



Charleston Board of Zoning Appeals

AGENDA

8:30 a.m., Thursday, March 9, 2023

City Service Center Conference Room · 915 Quarrier Street

I. Items for Review

VAR-23-3022

Application of Greg & Chelsea Rider for a variance of the density and on site parking requirements in order to establish an additional dwelling unit on the property located at **1415-1417 Quarrier Street**.

CUP-23-0232

Application of David Moutz requesting a conditional use permit in order to establish a home-based business on the property located at **128 Ellison Road**.

II. Approval of minutes for the February 23, 2023 hearing.



**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Case Description

VAR-23-3022: Application of Greg & Chelsea Rider for a variance of the density and on site parking requirements in order to establish an additional dwelling unit on the property located at **1415-1417 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, March 9, 2022

WHERE: City Service Center Conference Room
915 Quarrier Street

Public Participation

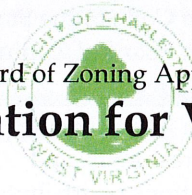
Anyone who wishes to comment on the case described above is encouraged to do so in one of the following ways:

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.

Chelsea Rider
304-389-2207

Board of Zoning Appeals
Application for Variance



BZA # _____

Hearing Date: _____

Applicant Information	Property Information
Name: <u>Greg & Chelsea Rider</u>	Address: <u>1415/1417 Quarrier St</u>
Address: _____	Tax Map and Parcel: _____
Phone: <u>304-389-2207</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.** _____

Density & parking variances in order to establish a dwelling unit.

Applicable Section(s) of the Zoning Ordinance Sec 7-020 (c) Sec 23-060-01

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

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? _____

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 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

1415/1417 Quarrier St.
Greg and Chelsea Rider

Variance Application

1-I am requesting a variance to repurpose a vacant structure into a two bedroom one bath apartment that is located in the back of my property on Quarrier St.

2- Zoning Ordinance- Section 7-020G
-Section 23-060-01

3-The proposed work includes finish drywall, install insulation throughout entire apartment, paint all walls, install drop ceiling, install new floor, heat source, kitchen and bathroom.

1-If the variance request is granted I only see this affecting the community in positive manner. I am taking a run down structure and turning it into a very nice affordable apartment. This will not only increase the value of my property, but also the value to the surrounding residences as well. The alley way will remain clear at all times so traffic will continue to be able to safely pass through. The property sits at the intersection of Beauregard St and Quarrier St. Parking has always been available on either street. I have been to this property at all hours of the day and have never had an issue finding parking. I have also spoke to my current tenants and surrounding neighbors and they agree that finding a parking space in this area is never an issue. Documentation of this will be provided on March 9, 2023.

2-This situation is a unique circumstance as there is a vacant structure to the back of the property between the 1415/1417 Quarrier St and the garage structure there is a large fenced in back yard. The entrance to the garage structure is in the alley way. The structure is not currently being used for anything.

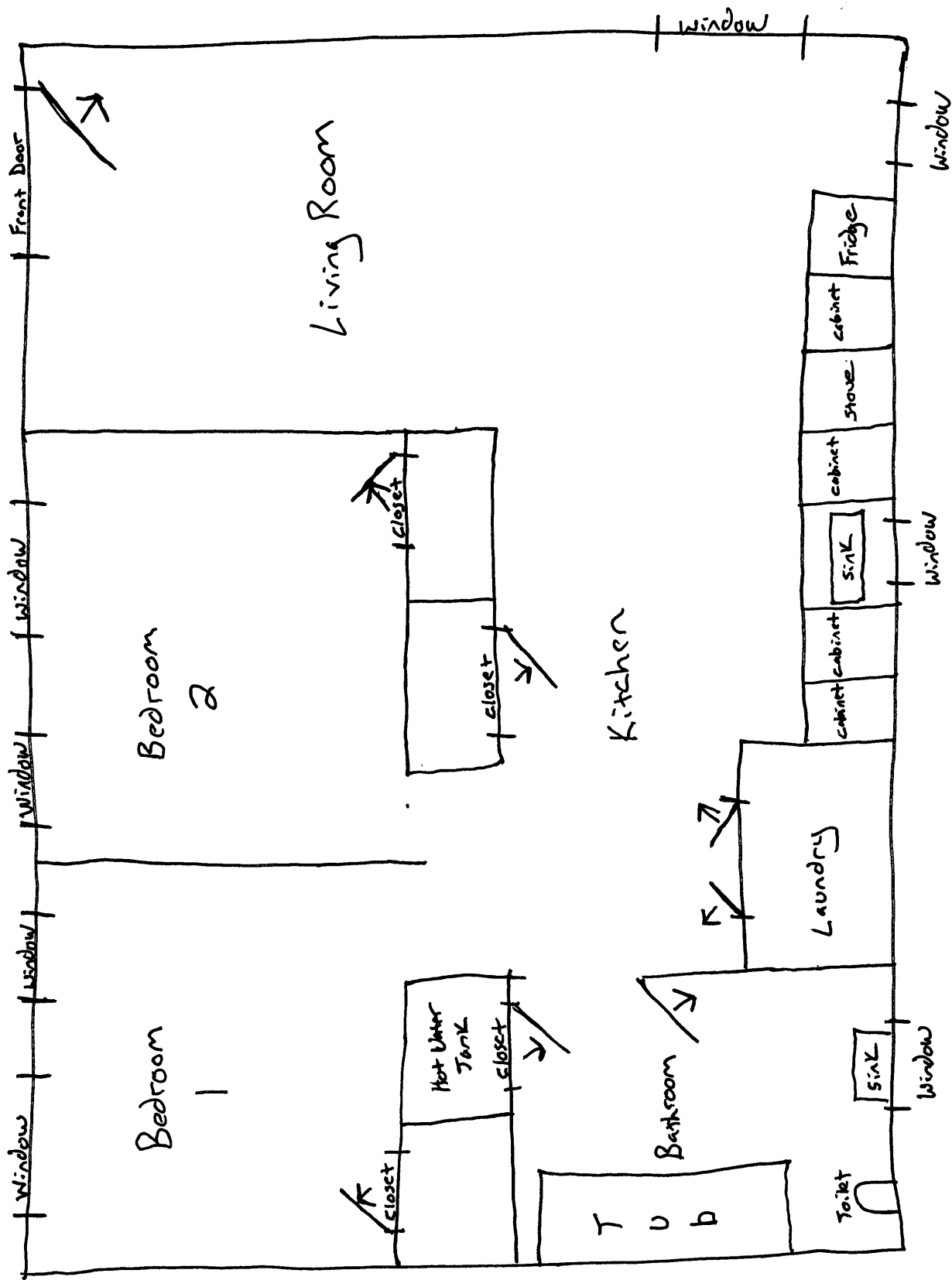
-Yes, without a variance I will be deprived of all beneficial use of the land. With the variance I will be able to create a two bedroom one bath newly remodeled apartment in the beautiful historic district of Quarrier St. This allows myself to grow my business as a landlord as well as offer a very nice affordable apartment in the City of Charleston.

-Approval of the variance would not alter the essential character of the surrounding neighborhood or community. The structure is located in the alley behind Quarrier St. I feel that turning it is into an apartment would improve the neighborhood and alley way because a tenant would occupy the building which would allow the tenant to watch over the structure. Currently there is a lot of foot traffic in the alley and this structure has

been broken into twice since I've owned the building in a little over a year. When others know someone occupies the structure the suspicious foot traffic that frequents this area will decrease.

4-The approval of the variance will allow the zoning ordinance to be observed. With the approval I feel it will actually improve the public health, safety, convenience, morals and general welfare of the city. The city has many run down structures. As a landlord, I take pride in my city and enjoy turning run down structures into something new and beautiful for the residents in the area to enjoy. Like mentioned above having a tenant occupied building in this alley will improve the safety and general welfare because someone's presence will be known in turn the foot traffic with breaks will decrease. Also, there is a lot of littering in the area. My hope is that would decrease as the foot traffic is decreased.

5-I believe approval will demonstrate fairness to both the me and the community. I will be able to offer very nice affordable housing in the highly desirable historic district of Quarrier St. Bringing a tenant to live in the area where the structure is situated will increase the safety of the general area.



1415-1417 Quarrier Street



3/3/2023, 12:22:52 PM

- Parcels
- Wards
- Zoning Districts
- R-8

Interstate Exits (Numbers)

1:500
0 0.01 0.02 mi
0 0.01 0.02 km
GIS Department, City of Charleston, West Virginia, Esri, Inc.



**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Case Description

CUP-23-0232: Application of David Moutz requesting a conditional use permit in order to establish a home-based business on the property located at **128 Ellison 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, March 9, 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.
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Board of Zoning Appeals

Application for Conditional Use Permit

CU # _____

Hearing Date: _____

Applicant Information	Property Information
Name: David Moutz	Address: 128 Ellison Rd
Address: 128 Ellison	Tax Map and Parcel: SA 12 161
Phone: 304-989-2099	Zoning District: R-6 W13
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, 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. It will be a new garage that will be used to teach and coach people in nutrition and functional movements, which involve, stretching, cardio and weightlifting. I would like to be open for available times to do instruction from 6am through 8pm Monday through Saturday and on Sunday 1-5pm and I will adhere to all city noise ordinances. I would like to be able to train/coach up to and no greater than 10 people at any given time which will be blocked in 1.5-hour segments. I will not exceed 40 people on any given day.

I am the only officer and my information is above.

Applicable Section(s) of the Zoning Ordinance Yes.

Does the proposed use comply with the conditions set forth in the Zoning Ordinance? Yes. As Stated in the Zoning Ordinance. The business is secondary to the residential use of the property

and it is compatible with the residential nature of the area. I have adequate parking for participants and no one is employed that lives outside my residence.

Please describe any proposed work to be done on the property. I am going to tear down the old open style garage that is currently in the back left part of my property when you are facing it from the road. In its place there will be a new 32x16 garage that will be placed over that area. (Please see attached picture). I will repair and or replace the current driveway, which will entail leveling the ground, trimming or removing shrubs and adding better lighting but not lighting that would infringe or hinder my neighbors and I will add cameras.

If your request for a conditional use permit is granted, how will others in the area be affected? In my opinion I believe that it should not affect their daily lives or routine in a negative way, I have lived in this neighborhood for 14 years and have built relationships and friendships that are important to me and that I strongly value, If there is something that I build or do that annoys or negatively impacts their lives I will do my very best to change it, stop it or remove it, My neighbors are too important to me that I would knowingly create a situation that would cause a problem between us. It would mean a great deal for me to have this on my property, but not at the cost of my relationship with my neighbors, they mean more to me than that. Honestly, if I cannot do this business in a way that makes my neighborhood better and keeps the consistency of my friendship with my neighbors then I'll go without the business. But I would value the opportunity to show what this can be for my neighborhood and the many whose lives will be transformed for the better because of this training offered. Right now starting out this is my only option.

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, I believe that it will actually enhance property and market value of adjacent land and structures. Congestion will not be an added burden. All people that I will be training will be able to park their vehicles comfortably in my driveway and those vehicles will not be an added burden to traffic flow or create congestion.

Is your request consistent with the purposes and intent of the Zoning Ordinance of the City of Charleston? Yes, I believe it is.

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.

David Mads
Signature

01/26/2023
Date

128 Ellison Road



1/27/2023, 9:15:48 AM

- Site Addresses - Current
- Wards
- Zoning Districts
- R-8
- R-6
- Interstate Exits (Numbers)

1:500
0 0.01 0.01 0.02 mi
0 0.01 0.01 0.02 km
GIS Department, City of Charleston, West Virginia, Esri, Inc.