



Charleston Board of Zoning Appeals

AGENDA

8:30 a.m., Thursday, September 8, 2022

City Service Center Conference Room · 915 Quarrier Street

I. Items for Review

VAR-22-3017

Application of Thomas Stevens requesting a variance of the accessory structure requirements in order to construct a detached garage in the front yard on the property located at **836 Lower Chester Road**.

II. Approval of minutes for the August 25, 2022 hearing.



Board of Zoning Appeals PUBLIC HEARING NOTICE

Case Description

VAR-22-3017: Application of Thomas Stevens requesting a variance of the accessory structure requirements in order to construct a detached garage in the front yard on the property located at **836 Lower Chester 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, September 8, 2022

WHERE: City Service Center Conference Room
915 Quarrier Street

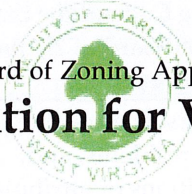
Public Participation

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.

Board of Zoning Appeals
Application for Variance



BZA # _____

Hearing Date: _____

Applicant Information	Property Information
Name: <u>THOMAS J. STEVENS</u>	Address: <u>836 LOWER CHESTER RD.</u>
Address: <u>836 LOWER CHESTER ROAD</u>	Tax Map and Parcel:
Phone: <u>304-415-1351</u>	Zoning District:
Agent Name, Address and Phone Number: (if other than applicant) <u>N/A</u>	Property Owner and Mailing Address: (if other than applicant) <u>N/A</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, or by email to planning@cityofcharleston.org. The following items must accompany this application: 1) a site plan drawn to scale; 2) \$125.00 filing fee in the form of a check or money order made payable to City of Charleston; 3) 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.

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.** _____

Applicable Section(s) of the Zoning Ordinance _____

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

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? _____

SEE ATTACHED

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 on a property that may create an unnecessary hardship and prevent reasonable use of the land. The following three questions help to determine if there is an unnecessary hardship with regard to your property.

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

SEE ATTACHED

(b) Without a variance, are you deprived of all beneficial use of your land? _____

SEE ATTACHED

(c) Would approval of your variance request alter the essential character of the surrounding neighborhood or community? _____

SEE ATTACHED

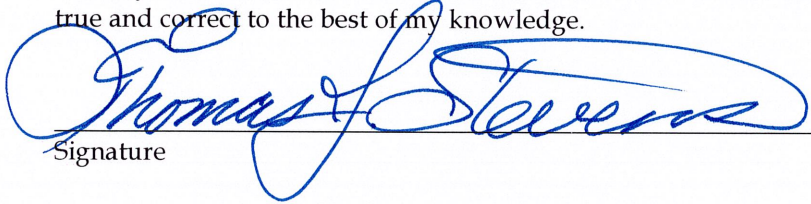
- 3/ 4.) The general purpose and intent of the Zoning Ordinance of the City of Charleston is to protect and promote the public health, safety, convenience, morals and general welfare. For more specific information in regard to the scope and intent of the Zoning Ordinance, please see Section 1-020 as 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? _____

SEE ATTACHED

- 4/ 5.) 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? _____

SEE ATTACHED

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 7/28/2022

Thomas J. Stevens

836 Lower Chester Road

Charleston, WV 25302

stevensgrs@aol.com

304-415-1351

Application Variance – Answers to requested Information

PLEASE DESCRIBE YOUR VARIANCE REQUEST:

This request is simply to add a 2-car matching “sister” garage next to an existing 2-car garage – with access to both by a large existing circular driveway.

The property has been owned by Thom and Pam Stevens for over 32 years. Located in the Edgewood Historical District it is commonly referenced as the *WOODRUM / STEVENS HOME*.

As you can see from the enclosures and attachments, the property is situated on a very large privately owned lot of 34,323 sq. ft. called Woodrum Partition “A” Resubdivision of Tract 3. It extends from West Washington Street to Lower Chester Road.

Built in 1920, situated on the property is a large single-family stone dwelling of 3 finished floors and finished basement, including 7 bedrooms, totaling approximately 6,000 sq. ft. And, there is a non-attached 2-car garage of approximately 576 sq. ft.

Due to the large size of the dwelling and property, it is very desirable to add a second matching “sister” garage next to the existing one.

In addition, the first and second garage will benefit from an improved appearance with the installation of stone veneer to match the original stone of the dwelling. {Note: the existing garage has an outdated siding of T-111 plywood – which is very weathered, rotting, and will certainly be enhanced with new stone veneer to match the house and the new replica second garage.}

APPLICABLE SECTION(S) OF THE ZONING ORDINANCE: ____ All ____

DESCRIBE THE PROPOSED WORK TO BE DONE TO THE PROPERTY

The overall property, dwelling and existing garage would be greatly enhanced by the addition of a new stone veneer garage to match the original stone on the dwelling. This would also replace outdated, rotting, and weathered siding of T-111 plywood on the existing garage.

The building of a new garage - to match in construction, size, dimensions accoutrements and appearance to the existing one - is the main work to be done on the property. The building of the second garage would fit nicely in existing available land open-space next to the existing garage. It would require building a new 24' X 24' pad foundation and cement pad. The garage itself will be "stick built" on the pad in wood with a 2-car size garage door, a walk-in door and architectural shingle roof. Electricity and storm water disposal would be included in the same manner as the existing garage.

1.) THE VARIANCE IF GRANTED WILL NOT ADVERSELY AFFECT THE PUBLIC HEALTH, DAFETY AND WELFARE OR THE RIGHTS OF ADJACENT PROPERTY OWNERS OR RESIDENTS, AND

The variance does not in any way impair or adversely impact the adjacent property owners or residents.

2.) THE VARIANCE ARRISES FROM SPECIAL CIRCUMSTANCES 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.

2a.) IS YOUR SITUATION DUE TO UNIQUE CIRCUMSTANCES THAT ARE NOT SHARED BY OTHER LAND IN THE DISTRICT?

AFFIRMATIVE, WITHIUT A DOUBT! The variance will result in no adverse or any negative impact on the rest of the neighborhood. In fact, improvements to the existing garage and construction of a new one will provide a unique enhancement to the area. Neighbors are in support. The unnecessary hardship to the property is that the size of the land and dwelling would benefit from an additional 2-car garage to the existing large circular driveway.

2b. WITHOUT A VARIANCE, ARE YOU DEPRIVED OF ALL BENEFICIAL USE OF YOUR LAND?

The answer is an emphatic, YES! The existing large circular driveway already grants access to the existing 2-car garage. Property owners' other cars are forced to park outside in the elements such as vandalism, wind, rain, hail, sun, snow, ice, frost, falling tree limbs, debris, and other storm conditions. The land will be significantly improved by a second "sister" garage, befitting the size of the property and the dwelling. It will also protect valuable vehicles from the weather by being safely housed inside a new 2-car garage.

2c. WOULD APPROVAL OF YOUR VARIANCE REQUEST ALTER THE ESSENTIAL CHARACTER OF THE SURROUNDING NEIGHBORHOOD?

NO, in fact it would improve one of the most beautiful properties in Charleston.

3.) THE VARIANCE, IF GRANTED, WOULD ELIMINATE AN UNNECESSARY HARDSHIP AND PERMIT A REASONABLE USE OF THE LAND.

Unequivocally YES! It eliminates an unnecessary burden of the property owner of not being able to park vehicles in a new garage. It also permits a reasonable use of vacant land area to build a second "sister" garage.

4.) THE VARIANCE, IF GRANTED, WILL ALLOW THE INTENT OF THE ZONING ORDINANCE TO BE OBSERVED AND SUBSTANTIAL JUSTICE DONE

ABSOLUTELY! As previously outlined, the intent for the approval of this variance is to comply with the Zoning Ordinance with the least deviation to the property as is possible. A standard of fairness will be accomplished by the City of Charleston to the Stevens Family to appropriately use an unoccupied available piece of property to simply add a new matching garage next to the existing one. Granting the variance would be very much appreciated by the property owners and substantial justice would be done.

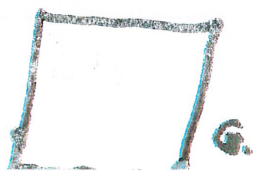
836 Lower Chester Rd
Thom Stevens

1-4-W-5

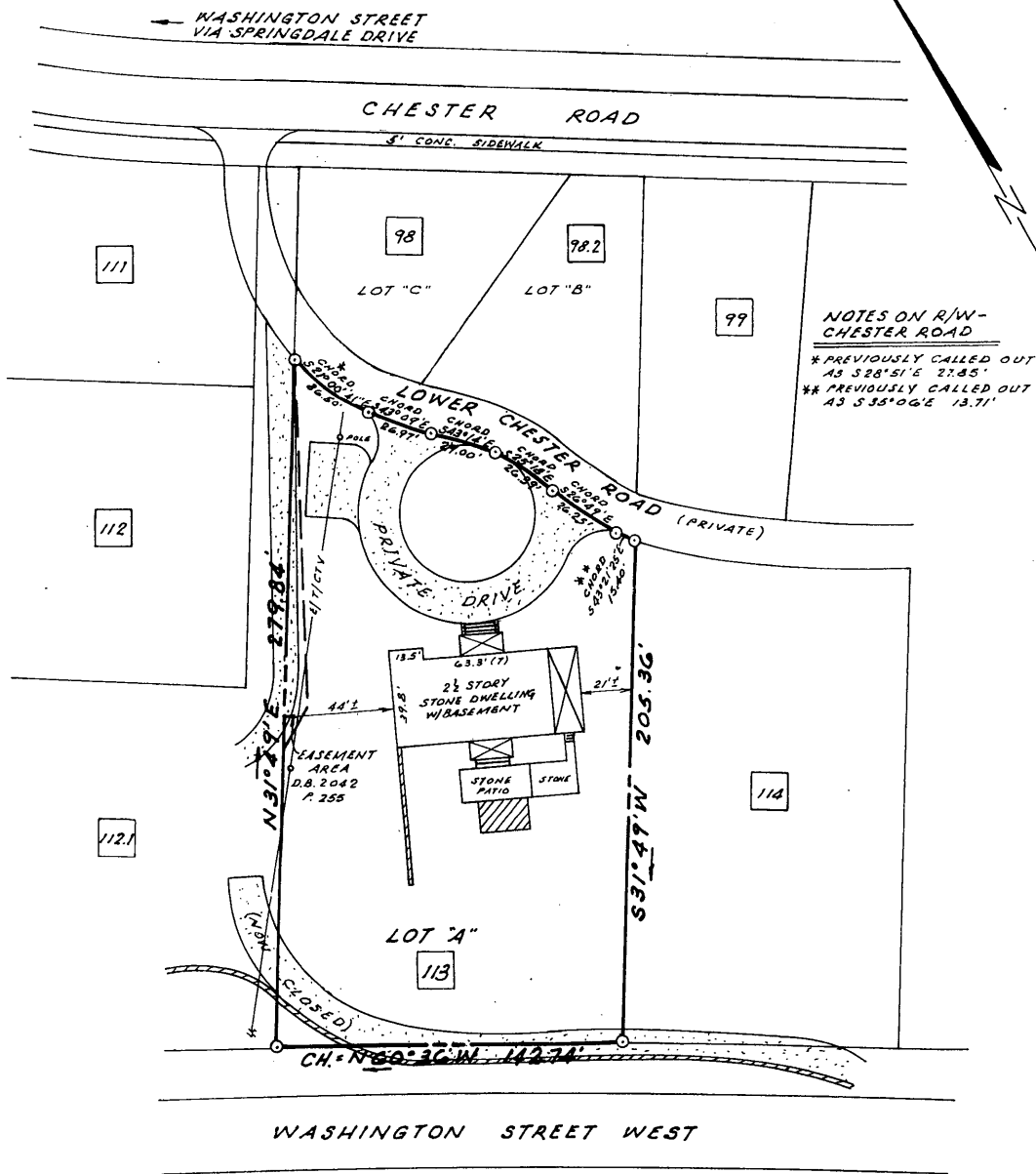


Layers Basemaps Address Search Tools

reference - lower chester rd Charleston, WV 25387



24 x 24 3 30H 415 1351



NOTE:

THIS PROPERTY DOES NOT LIE
IN A FLOOD PRONE AREA (ZONE 'C')

AREA = 34,323 ± SQ. FT.

REFERENCES:

DEED BOOK 2042, PAGE 255
2205, 137
1946, 645
858, 277
1343, 454

SURVEY NOTE:

A RETRACEMENT SURVEY
WAS ACCOMPLISHED AND
VERIFIED ON MARCH 15, 2021

LEGEND:

○ PROPERTY CORNER
○ LOT NUMBER
□ TAX PARCEL

CHARLESTON WEST TAX MAP 13
TAX PARCEL 113

#356 LOWER CHESTER ROAD

PLAN OF: LOT "A" RESUBDIVISION OF TRACT NO. 3 OF
WOODRUM PARTITION MAP

SITUATED IN: CITY OF CHARLESTON, KANAWHA
COUNTY, WEST VIRGINIA

PREPARED FOR: THOMAS J. & PATRICIA A. STEVENS

PROJECT NUMBER SD-3131

SCALE 1" = 60'

DATE OCTOBER 9, 1991

DRAWN BY wgh

CONVERSE SURVEYING, Inc.

P.O. BOX 468 SCOTT DEPOT, WEST VIRGINIA 25560
Charleston 304-757-8424 Huntington 304-529-1868

EDWARD BEN CONVERSE
WVA LLS N° 356





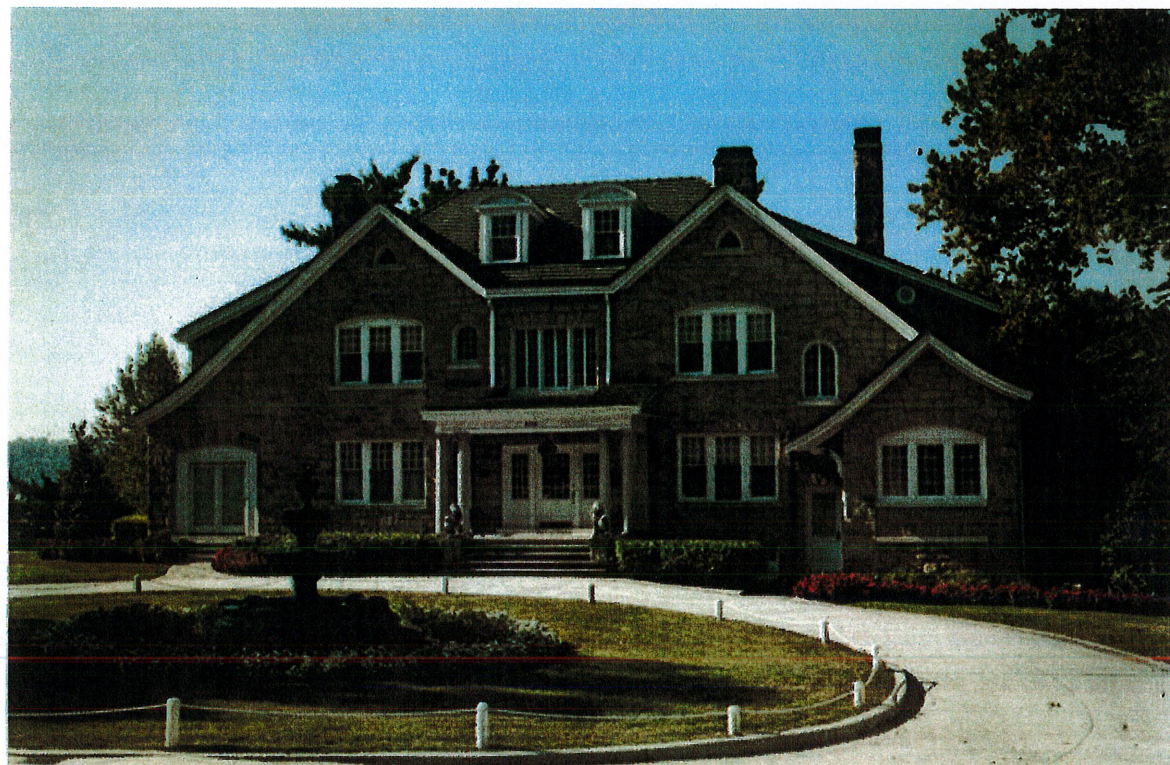
The West Virginia Encyclopedia

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Historic Houses of Charleston

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Woodrum-Stevens House



The Woodrums-Stevens house at 836 Lower Chester Road is one of the three original houses built in the Woodrum Partition, now part of the Edgewood Historic District. It was built in 1920-1921 by C.E. Woodrum, one of the owners of the Woodrum Furniture Company. The house is believed to be the only house in Charleston that is a mirror image of itself, meaning that the front and back of the house look the same. The home was built on a promontory, and below is the original carriage trail that residents once used to reach the Woodrum Partition. The home has been owned by Thom and Pam Stevens since 1991.

- [Bougemont](#)
- [948](#)
- [Ridgemont](#)
- [Hanrick House](#)
- [Kanawha City](#)
- [Young-Noyes House](#)
- [Top-O-Rock](#)
- [306 20th Street](#)
- [West Side](#)
- [Breezemont](#)
- [John C. Norman House](#)
- [Edgewood](#)
- [Whippe House](#)
- [Brightwell House](#)
- [Guthrie-Conley-Hayes House](#)
- [Frankenberger-Berman House](#)
- [Schoolfield House](#)
- [Schaefer House](#)
- [Loewenstein-Kleeman House](#)
- [Maier House](#)
- [Tuckwiller House](#)
- [Woodrum-Stevens House](#)
- [Woodrum-Mathany House](#)
- [Wells House](#)
- [References](#)