



Charleston Board of Zoning Appeals

AGENDA

8:30 a.m., Thursday, November 10, 2022

City Service Center Conference Room · 915 Quarrier Street

I. Items for Review

VAR-22-3018

Application of Kevin Sarrett requesting a variance of the accessory structure requirements in order to replace a storage building, rebuild a pool house, and construct an awning in the rear yard on the property located at **6613 Kanawha Avenue**.

CUP-22-0227

Application of Abigail Kopischke requesting a conditional use permit in order to establish a craft beer tap room on the property located at **186 Summers Street**.

CUP-22-0228

Application of Saville Construction Inc. requesting a conditional use permit in order to establish an indoor self-storage facility on the property located at **6600 Chesterfield Ave, SE**.

II. Approval of minutes for the September 8, 2022 hearing.



**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Case Description

VAR-22-3018: Application of Kevin Sarrett requesting a variance of the accessory structure requirements in order to replace a storage building, rebuild a pool house, and construct an awning in the rear yard on the property located at **6613 Kanawha 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.

Hearing Details

WHEN: 8:30 a.m.
Thursday, November 10, 2022

WHERE: City Service Center Conference Room
915 Quarrier Street

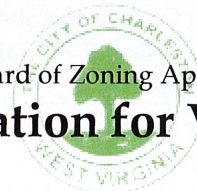
Public Participation

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 # VAR-22-3018

Hearing Date: 11/10/22

Applicant Information	Property Information
Name: <u>KEVIN C. SARRITT</u>	Address: <u>6613 KANAWHA AVE SE 25304</u>
Address: <u>6613 KANAWHA AVE SE 25304</u>	Tax Map and Parcel:
Phone: <u>304-550-4395</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, 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. TO REMOVE A 12'X12' BUILDING WITH A 4'X8' BUILDING NEAR PROPERTY LINE AT BACK OF POOL. 12'X12' BUILDING TO BE TORN DOWN. ALSO UPGRADE A POOL HOUSE AND BUILD AN ATTACHED AWNING. WOULD OPEN UP A 12'X12' GREEN SPACE.

Applicable Section(s) of the Zoning Ordinance _____

Please describe the proposed work to be done on the property. STICK BUILD 4'X8' BUILDING AND

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? ~~DEVELOP~~ SHOULD NOT BE AFFECTED.

EXISTING NEIGHBORING STRUCTURES AND ON THE PROPERTY LINE.

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.

Is your situation due to unique circumstances that are not shared by other land in the district? YES.
MY LOT IS LIMITED BY THE 16' X 32' POOL + DECK ~~AND~~ AND
POOL HOUSE + PUMP HOUSE THAT WERE EXISTING STRUCTURES
WHEN I PURCHASED THE PROPERTY.

Without a variance, are you deprived of all beneficial use of your land? YES, RESTRICTION
BY THE EXISTING STRUCTURES AND SIZE OF THE LOT.

Would approval of your variance request alter the essential character of the surrounding neighborhood or community? NO. SHOULD NOT AFFECT THE NEIGHBORS
PROPERTY. ~~AND~~

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?

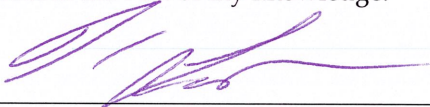
MY BACKYARD @ MAINLY CONSIST OF THE POOL AND EXISTING STRUCTURES THAT WERE THERE WHEN I PURCHASED THIS HOUSE. I AM ASKING TO PUT THE SMALL 4'x8' BUILDING AT THE END OF THE POOL AND TEAR DOWN THE 12'x12' BUILDING TO OPEN UP YARD FOR MORE GREEN SPACE AND PUT THE PERMANENT CANOPY OVER THE EXISTING CONCRETE PAD.

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?

I BELIEVE SO. THE NEIGHBORS ~~BEHIND~~ CURRENTLY HAVE EXISTING STRUCTURES RIGHT ON THE PROPERTY LINE. I APPRECIATE YOUR CONSIDERATION.

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

9/15/22

PERMANENT CANOPY
ATTACHMENT TO POOL HOUSE

NEW 4'x8' BLDG

RE-BUILDING POOL HOUSE

TO BE

REMOVED





**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Case Description

CUP-22-0227: Application of Abigail Kopischke requesting a conditional use permit in order to establish a craft beer tap room on the property located at **186 Summers 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, November 10, 2022

WHERE: City Service Center Conference Room
915 Quarrier Street

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.

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The seal of the City of Charleston, West Virginia, is a circular emblem. It features a central green tree with a white path leading to it. The words "THE CITY OF CHARLESTON" are written in a circle around the top, and "WEST VIRGINIA" is written around the bottom.

Alcohol Related Conditional Uses in Charleston, WV

Application for Conditional Use Permit
Release of Information
Security & Operations Plan

Abigail Kopischke for Short Story Ventures
(Name of Proposed Business)

Board of Zoning Appeals

Application for Conditional Use Permit



CU # _____

Hearing Date: _____

Applicant Information	Property Information
Name: <u>Short Story Ventures</u>	Address: <u>186 Summers Street</u> <u>Charleston, WV 25301</u>
Address: <u>384 Pharoahs Rm</u> <u>Rivesville, WV 26588</u>	Tax Map and Parcel:
Phone: <u>304-641-7743</u>	Zoning District:
Agent Name, Address and Phone Number: (if other than applicant)	Property Owner and Mailing Address: (if other than applicant) <u>Carlisle Development Group</u> <u>4797 Midland Dr.</u> <u>Charleston, WV 25306</u>

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, 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.

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.

Short Story Ventures will open a craft beer
taproom to serve high quality West Virginia craft
beer to its customers. Short Story Brewing opened
in 2017 in Marion County as a family owned
craft brewery. 5 years later, we are seeking to
expand to craft beer lovers in Charleston.

Applicable Section(s) of the Zoning Ordinance _____

Does the proposed use comply with the conditions set forth in the Zoning Ordinance? Yes, we
agree to comply with the conditions set forth.

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

The space we are leasing is currently being retro fitted for use. 3 bathrooms are being installed. Dry wall finishing, updated ceiling and flooring and electric.

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

We seek to be an additive location in the revitalized Slack Plaza area. We believe that an additional brewery will offer an opportunity for increased tourism for craft beer lovers. We hope to cross promote events and help to support the community.

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? No.

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.

Alex Kyrn
Signature

9/10/22

Date

Security & Operations Plan

Submittal Requirements

Exterior Site Plan indicating the location of the following:

- | | |
|---|--|
| ☒ Entrances/exits | ☒ Exterior lighting |
| ☒ Parking area, if applicable | ☒ Surveillance cameras |

Interior Floor Plan indicating location of the following:

- | | |
|--|--|
| ☒ Bar | ☒ Food service/preparation areas |
| ☒ Fixed seating | ☒ Movable seating |
| ☒ Stage and/or DJ platform | ☒ Dance floor, if applicable |
| ☒ Security personnel | ☒ Interior cameras |

Description of Operations

Please provide a narrative description of the business operations, including the type and frequency of entertainment to be provided.

We are a craft beer taproom, under the WRABCA - Tavern distinction. We will serve beer only and will close daily by 10 PM. We will also serve non alcoholic beverages. Our current plan does not include food. We will have TVs and board games. We will have a small event room available for meetings or family gatherings.

Hours of Operation

Tuesday - Sunday 3-10

Full meal service should be available during normal meal times, and snacks/appetizers must be available during all other operating hours. Please provide a narrative description of the business's plans for food service. Include as an attachment the menu to be offered, and written agreements with any restaurant, off-site kitchen, or delivery service.

Our current plan does not include food service in house. We plan to encourage patrons to support local restaurants and we will provide menus and connection information to all nearby options.

Responsibilities of the Establishment

Please initial after each statement indicating understanding and acknowledgement of responsibilities of the business owner.

Provide an adequate number of management staff, security personnel, and employees to effectively manage the establishment.

ank (initial)

Use reasonable measures to provide a safe and clean environment for guests and employees.

ank (initial)

Maintain both the interior and exterior of the establishment in a safe, well-maintained condition that is inviting to the public.

ank (initial)

Ensure all managers, bartenders, and servers complete the Professional Server Certification Corporation's On-Premises Responsible Serving Course. Copies of staff certification must be kept on site and made available to City staff upon request.

ank (initial)

Security Personnel

Please initial after each statement indicating understanding and acknowledgement of responsibilities of the business owner.

A minimum one of security personnel shall be provided for every 35-50 patrons during any time when entertainment is provided on the premises. It is the responsibility of the establishment to monitor and adjust the number of security personnel provided based on business operations.

am (initial)

The approximate locations of security personnel must be shown on the floor plan submitted with this application. Security personnel should be stationed in strategic locations throughout the establishment to ensure adequate oversight and management of the entire premises.

am (initial)

Security staff should be easily identifiable to customers. Apparel clearly identifying security personnel is recommended. Other equipment recommended for security personnel includes flashlight, manual counter, black light, and a communication device.

am (initial)

Security personnel should be stationed at all points of entry into the establishment in order to check IDs, enforce establishment dress codes when applicable, ensure that alcoholic beverages do not enter or leave the establishment, and to deny entry to anyone who has been barred from the establishment or is obviously intoxicated.

am (initial)

Additional security personnel should be positioned strategically around the establishment to monitor the crowd, identify patrons who are becoming unruly or visibly over-intoxicated, and maintain open walkways.

am (initial)

Last Call Process

Last call occurs at least 30 minutes prior to closure.

Entertainment is terminated and house lights are turned up 15 minutes prior to closure.

Customers are asked to leave the business 10 minutes prior to closure.

Security personnel should assist in the dispersal of customers from the premises and prevent loitering in the vicinity of the establishment.

am (initial)

Addressing Customers with Bad Behavior/Over-consumption

In the event that security personnel determines that there is a need to address a customer who is over-intoxicated or behaving badly, the following protocols should be undertaken:

1. Immediately and discreetly explain the rules to the customer and then promptly enforce the rule. If possible and appropriate, separate the customer from any group. It is the responsibility of security personnel to assess the situation to determine if a warning is appropriate prior to taking corrective action.
2. Notify the bar and wait staff that they are not to serve the customer any additional alcoholic beverages. In the event that the customer is observed with an alcoholic beverage, the customer should be asked to leave the premises.

3. If the customer is not violent or aggressive, provide the customer time to collect their belongings and pay any open tabs. If necessary, escort the customer out of the premises. It may be appropriate to allow the customer to close a tab once outside of the establishment.

AKH (initial)

Employees are not to serve alcohol to any person who shows signs of being visible intoxicated, nor should any such person be allowed to enter the establishment. If a patron is "cut off" by a staff member, all other staff members are to be notified immediately. If a patron is too impaired to leave safely, the establishment will make reasonable efforts to arrange transportation on his or her behalf.

AKH (initial)

Emergency Contact Information

Please list responsible parties to contact in case of emergency. Include name, cell phone number, and email address.

Abigail Kopischke - 304-641-7743
Michail Kopischke - 201-725-3720
Joseph Aaron Rote - 304-376-3607

ACKNOWLEDGEMENT

I have read and understand the policies, procedures, and standards expected of myself, my staff and my establishment. By signing below, I acknowledge that I understand and will abide by this Security & Operations Plan.

Signature:

Abigail Kypur

Print Name:

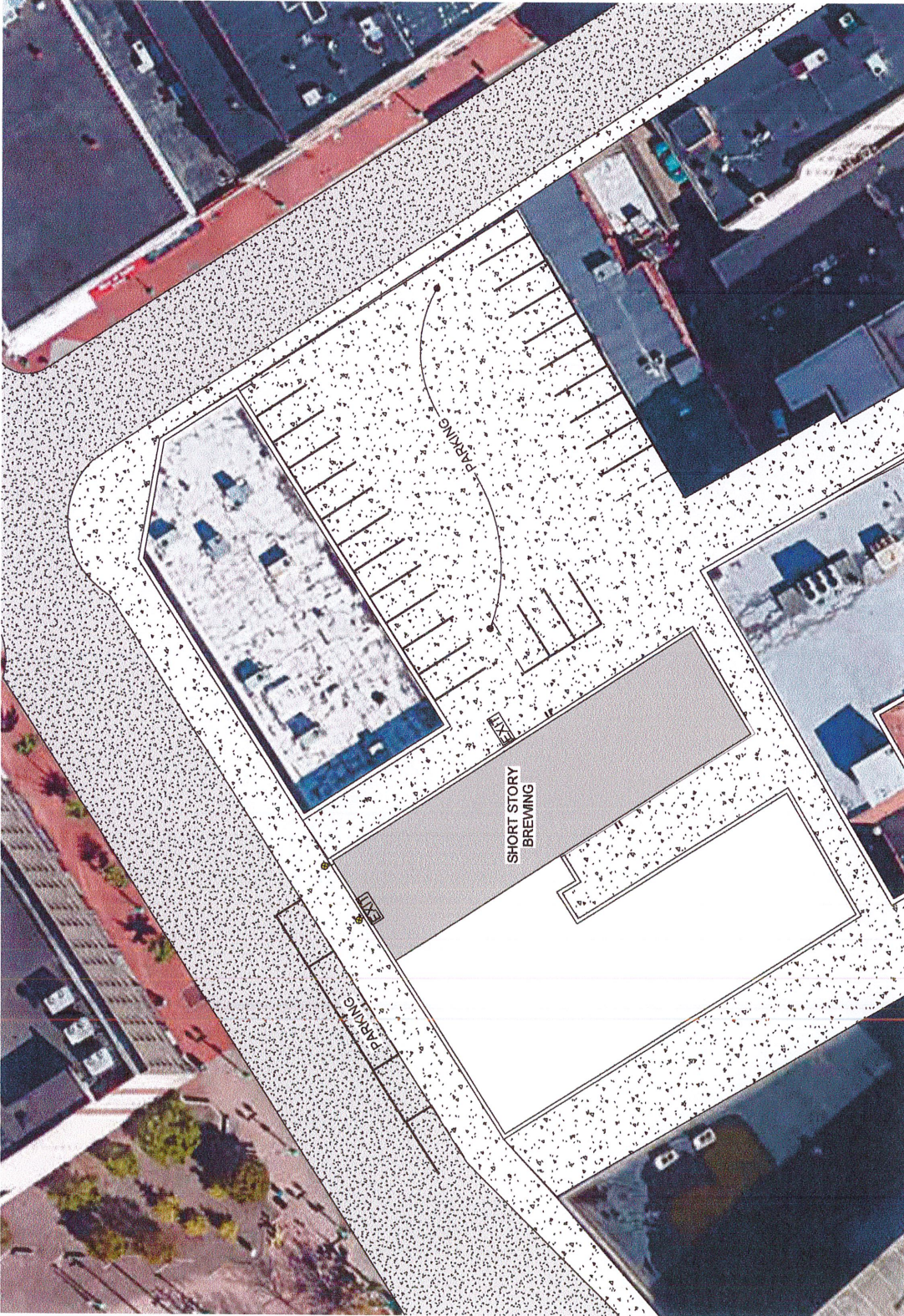
Abigail Kypur

Title:

Owner / Member Short Story Ventures

Date:

9/10/22



LEGEND



NORTH ARROW



EXTERIOR LIGHTING



EXIT EGRESS

Drawing Created for Planning
Purposes Only

C1

Site Plan

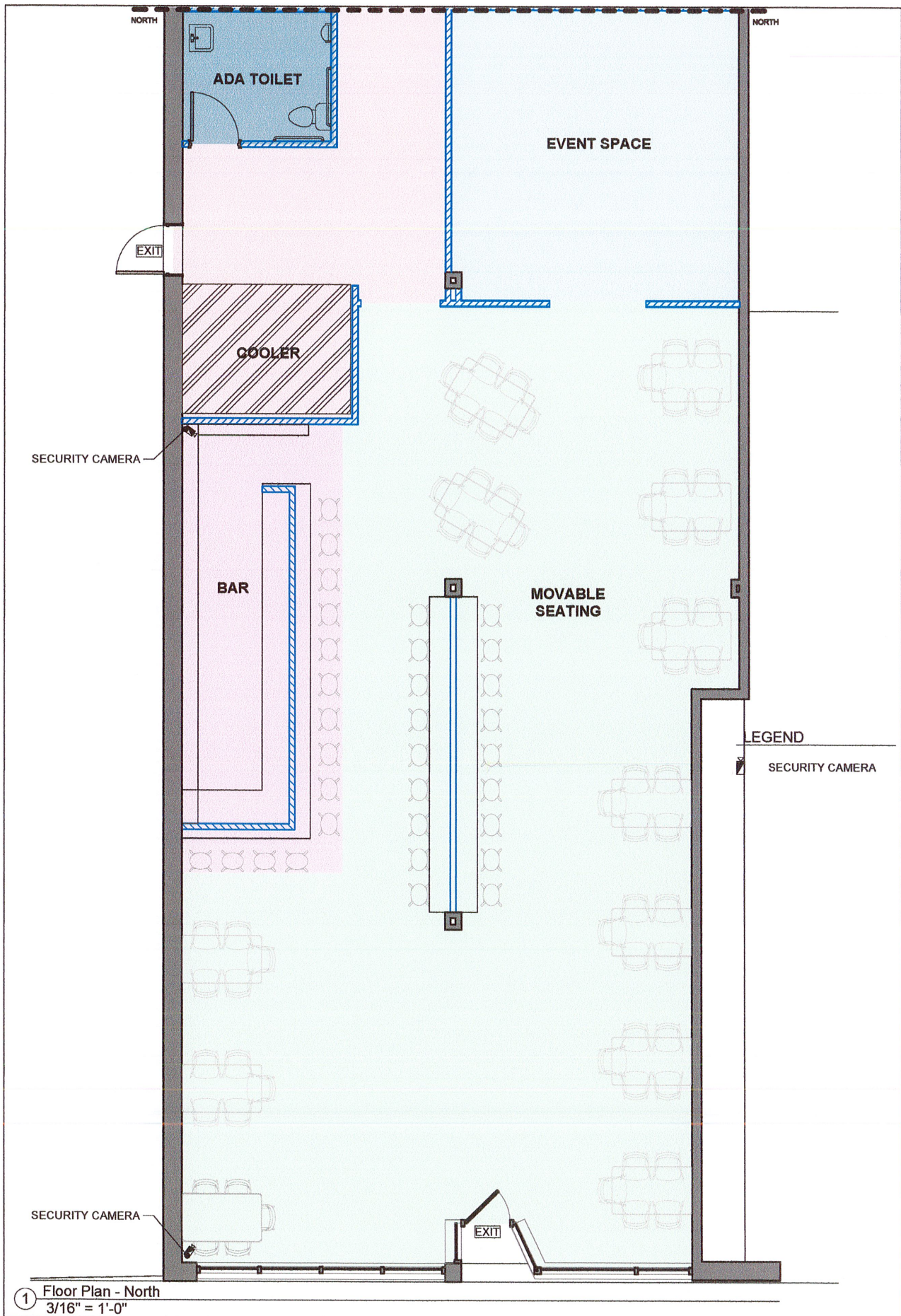
REVISIONS

DRAFT

Drawn By: LRC
Date: 9/7/2022

Short Story Brewing - Charleston



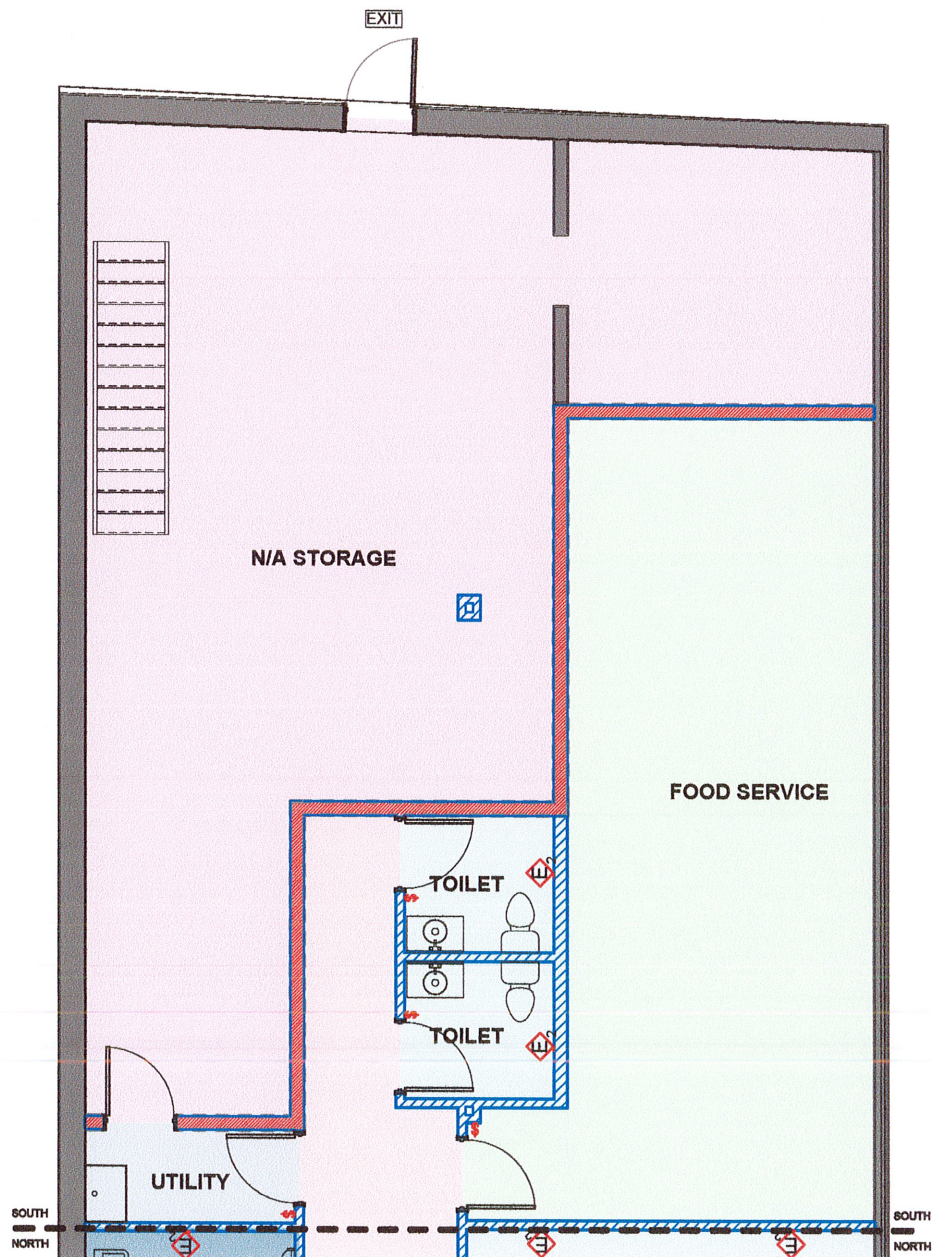


Short Story Brewing - Charleston

Interior Floor Plan - North

Date 9/7/2022
 Drawn by LRC
 Scale As indicated

A1.1



① Floor Plan - South
3/16" = 1'-0"



Short Story Brewing - Charleston

Interior Floor Plan - South

Date	9/7/2022
Drawn by	LRC
Scale	3/16" = 1'-0"

A1.2



**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Case Description

CUP-22-0228: Application of Saville Construction Inc. requesting a conditional use permit in order to establish an indoor self-storage facility on the property located at **6600 Chesterfield Ave, 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.

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Board of Zoning Appeals
Application for Conditional Use Permit



CU # _____

Hearing Date: _____

Applicant Information	Property Information
Name: <i>John Saville & John Pozega</i>	Address: <i>6600 Chesterfield AVE SE</i>
Address: <i>6637 Kananah AVE SE</i>	Tax Map and Parcel:
Phone: <i>(304) 541-5282 cell</i>	Zoning District:
Agent Name, Address and Phone Number: (if other than applicant)	Property Owner and Mailing Address: (if other than applicant)

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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. _____

Storage Building (IN DOORS)

no outdoor storage

Applicable Section(s) of the Zoning Ordinance _____

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

yes This project was rezoned last year

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

If your request for a conditional use permit is granted, how will others in the area be affected? will not 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? no

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.

Signature

H. E. S. S.

Date

9/22/22

