



Charleston Board of Zoning Appeals

AGENDA

8:30 a.m., Thursday, March 28, 2024

City Service Center Conference Room · 915 Quarrier Street

I. Items for Review

CUP-24-0242

Application of AT&T Mobility requesting a conditional use permit in order to locate a temporary antenna for cell phone service on the property located at **330 MacCorkle Avenue, SE.**

II. Approval of minutes for the March 14, 2024 hearing.



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LEGAL ADVERTISEMENT
Board of Zoning Appeals
City of Charleston, WV

Insert the following legal notice containing all the wording below the heavy ruled line in the Tuesday, March 5, 2023 edition of the Charleston Gazette-Mail.

Issue a certificate within five (5) days of said notice to the Administrative Assistant of the Planning Department, 915 Quarrier Street, Suite 1, Charleston, WV 25301, setting forth a true and accurate copy of said notice and the exact date on which it was published.

NOTICE OF PUBLIC HEARING

The Board of Zoning Appeals of the City of Charleston, West Virginia, will hold a public hearing at 8:30 a.m., Thursday, March 28, 2024, in the City Service Center Conference Room at 915 Quarrier Street on the following:

CUP-24-0242: Application of AT&T Mobility requesting a conditional use permit in order to locate a temporary antenna for cell phone service on the property located at **330 MacCorkle Avenue, SE.**

Interested persons are requested to appear and voice opinions with respect thereto. The files are available for your inspection online at <https://charlestonwv.civicclerk.com/> and in the Planning Department, City Service Center, 915 Quarrier Street, Suite 1. If you have any questions or concerns, email lori.brannon@cityofcharleston.org or call (304) 348-8105.



Board of Zoning Appeals PUBLIC HEARING NOTICE

Case Description

CUP-24-0242: Application of AT&T Mobility requesting a conditional use permit in order to locate a temporary antenna for cell phone service on the property located at **330 MacCorkle Avenue, 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, March 28, 2024

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 Conditional Use Permit

CU # _____

Hearing Date: MARCH 28, 2024

Applicant Information	Property Information
Name: AT&T Mobility	Address: 330 MacCorkle Ave SE, Charleston, WV
Address: 1025 Lenox Park Blvd NE, 3rd Floor Atlanta, GA 30319	Tax Map and Parcel: PARID: 14 10 0610000000
Phone: 804.405.1834	Zoning District: C-10 General Commercial
Agent Name, Address and Phone Number: (if other than applicant) Agent, Gerry Sharpe Sharpe Resources, LLC 430 Hawley Drive, Salem, VA 24153 540.354.4100	Property Owner and Mailing Address: (if other than applicant) Astorg & Spears Properties, LLC 5 Dudley Farms Lane Charleston, WV 25309

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. _____

The use and activity on the site will consist of a truck arriving (see attached photo of the vehicle) with a built in antenna that will park in the existing parking lot, it will operate around the clock for the requested period of time. The truck will then drive off of the property and leave the premises as it found it. _____

Applicable Section(s) of the Zoning Ordinance Land use Table, page 57 / #17 (a) page 61.

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

The proposed use does comply with all conditions and this is just for a temporary use to support the existing wireless network infrastructure. _____

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

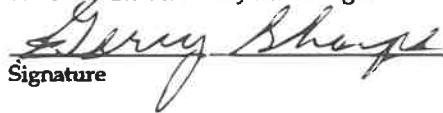
There is no on site work to be performed on the property, the antenna and related equipment is self contained within the truck and it will operate on existing power. _____

If your request for a conditional use permit is granted, how will others in the area be affected? _____
Others in the area will benefit by the additional capacity to the AT&T wireless coverage, especially those attending the
Sternwheel Ragatta and other events during June 30 to July 30, 2023 at the nearby Haddad Riverfront Park.

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? _____
In no way will this temporary use devalue the property of others. This use will offer additional wireless
service capacity to the area and should prevent congestion on the network during the period of operation.

Is your request consistent with the purposes and intent of the Zoning Ordinance of the City of Charleston? _____
Yes, by filing this application the correct course of action is being followed, as per the Zoning Ordinance
and also as directed by Dan Vriendt, Planning Director.

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

2/5/2024

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

List of the owners, with their mailing addresses, of the properties within a 250 foot radius of the subject property;

This first parcel listed is the subject property of this application:

PARID: 14 1006100000000

Account No: 07370463

Comments:

Location: 330 MACCORKLE AVE SE

Owner: ASTORG & SPEARS
PROPERTIES LLC

Mailing Address: 5 DUDLEY FARMS LN
CHARLESTON WV 25309

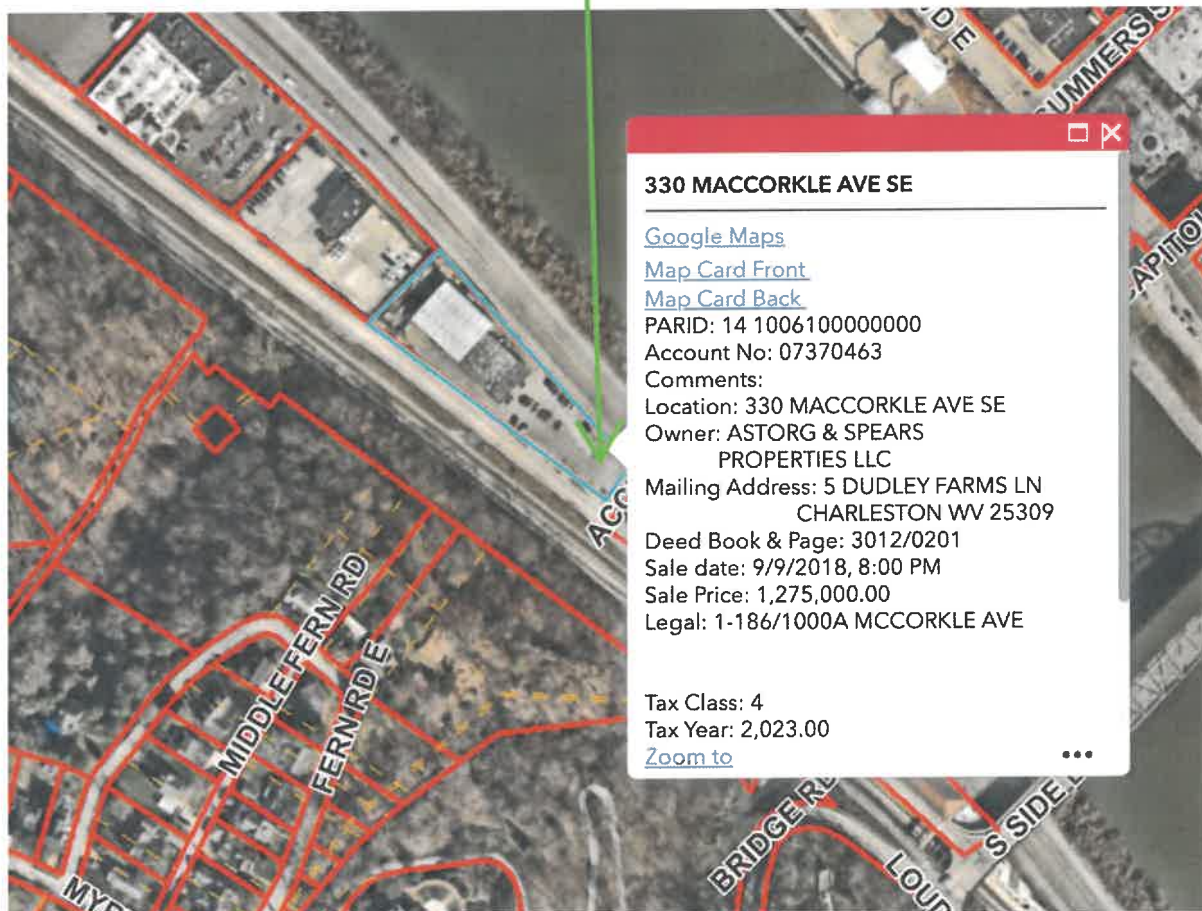
Deed Book & Page: 3012/0201

Sale date: 9/9/2018, 8:00 PM

Sale Price: 1,275,000.00

Legal: 1-186/1000A MCCORKLE AVE

LOCATION OF COW



List of the owners, with their mailing addresses, of the properties within a 250 foot radius of the subject property;

PARID: 14 1002600000000
Account No: 07091238
Comments:
Location: 1 FERN RD N
Owner: GLASS SHELLEY A LOWMAN
T-O-D
Mailing Address: 5620 PRUTANIA ST
NEW ORLEANS LA 70115
Deed Book & Page: 3088/0492
Sale date:
Sale Price:
Legal: LTS 19-19A PT LTS 20-20A
BOB CARR PROP FERN RD
NORTH FERN DR 5



1 FERN RD N

[Google Maps](#)
[Map Card Front](#)
[Map Card Back](#)
PARID: 14 1002600000000
Account No: 07091238
Comments:
Location: 1 FERN RD N
Owner: GLASS SHELLEY A LOWMAN
T-O-D
Mailing Address: 5620 PRUTANIA ST
NEW ORLEANS LA 70115
Deed Book & Page: 3088/0492
Sale date:
Sale Price:
Legal: LTS 19-19A PT LTS 20-20A
BOB CARR PROP FERN RD
NORTH FERN DR 5
Tax Class: 2
Tax Year: 2,023.00
[Zoom to](#)

List of the owners, with their mailing addresses, of the properties within a 250 foot radius of the subject property;

PARID: 14 1002700000000

Account No: 06229547

Comments:

Location:

Owner: WEST VA WATER CO

Mailing Address: P O BOX 9424

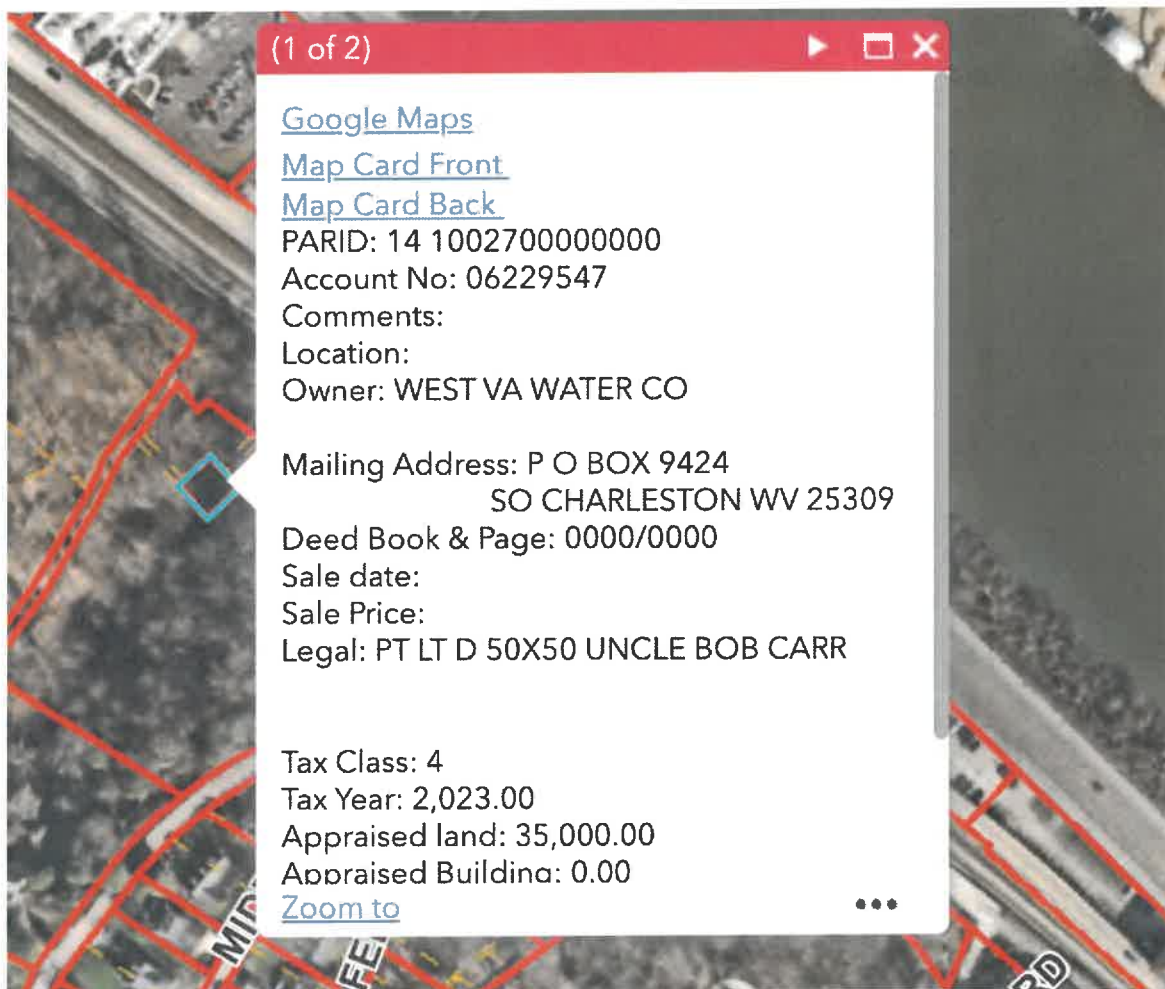
SO CHARLESTON WV 25309

Deed Book & Page: 0000/0000

Sale date:

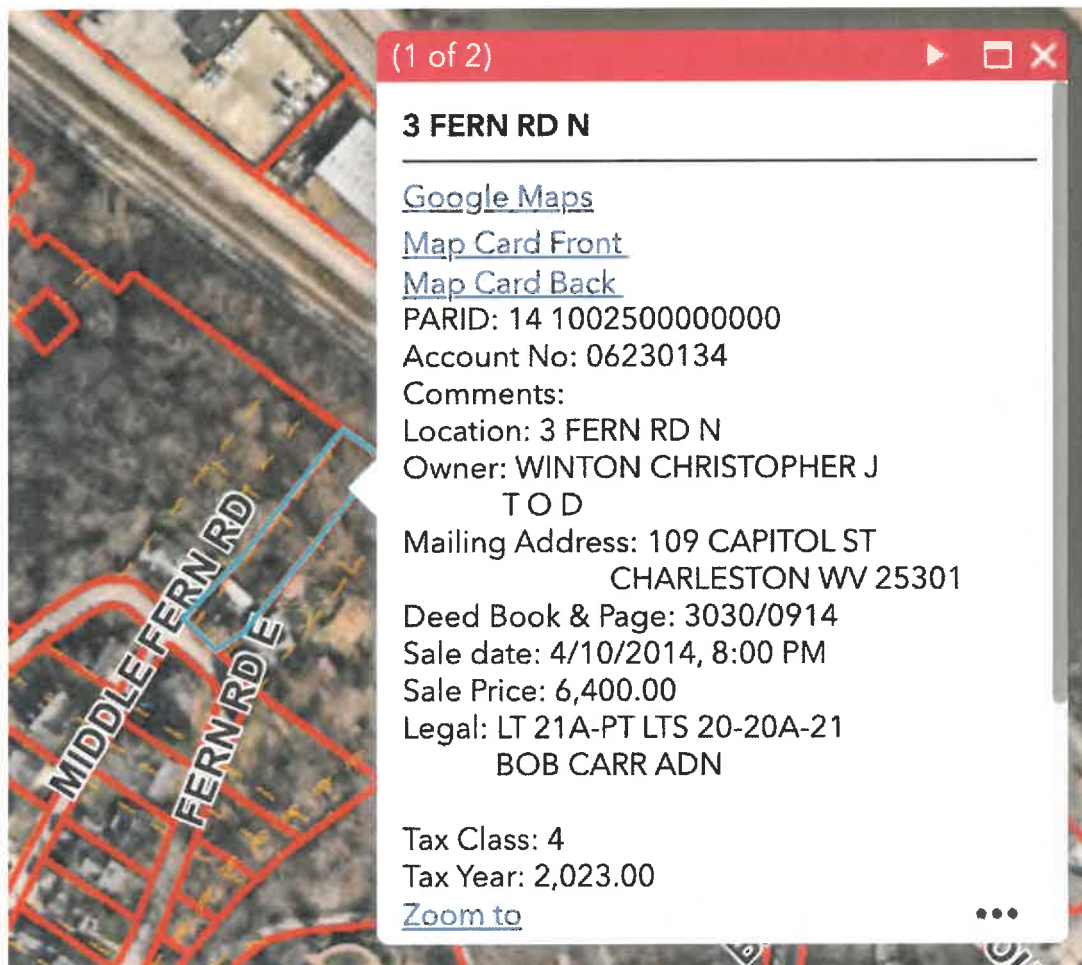
Sale Price:

Legal: PT LT D 50X50 UNCLE BOB CARR



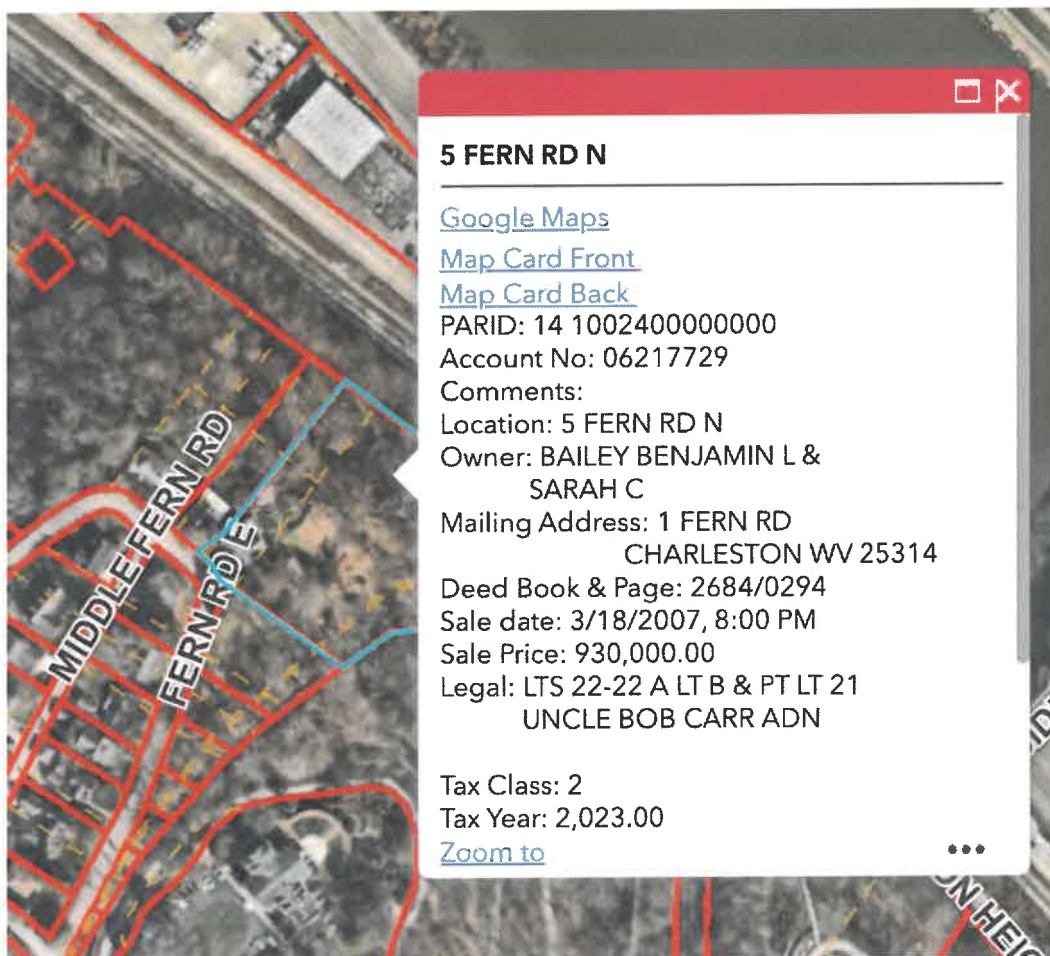
List of the owners, with their mailing addresses, of the properties within a 250 foot radius of the subject property;

PARID: 14 1002500000000
Account No: 06230134
Comments:
Location: 3 FERN RD N
Owner: WINTON CHRISTOPHER J
T O D
Mailing Address: 109 CAPITOL ST
CHARLESTON WV 25301
Deed Book & Page: 3030/0914
Sale date: 4/10/2014, 8:00 PM
Sale Price: 6,400.00
Legal: LT 21A-PT LTS 20-20A-21
BOB CARR ADN



List of the owners, with their mailing addresses, of the properties within a 250 foot radius of the subject property;

PARID: 14 1002400000000
Account No: 06217729
Comments:
Location: 5 FERN RD N
Owner: BAILEY BENJAMIN L &
SARAH C
Mailing Address: 1 FERN RD
CHARLESTON WV 25314
Deed Book & Page: 2684/0294
Sale date: 3/18/2007, 8:00 PM
Sale Price: 930,000.00
Legal: LTS 22-22 A LT B & PT LT 21
UNCLE BOB CARR ADN

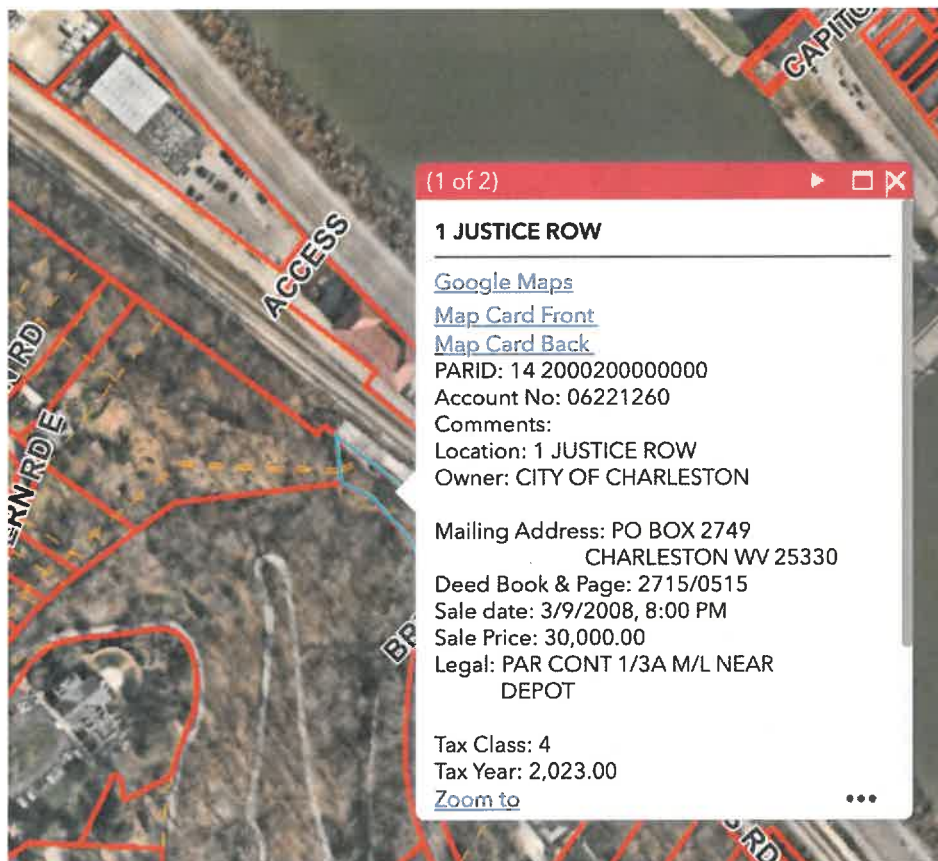


List of the owners, with their mailing addresses, of the properties within a 250 foot radius of the subject property;

PARID: 14 2000200000000
Account No: 06221260
Comments:
Location: 1 JUSTICE ROW
Owner: CITY OF CHARLESTON

Mailing Address: PO BOX 2749
CHARLESTON WV 25330

Deed Book & Page: 2715/0515
Sale date: 3/9/2008, 8:00 PM
Sale Price: 30,000.00
Legal: PAR CONT 1/3A M/L NEAR
DEPOT



List of the owners, with their mailing addresses, of the properties within a 250 foot radius of the subject property;

PARID: 14 2009600000000

Account No: 07466397

Comments:

Location: 340 MACCORKLE AVE SE

Owner: STATION PLACE LLC

Mailing Address: 340 MACCORKLE AVE
CHARLESTON WV 25314

Deed Book & Page: 2161/0501

Sale date: 3/31/1987, 7:00 PM

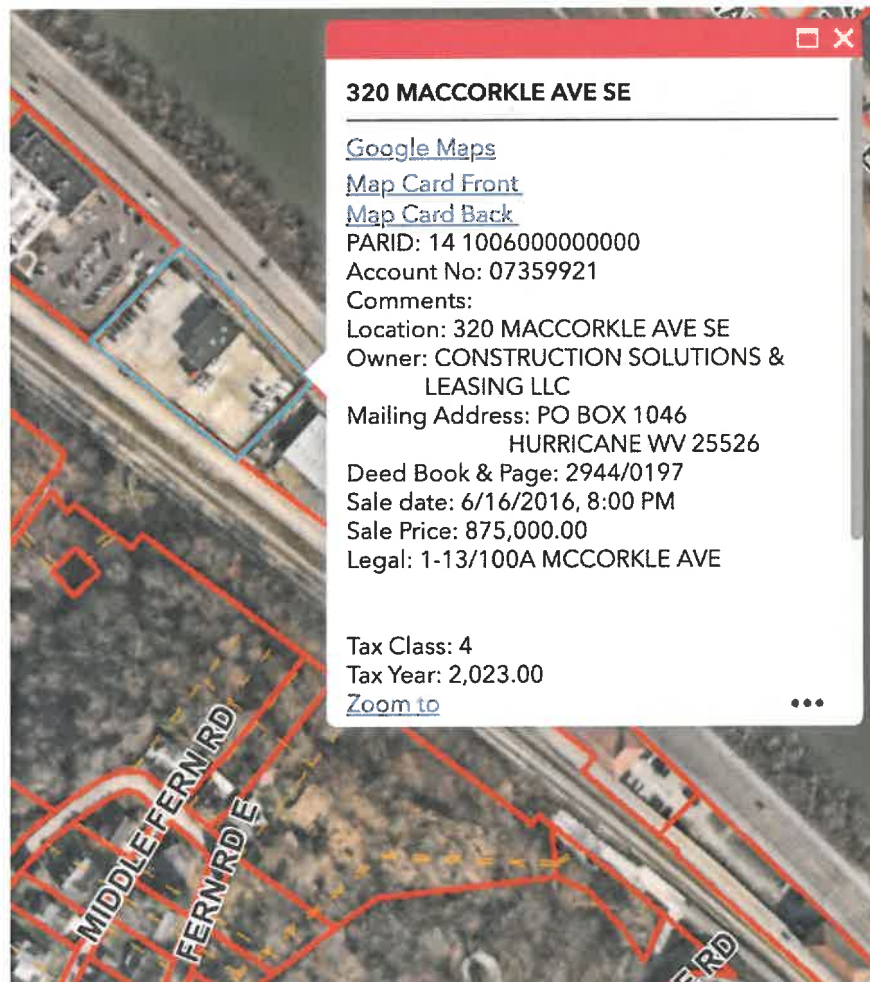
Sale Price: 200,000.00

Legal: PAR B SS RT 61 WEST OF SO
SIDE BRIDGE CONT 51/100A
MCCORKLE AVE



List of the owners, with their mailing addresses, of the properties within a 250 foot radius of the subject property;

PARID: 14 1006000000000
Account No: 07359921
Comments:
Location: 320 MACCORKLE AVE SE
Owner: CONSTRUCTION SOLUTIONS &
LEASING LLC
Mailing Address: PO BOX 1046
HURRICANE WV 25526
Deed Book & Page: 2944/0197
Sale date: 6/16/2016, 8:00 PM
Sale Price: 875,000.00
Legal: 1-13/100A MCCORKLE AVE



Market: VA/WV
Site Name: Sternwheel Regatta
Site No.: USID 326387
FA #: 10130179

EXHIBIT "A"





EXAMPLE OF THE UNIT THAT WILL BE USED AS PER THIS REQUEST.