



Charleston Board of Zoning Appeals

AGENDA

8:30 a.m., Thursday, January 13, 2022

City Service Center Conference Room · 915 Quarrier Street

I. Items for Review

VAR-21-3000

Application of Mark Tribble requesting a variance of the accessory structure regulations in order to install a detached garage in the front yard of the property located at **7 Lawnview Road**.

CUP-21-0216

Application of The Massage & Reiki Center LLP requesting a conditional use permit in order to operate a personal services establishment on the property located at **1215 Quarrier Street**.

II. Approval of minutes for the December 9, 2021 hearing.



**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Case Description

VAR-21-3000: Application of Mark Tribble requesting a variance of the accessory structure regulations in order to install a detached garage in the front yard of the property located at **7 Lawnview Road.**

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, January 13, 2022

WHERE: City Service Center Conference Room
915 Quarrier Street

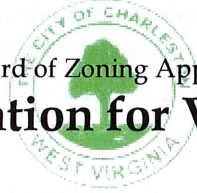
Public Participation

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.

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.

By 12-2-21 Filing Deadline



Board of Zoning Appeals
Application for Variance

BZA # _____

Hearing Date: _____

Applicant Information	Property Information
Name: <u>Mark Tribble</u>	Address: <u>7 Lawnview Road</u>
Address: <u>7 Lawnview Rd</u>	Tax Map and Parcel: <u>4-34</u>
Phone: <u>304-444-8238</u>	Zoning District: <u>R-4</u>
Agent Name, Address and Phone Number: (if other than applicant) <u>NA</u>	Property Owner and Mailing Address: (if other than applicant) <u>NA</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.

I want to Build a Garage Building
to the left of my driveway

Applicable Section(s) of the Zoning Ordinance _____

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

Excavate Property to
Install a ~~30X40~~ or 30X50 or ~~40X50~~ building,
size of Building will depend on Dozer work being
done.

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? It will not affect anyone else

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?

The building will be beside the house rather than behind

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, If property was used for a house, the cost of getting water main brought to property could cost over 30 + 40,000

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

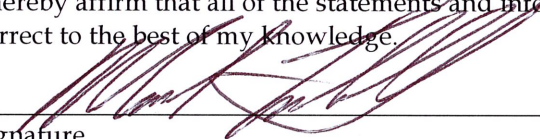
Would approval of your variance request alter the essential character of the surrounding neighborhood or community? NO

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? 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

11-29-21

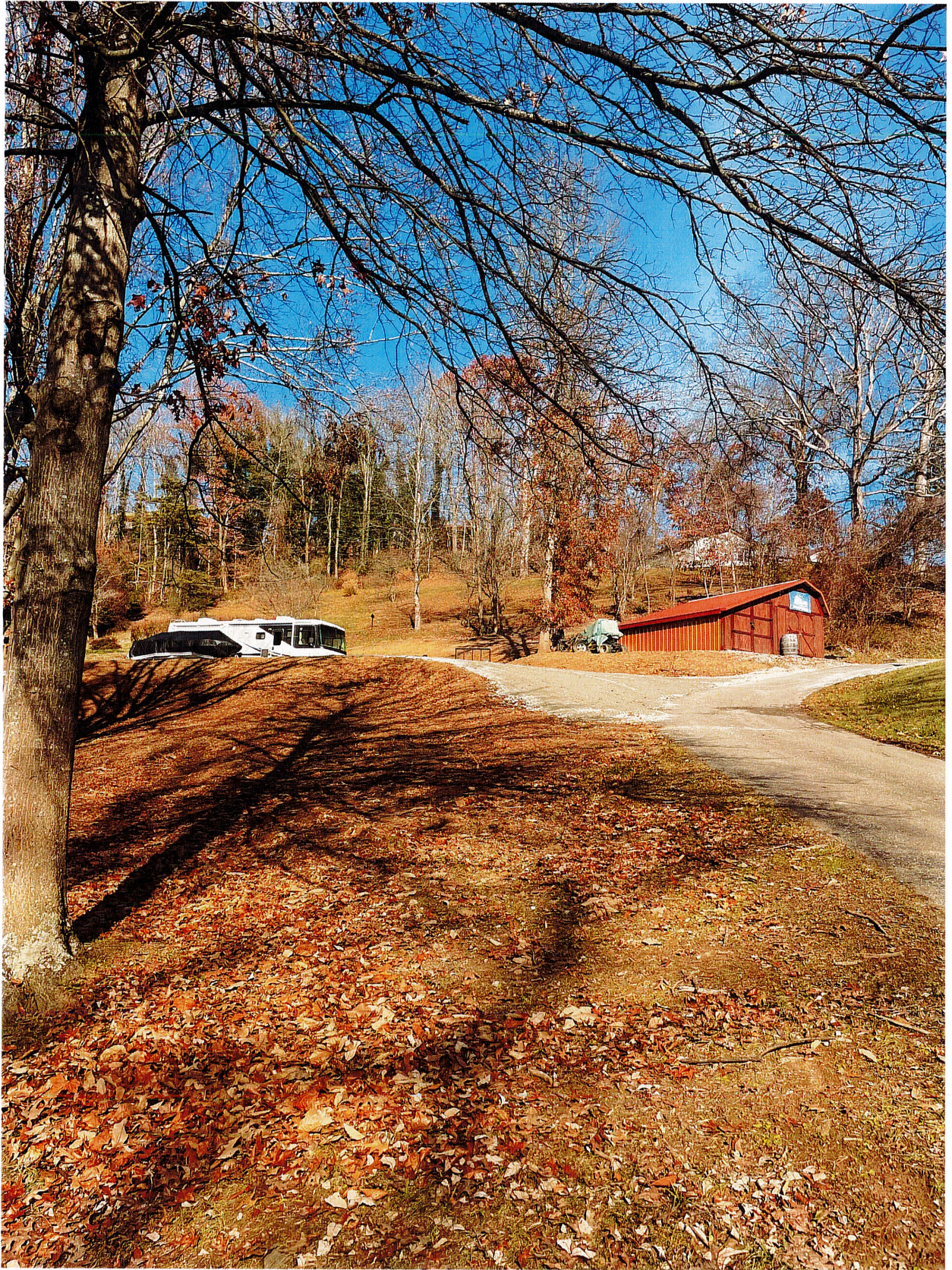
Date

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











**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Case Description

CUP-21-0216: Application of The Massage & Reiki Center LLP requesting a conditional use permit in order to operate a personal services establishment on the property located at **1215 Quarrier 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.

Hearing Details

WHEN: 8:30 a.m.
Thursday, January 13, 2022

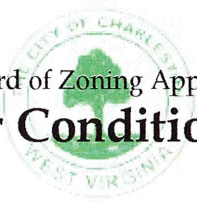
WHERE: City Service Center Conference Room
915 Quarrier Street

Public Participation

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Board of Zoning Appeals

Application for Conditional Use Permit

CU # CUP-21-0217

Hearing Date: 1/13/22

Applicant Information	Property Information
Name: <u>The Massage and Reiki Center, LLP</u>	Address: <u>1215 Quarrier Street Suite 4 Charleston WV 25301</u>
Address: <u>1215 Quarrier Street Suite 4 Charleston WV 25301</u>	Tax Map and Parcel: <u>17 45</u>
Phone: <u>304-437-1021 or 304-618-2127</u>	Zoning District: <u>11</u>
Agent Name, Address and Phone Number: (if other than applicant)	Property Owner and Mailing Address: (if other than applicant) <u>Frank T Litton Jr.</u> <u>43 Pinnacle Drive</u> <u>Charleston WV 25311</u>

pd 12/1/21

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. _____

Applicable Section(s) of the Zoning Ordinance _____

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

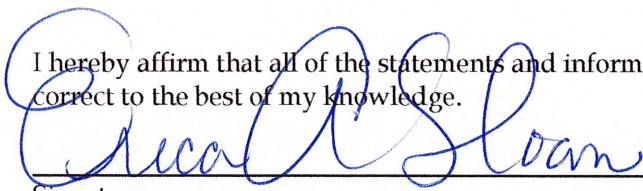
Please describe any proposed work to be done on the property. _____

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

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? _____

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

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

12/01/21
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

1. Please describe the proposed use. Include information such as the activity 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.

The Massage and Reiki Center LLP would like to conduct daily business for profit at 1215 Quarrier Street Suite 4 Charleston Wv. These business transactions will include providing massage and reiki services to the general public. Massage therapy is defined as an integrative medicine practiced by a licensed medical professional in which the LMT manipulates the soft tissues of your body- muscle, connective tissue, tendons, ligaments and skin. The LMT provides varying degrees of pressure and movement. Reiki is a non-invasive treatment approach to help your body do its own healing by promoting deep relaxation. This mind-body technique strengthens how your mind and body work together so that one may restore their natural health, balance chakras and expand spiritual growth. Chakra means "wheel" and refers to the spinning energy disk points (7) in the human body. These energy points should remain open and aligned as they correspond to organs, bundles of nerves and areas of our energetic body that affect our physical and emotional well-being.

Hours of Operation:

Monday-Friday 9:00AM - 6:00PM

Saturday 9:00AM - 4:00

Sunday CLOSED

Services and Pricing:

Massages range from 60 min. 70\$ to 120 min. 140\$.

Add Ons available upon request: hot stone 10\$ deep tissue 10\$ CBD 15\$

Reiki Services range from 30 min. 30\$ to 60 min 60\$

2. Applicable section(s) of the zoning ordinance:

R & O

3. Does the proposed use comply with the conditions set forth in the zoning ordinance?

Yes

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

There is no proposed work to be done at The Massage and Reiki Center 1215 Quarrier Street Suite 4 Charleston Wv 25301.

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

The Massage and Reiki Center LLP would love the opportunity to present, teach and offer complementary and alternative integrative therapies to enhance wellness and quality of life for our community. These therapies have enriched our lives; we are very blessed to have the opportunity to present the benefits of complementary methods of wellness to our community. We feel that this Complimentary Care fits well with local and future wellness alternative businesses within the Charleston area.

6. 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?

The Massage and Reiki Center LLP will not devalue the property of others in the vicinity. Signage will be placed on public entrances according to zoning codes set in place by the city of Charleston Wv. There will be no additional advertising at the physical location other than the above mentioned. MRC LLP will not increase traffic congestion on public streets. Off Street private parking is located behind 1215 Quarrier St Suite 4 for MRC LLP and its guests (maximum 4 cars) in a private parking lot that accommodates 15 parking spaces and 1 handicap parking space all accessible from the alleyway located behind the building. The alley can be reached either direction from Morris Street or Brooks Street. Entrance into MCR LLP is One Level (no stairs or structural challenges) making access to services very easy for anyone.

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

Yes

The Massage and Reiki Center LLP
1215 Quarrier St Suite 4 Chas Wv 25301
themassageandreikicenter@gmail.com

Owner: Erica Amerigo Sloan
3412 Williams Avenue Belle Wv 25015
3044371021
ericasloan56@gmail.com

Owner: Kati Marie Franco
76 Lee Branch Road Kanawha Falls Wv 25115
3046182127
kmfranco304@gmail.com