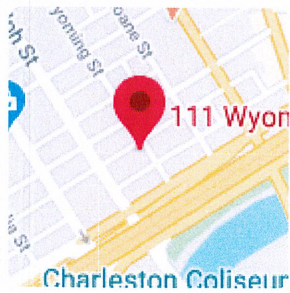


Image capture: Sep 2019 © 2020 Google

Charleston, West Virginia

Google

Street View





**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Until further notice, BZA hearings will be accessible via Zoom.

Case Description

CUP-20-0201—Application of Millie Snyder on behalf of Shape Shop requesting a conditional use permit in order to establish a restricted accessory parking area on the property located at **701 6th Street**.

The file (including the application, site plan and other supporting documentation) is available for your inspection online at <https://charlestonwv.civicclerk.com/>. If you have questions, email lori.brannon@cityofcharleston.org or call 304-348-8105.

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Board of Zoning Appeals

Application for Conditional Use Permit

CU # _____

Hearing Date: _____

Applicant Information	Property Information
Name: Millie Snyder <i>Shape Shop Café</i>	Address: Corner of Elm Street and 6 th Street
Address: 706 Central Avenue	Tax Map and Parcel: WC 21, 415
Phone: 681-265-3938 304-541-6146	Zoning District: R-10
Agent Name, Address and Phone Number: (if other than applicant)	Property Owner and Mailing Address: (if other than applicant)

IMPORTANT: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application: 1) a site plan drawn to scale; 2) a list of the owners, with their mailing addresses, of the properties within a 250 foot radius of the property for which the variance is being sought; 3) \$125.00 filing fee in the form of a check or money order made payable to the City of Charleston. You are also encouraged to submit any additional information, including photographs, elevations, testimonials or other documentation, which may support your application. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions. THE PLANNING DEPARTMENT WILL NOT ACCEPT ANY INCOMPLETE APPLICATIONS.

Please describe the proposed use. Include information such as the activities to be conducted on the site, hours these activities will be conducted, and any other data pertinent to the proposed use. If the proposed use is a business, please attach a list of the officers and their contact information. Requesting a conditional use permit in order to establish a restricted accessory parking lot in support of a business nearby.

Applicable Section(s) of the Zoning Ordinance Sec. 3-050

Does the proposed use comply with the conditions set forth in the Zoning Ordinance? yes this is a

Corner lot.
We will furnish privacy fencing alongside the residential housing
in existence.
The surface to be used for parking the trailer will have asphalt applied

Please describe any proposed work to be done on the property.

we will furnish an electrical pole from AEP with a meter to supply
electricity to power the needs of the food trailer as well as
a motion sensor light for opening hours. If privacy slats are
desired on the fencing we will provide that also. The fencing
will be 6 1/2 feet in height.

If your request for a conditional use permit is granted, how will others in the area be affected? _____

we only intend to use the portion of land for our food truck & the remaining portion of the lot will remain unchanged.

Will your request devalue the property of others in the vicinity by altering land use characteristics or diminishing the marketable value of adjacent land and structures or increasing congestion on public streets? _____

this property is not in good condition & we intend to clean it & make it much more appealing.

Is your request consistent with the purposes and intent of the Zoning Ordinance of the City of Charleston? _____

this request is to support a local business and we will only use that portion of land we need to house our food truck & it will have the least amount of impact on the neighborhood.

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Signature

Date

3/04/2020

Planning Department Use Only

The following is a list of related cases:

The following is a list of zoning ordinance violations, building code violations and enforcement actions relating to the subject property:

Application reviewed by:

Action: ☐ Approved ☐ Rejected

If approved, were there any specific conditions or limitations imposed by the BZA?

Planning Official Signature and Title

Date



Adam Cottrell GIS I



**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Until further notice, BZA hearings will be accessible via Zoom.

Case Description

CUP-19-0199—Application of Kevin Sloane requesting a conditional use permit in order to operate a bar and live music venue on the property located at **706 Lee Street, East**.

The file (including the application, site plan and other supporting documentation) is available for your inspection online at <https://charlestonwv.civicclerk.com/>. If you have questions, email lori.brannon@cityofcharleston.org or call 304-348-8105.

Hearing Details

WHEN: 8:30 a.m.
Thursday, April 23, 2020

WHERE: Join via internet at: <https://zoom.us/j/894514308>
Or call: 312-626-6799 or 929-436-2866 or 253-215-8782
Webinar ID: 894 514 308

Public Participation

Anyone who wishes to comment on the case described above is encouraged to do so in one of the following ways:

1. Send a written statement to lori.brannon@cityofcharleston.org. These statements will become a part of the record and will be shared with members of the Board prior to the hearing.
2. Speak directly to the Board by joining the meeting via Zoom using the details listed above. You must provide your name and the phone number or e-mail address you'll be using to join the hearing to lori.brannon@cityofcharleston.org by 5 pm on Tuesday, April 21, 2020.

As a matter of general policy these proceedings will not be transcribed by the Board. Anyone wishing a legal transcript must provide a court reporter at his/her own expense.



PUBLIC HEARING NOTICE

.....
Notice is hereby given that the City of Charleston's Board of Zoning Appeals will hold a public hearing:

TIME: 8:30 a.m.

DATE: Thursday, January 9, 2020

PLACE: City Service Center Conference Room
Ground Floor of City Parking Garage (915 Quarrier Street)

CASE DESCRIPTION
CUP-19-0199 —Application of Kevin Sloane requesting a conditional use permit in order to operate a bar and live music venue on the property located at 706 Lee Street, East .

The file (including the application, site plan and written statements submitted by interested parties) is available for your inspection in the City Planning Department office, City Service Center, 915 Quarrier Street, Suite 1. For more information, please call (304) 348-8105 or visit the office.

Public testimony for and against will be taken at the public hearing. Persons wishing to favor or object to the case described above may do so by personal appearance or representative at the hearing, or by written statement submitted to the Planning Department prior to the public hearing date listed above. Statements may be submitted to the physical address above or emailed to lori.brannon@cityofcharleston.org.

As a matter of general policy these proceedings will not be transcribed by the Board. Anyone wishing a legal transcript must provide a court reporter at his/her own expense.

Sincerely,

Lori Armstead Brannon
Planner

Board of Zoning Appeals

Application for Conditional Use Permit

CU # WP-19-0199

Hearing Date: 1/9/20

Applicant Information	Property Information
Name: <u>Kern Sloan</u>	Address: <u>706 Lee St.</u>
Address: <u>1527 Oak Fork Rd.</u>	Tax Map and Parcel: <u>EL9 86</u>
Phone: <u>304-610-7105</u>	Zoning District: <u>CBD</u>
Agent Name, Address and Phone Number: (if other than applicant)	Property Owner and Mailing Address: (if other than applicant) <u>Keith Combs</u> <u>(Berk Holdings)</u> <u>2574 15th Ave.</u> <u>Huntingford, W. Va. 25703</u>

IMPORTANT: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 615 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application: 1) a site plan drawn to scale; 2) a list of the owners, with their mailing addresses, of the properties within a 250 foot radius of the property for which the variance is being sought; 3) \$125.00 filing fee in the form of a check or money order made payable to the City of Charleston. You are also encouraged to submit any additional information, including photographs, elevations, testimonials or other documentation, which may support your application. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions. THE PLANNING DEPARTMENT WILL NOT ACCEPT ANY INCOMPLETE APPLICATIONS.

Please describe the proposed use. Include information such as the activities to be conducted on the site, hours these activities will be conducted, and any other data pertinent to the proposed use. If the proposed use is a business, please attach a list of the officers and their contact information. Will be Live music venue
for 25 yrs old & up... start early 8pm & live music over 10p-10:30pm
at street old crowd... Blues & jazz m. security on site.
Tolerance of aggressive behavior in finger foods on site
seating 100-150

Applicable Section(s) of the Zoning Ordinance Sec 3-050 Sec 3-060(s2)

Does the proposed use comply with the conditions set forth in the Zoning Ordinance? _____

Please describe any proposed work to be done on the property. Cleaning & painting
no redesigns,

If your request for a conditional use permit is granted, how will others in the area be affected? creation of local jobs, city - B&O taxes generated.

Will your request devalue the property of others in the vicinity by altering land use characteristics or diminishing the marketable value of adjacent land and structures or increasing congestion on public streets? will not decrease value of others for congestion of public streets

Is your request consistent with the purposes and intent of the Zoning Ordinance of the City of Charleston? YES.

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Kevin P. Sloan
Signature

10/11/19
Date

Planning Department Use Only	
The following is a list of related cases:	
The following is a list of zoning ordinance violations, building code violations and enforcement actions relating to the subject property:	
Application reviewed by:	
Action: ☐ Approved ☐ Rejected	
If approved, were there any specific conditions or limitations imposed by the BZA?	
Planning Official Signature and Title	
Date	

October 29th, 2019

This letter is being submitted for the conditional use permit application; Release of information and waiver of confidentiality of records.

To whom it may concern,

My name is Kevin J. Sloan. I have formed the Sloan L.L.C. . My vision is to open a live music venue located at 706 lees Street east, Charleston W.Va. Tax map and parcel number EC9 86, and zoning district C.B.D.

This venue will be for Jazz and blues type of Music. Entertaining a more mature crowd, 25 yrs. Old and up. The name of the club will be 360. To attract an older / mature crowd our venue will open early, and music will start at 8:00 p.m. There will be a zero tolerance of rude or unruly behavior. Any person that is not in respect of other patrons or staff, will be asked to leave, and escorted off the property by security staff. The head of the security staff will be sent to law enforcement school. We will work with the city and the local police dept. to obtain ideas for keeping a safe environment. My vision is that, the city of Charleston needs a venue that can cater to an older/ mature crowd... in the downtown area. The 360 club can offer a cultural experience at early evening hours of operation.

There will be food sources available at the venue... finger foods such as Chicken or Steak kabobs. Along with other finger foods. We will also serve alcohol beverages, along with wine and beer sales.

Customers of "360 the Experience "will also be treated with a venue that has many seating options, multiple v.i.p. areas... along with common club seating... The seating, the sounds, and the spectrum of light show... will hopefully fill the senses of all patrons of "360 the Experience".

The staff of the venue wants all patrons to feel that they are in a safe and secure area... all patrons upon entry will be searched by physical and electronic means. Dress codes will be enforced at all times. This dress code will be adhered to, in order to gain access to entry of the venue.

The club "360 the experience "will target a working class of clientele, by offering monthly specials to Specific job classifications.

The venue will be used to help raise money for non- profit organizations. One idea is to fund a jazz series / concert at Davis Park. Have food donations to help fill food banks in the city. To sponsor a weekly meal for E.M.S. 1st responders at no cost for admittance.

In closing, I look forward to meeting staff / council and the city representatives to discuss the vision of "360 the Experience "thank you for your time.

Sincerely,

Kevin J. Sloan

(East)



**STATE OF WEST VIRGINIA
DEPARTMENT OF REVENUE
ALCOHOL BEVERAGE CONTROL ADMINISTRATION**

900 Pennsylvania Ave., 4th Floor
Charleston, West Virginia 25302

FREDRIC L. WOOTON
COMMISSIONER

DAVE HARDY
CABINET SECRETARY

December 23, 2019

VIA EMAIL

Lori Armstead Brannon
City of Charleston
Planning Department
915 Quarrier Street, Suite 1
Charleston, WV 25301

Re: FOIA Request

Dear Ms. Brannon:

This letter is in response to your FOIA request received by the WVABCA on December 19, 2019.

WVABCA staff have advised me that the person noted in your letter, Kevin J. Sloane, has no pending WVABCA license application and there is no record of this individual in the WVABCA system.

If this individual is applying for a Conditional Use Permit, please direct him to make an application to the WVABCA for a license.

If you need further assistance, please contact me at (304) 356-5507.

Sincerely,

A handwritten signature in blue ink, appearing to read "Fredric L. Wooton".

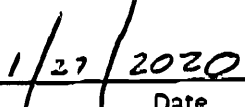
Fredric L. Wooton
Commissioner

To: The City of Charleston Representatives

I, Vicente Cruz, hereby agree that my restaurants located at 812 Kanawha Blvd, Charleston, WV and 212 Hale Street, Charleston, WV will be available as referred kitchens for The 360 Experience, located at 710 Lee Street, Charleston, WV for food ordered from my menus.



Vicente Cruz



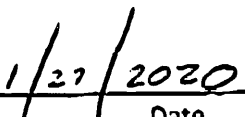
Date

To: The City of Charleston Representatives

I, Vicente Cruz, hereby agree that my restaurants located at 812 Kanawha Blvd, Charleston, WV and 212 Hale Street, Charleston, WV will be available as referred kitchens for The 360 Experience, located at 710 Lee Street, Charleston, WV for food ordered from my menus.



Vicente Cruz



Date