



**Municipal Planning Commission
City Service Center – 915 Quarrier Street – Suite 6
Wednesday, May 8th, 2024
3:00 p.m.**

Agenda

- 1. Call to Order**
- 2. Unfinished Business**
- 3. New Business**

Right-of-Way Closure: Bill No. 8033 - A Bill closing, abandoning, and discontinuing as a public right-of-way a 10 ft strip of land across lot 6 of the Woodrum Addition that is used as a public walkway, located on Tax Map 13 Parcel 119.2 Charleston West District, Kanawha County, West Virginia.

Right-of-Way Closure: Bill No. 8034 - A Bill closing, abandoning, and discontinuing as a public right-of-way a 10 ft alley across block 12 of the JB Walker Addition, adjacent to Tax Map 25 Parcels 366, 367, 368, 375, 376, 377 Charleston West District, Kanawha County, West Virginia.

Text Amendment: Bill No. 8032 – A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January, 2006, as amended, by eliminating restrictions on firearms sales and amending the administrative sections relating to the duration of approval process for development projects.

- 4. Minutes of the April 3, 2024 MPC meeting**
- 5. Announcements**
- 6. Adjournment**

***Meetings may be recorded and broadcast via internet <https://charlestonwv.civicclerk.com>**

Bill No. 8033

Introduced in Council:

Adopted by Council:

May 6, 2024

Introduced by:

Referred to:

Jeanine Faegre

**Municipal Planning Commission
Planning, Streets and Traffic**

1 **Bill No. 8033** - A Bill closing, abandoning, and discontinuing as a public right of way a 10-foot
2 strip of land across lot 6 of the Woodrum Addition that is used as a public walkway, which is
3 located on Tax Map 13, parcel 119.2, Charleston West District, Kanawha County, West Virginia.
4

5 **BE IT ORDAINED BY THE CITY COUNCIL OF CHARLESTON, WEST VIRGINIA**

6
7 1. A parcel of land being a 10-foot-wide right-of-way, as shown on map entitled "Exchange
8 of Lands Between The City of Charleston and Gay Marie Watson" dated July 1986, as recorded
9 in Deed Book 2135 at page 275 of the Kanawha County Public Registry, situate in the municipality
10 of the City of Charleston, South Annex District, Kanawha County, West Virginia, and attached
11 hereto as Exhibit A. The right of way is more particularly described as follows:

12
13 BEGINNING in the southerly right-of-way line of Lower Chester Road; thence
14 leaving said southerly right-of-way line of Lower Cheater Road and running in a
15 direction towards Washington Street, West S 06°11'59.9" E 12.04 feet to a point;
16 thence S 05 °26'31.08" W 78.265 feet to a point; thence S 80°27'2.3 W 46.604 feet
17 to a point; thence N 87 °10'20" W 71.46 feet to a point; thence N 82 °15' W 16 feet
18 to a point; and being the center line of a 10 foot strip of land across lot 6 of the
19 Woodrum Addition, and having an area of approximately 2247 square feet.
20

21 2. The Mayor of the City of Charleston be, and is hereby authorized and directed to execute,
22 acknowledge and deliver a proper deed conveying from the City of Charleston, a West Virginia
23 public body, to Jerry Lacy Jr, all rights, title and interest in and to said real property as described
24 in Section 1 above, for the consideration One Hundred Dollars and no cents (\$100.00).
25

26 3. All prior ordinances, or parts of ordinances, inconsistent with this ordinance are hereby
27 repealed to the extent of such inconsistency.

City of Charleston

Checklist for Application to Close City Streets, Alleys or Rights-of-Way

Applicant Information	Property Information
Name: <i>Jerry Lacy Jr.</i>	Street, Alley, or Right-of-way to be closed or abandoned:
Address: <i>852 Lower Chester Rd.</i>	Tax Map and Parcel:
Phone: <i>(304) 542-4523</i>	Agent's Name if Different from Applicant:

IMPORTANT: This application must be typed or legibly printed and filed by the filing deadline 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 narrative justification to close the right-of-way, including the information outlined below; 2) a Bill sponsored by a member of Charleston City Council using the format of the sample provided; 3) supporting documentation; and 4) a \$125.00 filing fee in the form of a check or money order made payable to the City of Charleston. In addition, 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.**

JUSTIFICATION

The following information must be included in a written justification for the closure:

- A statement outlining the reason for the requested closure. This statement includes the proposed benefit to the public as a result of the abandonment.
- A statement of justification for the proposed closure. This statement will include circumstances pertaining to the subject property such as topography, limited access, or other physical restraints.
- A statement regarding the current use of the street or alley or right-of-way. This statement includes information as to whether or not the property is currently a part of the City's pattern of roadways.
- A statement identifying any encroachment (buildings, fences, etc.) on the subject property.
- NA If applicable, a request that the property be donated along with a determination of eligibility for donation.
- NA If applicable, documentation that the petitioners are low to moderate income.

BILL

A Bill must be submitted along with the above justification.

- Name of sponsoring member of City Council.
- NA Formatting exactly as shown on the attached sample bill. Use Arial 12 pt type and line numbering. The Planning Department will acquire a bill number.

SUPPORTING DOCUMENTATION

The following supporting documentation must also be submitted with this application:

- NA A current certified appraisal.
- NA A survey map of the property requested to be closed. The survey map must provide the names and tax map and parcels numbers of all adjacent property owners.
- NA A metes and bounds legal description of the property requested to be closed.

Applicant Signature: *Jerry Lacy Jr.* Date: *3-21-24*

Jerry Lacy, Jr.
852 Lower Chester Road
Charleston, WV 25302

March 29, 2024

Application to Close Concrete Steps Right of Way on 852 Lower Chester Road, Charleston, West Virginia

This document is a supplement to the official City of Charleston Checklist for application to Close City Streets, Alleys, or Right-of Way.

APPLICANT INFORMATION

Jerry Lacy, Jr.
852 Lower Chester Road
Charleston, WV 25302

The Property Information is found in *DEED BOOK 2135 PAGES 272-2754*

***“Being a strip of land 10 feet in width, designated as a walkway between Washington Street, West and Lower Chester Road. BEGINNING at a point in a northerly curblineline of Washington Street West, and in the center of said walkway and running with the existing deteriorated concrete steps and walkway up the hill in a direction towards Lower Chester Road to a point in the southerly line of Lower Chester Road right-of-way line, being a strip of land ten (10) feet wide, five (5) feet on each side of subject center line.*”**

The Application is being filed on this date: to comply with the Municipal Planning Commission Deadline of April 15, 2024; and for the MPC meeting scheduled to be held on May 8, 2024; with a subsequent review by the PST Committee in May 2024. Other Committees of City Council may want to review this application, but review is desired by approval of the City Council in June, 2024. {These dates are subject to change.}

The Application also contains the attached \$125 check for the filing fee.

JUSTIFICATION

The Applicant requests the City of Charleston to coordinate the dissolution of a certain Right-of-Way Easement of dangerous, unsafe and hazardous conditions of the deteriorated concrete steps on said “heading - uphill from RT 60 West/Washington Street West (formerly known as Charleston Street) to the top of Lower Chester Road {formerly known as Woodrum Drive.}

The proposed benefits to the public as a result of the abandonment are provided below:

- 1. Unsafe “deteriorated” crumbled concrete.**
- 2. Entrance/Exit is to step directly onto Route 60 West (known as) Washington Street West.**
- 3. No sidewalk to enter/exit steps create a true safety hazard.**
- 4. No safety walkway across busy vehicle roadway.**
- 5. Not handicapped accessible.**
- 6. Heavy vehicle traffic of ingress & egress across from Dairy Tractor Tractor Entrance.**
- 7. No signage of steps on major highway to warn oncoming vehicle traffic of pedestrians.**
- 8. Very steep climb to top of steps with unstable and missing railing.**
- 9. Scene of neighborhood complaint filing of vagrants with CRW Police Department.**
- 10. Scene of recent drug-induced trespasser arrested in neighborhood - harassing residents.**
- 11. Potential unsafe concrete steps personal liability litigation for the property owner.**
- 12. Potential unsafe concrete steps personal liability litigation for the City of Charleston.**

The current pedestrian use of the of the Right-of-Way for the concrete steps is negligible, probably because of the unsafe and hazardous condition for pedestrians.

It s important to note that the latest easement of Right-of-Way on the Lacy property was executed in 1986 by the City of Charleston to Gay M. Watson in consideration of payment of one dollar (\$1). That was 38 years ago. Vehicle traffic in the area was light and safe access to close-by public transportation was questionable. At that time children and workers used the steps. That is no longer the case. The Bus Stops have been moved, but are at close distance on either side of the concrete steps (which are no longer frequently used). The Bus is easily accessible from a Bus Stop next to Route 60 West/West Washington Street at the foot of Springdale Drive & Edgewood Drive - with a resting bench and plenty of room for standing.

Adjacent property owners and nearby neighbors to the concrete steps will testify that the steps are rarely used – if at all - anymore by school children, workers, walkers, or residents. To the contrary, the public safety of the neighborhood is endangered by non-resident vagrants accessing the concrete steps for drug abuse, alcohol abuse, smoking abuse, illicit paraphernalia, sexual activity, and littering. These activities are a current menace to the neighborhood.

It is unknown by the Applicant as to if the property is currently a part of the City's pattern of roadways. But it is doubtful, since we are dealing with a Right-of-Way for concrete steps – not roadways. However, the roadway adjacent to the concrete steps could definitely be considered a safety hazard for pedestrians and vehicles, because of a lack of sidewalk – standing area – or seating area -at the bottom of the concrete steps emptying onto the busy highway.

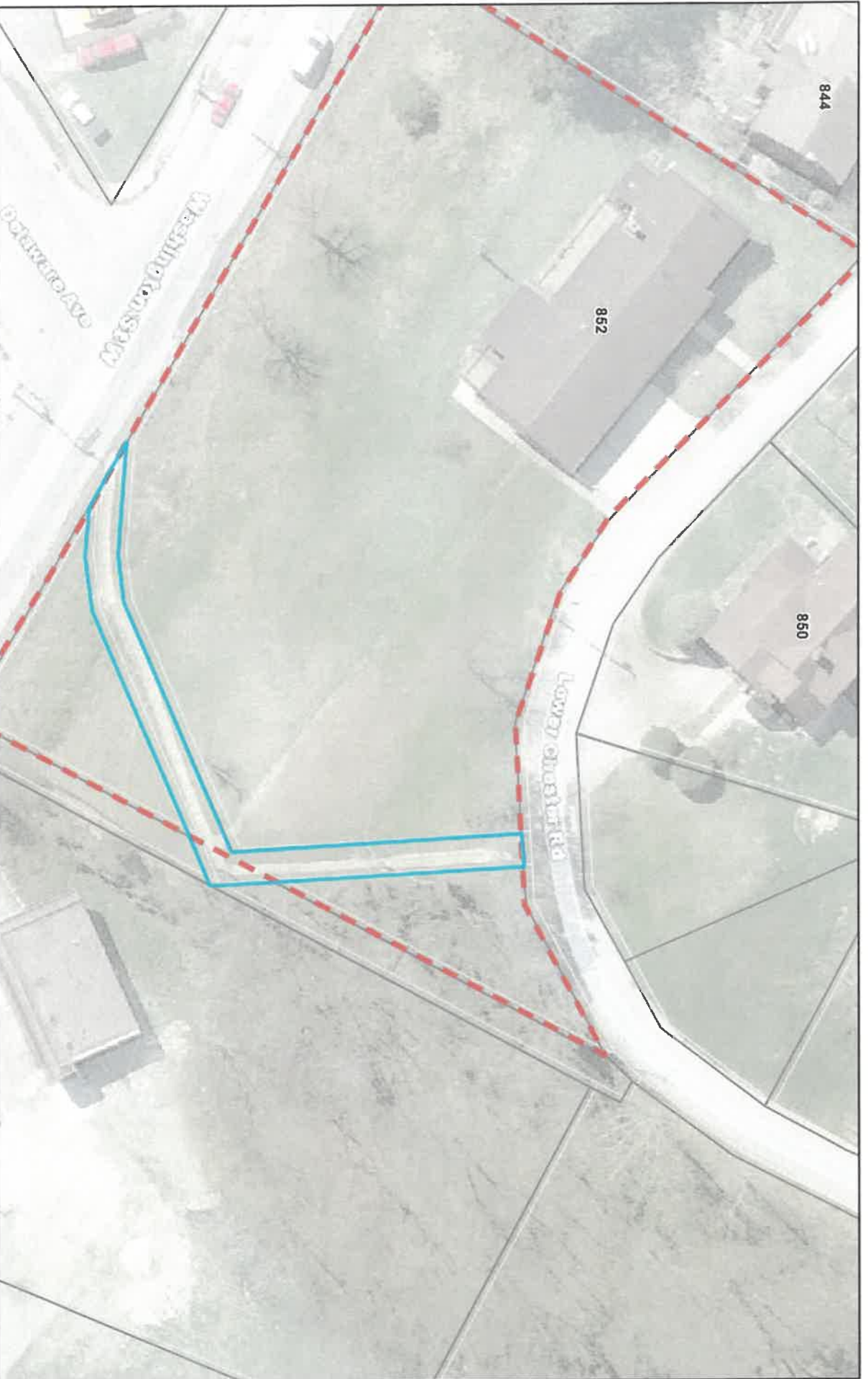
There is no encroachment of buildings, fences etc.) on the subject property.

BILL FOR CITY COUNCIL

It is the understanding of the Applicant that a Bill Draft is not necessary to be provided with this Application because Ward 5 Council Member Jeanine Faegre has already requested the City Planning Department to prepare a Bill and for her to be listed as the leading sponsor. At the appropriate time, the Applicant would request the opportunity to review and, make comments on the Bill Draft with Council Member Jeannine Faegre before its introduction.

On a final note, please know that it is a pleasure to work with the great staff at the Planning Commission. Their courtesy and consideration are exemplary. Their advice and assistance are invaluable.

852 Lower Chester Road

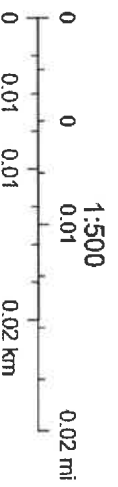


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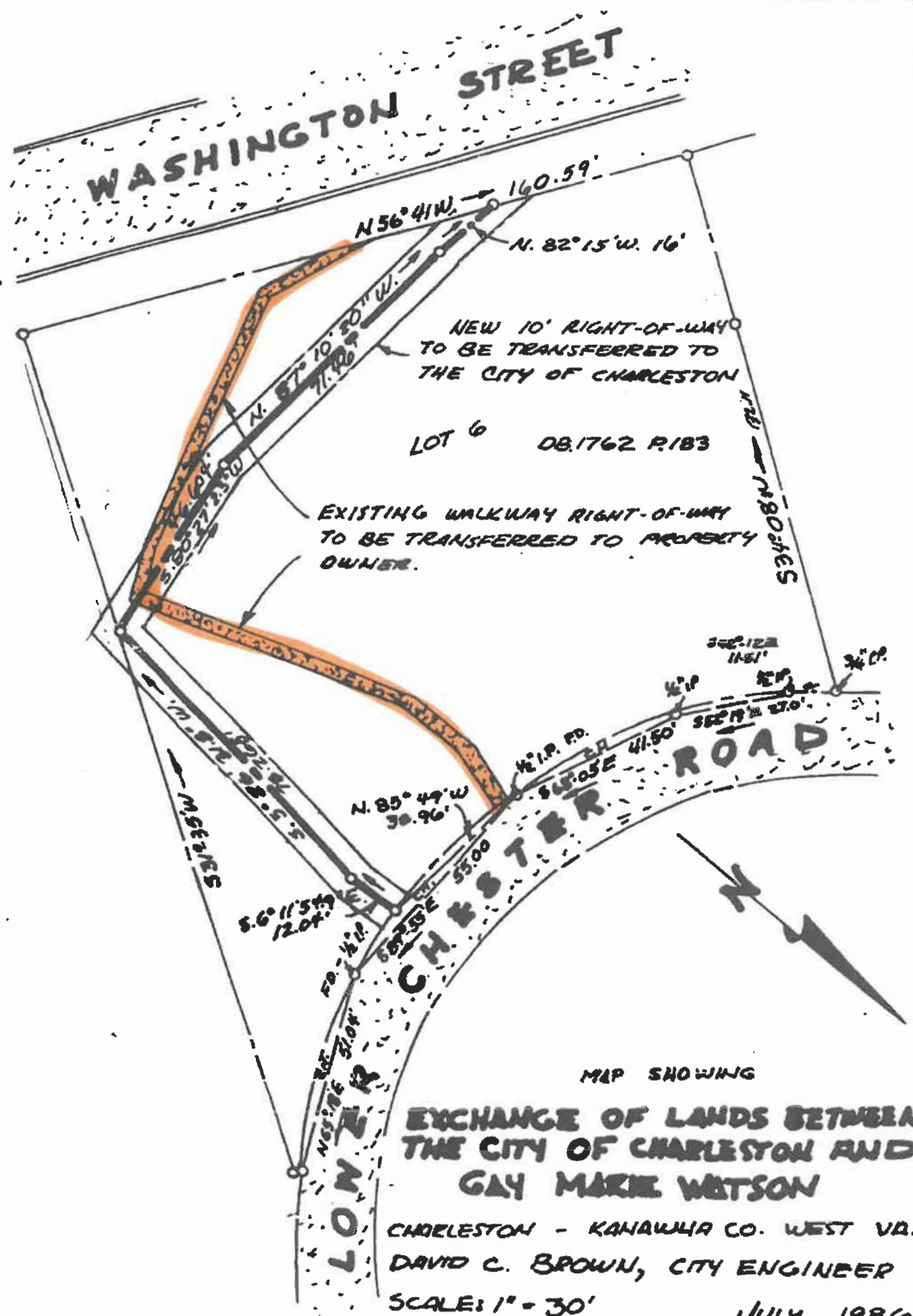
Site Addresses - Current



Parcels



Adam Cottrell, GIS Manager - GIS Department, Charleston, WV | Pictometry,
Adam Cottrell, GIS Manager - GIS Department, Charleston, WV



THIS CORRECTIVE DEED OF EXCHANGE, Made and entered into this 17 day of ~~July~~^{Sept}, 1986, by and between MS. GAY M. WATSON, party of the first part and THE CITY OF CHARLESTON, a municipal corporation, party of the second part;

THEREFORE WITNESSETH: That, for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid, and other good and valuable consideration, the receipt hereof is hereby acknowledged by the said party of the first part, the said party of the first part does hereby GRANT and CONVEY unto said party of the second part all its right, title and interest in and to all that certain lot or parcel of land, situate, lying and being in the City of Charleston, Kanawha County, West Virginia, said property being more particularly described as follows, to-wit:

BEGINNING in the southerly right-of-way line of Lower Chester Road; thence leaving said southerly right-of-way line of Lower Chester Road and running in a direction towards Washington Street, West S 06°11'59.9" E 12.04 feet to a point; thence S 05°26'31.08" W 78.265 feet to a point; thence S 80°27'2.3" W 46.604 feet to a point; thence N 87°10'20" W 71.46 feet to a point; thence N 82°15' W 16 feet to a point; and being the center line of a 10 foot strip of land across Lot 6 of the Woodrum Addition to be used as a walkway.

And for the consideration aforesaid, the party of the second part does hereby GRANT and CONVEY unto the party of the first part all its right, title and interest in and to that lot or parcel of land, situate, lying and being in the City of Charleston, Kanawha County, West Virginia, said property being more particularly described as follows, to-wit:

MAP ATTACHED

Mail: #5910 City of Charleston
Mayor's Office
Charleston, W.Va.
25301

Being a strip of land 10 feet in width, designated as a walkway between Washington Street, West and Lower Chester Road.

BEGINNING at a point in a northerly curb line of Washington Street, West, and in the center of said walkway and running with the existing deteriorated concrete steps and walkway up the hill in a direction towards Lower Chester Road to a point in the southerly line of Lower Chester Road right-of-way line, being a strip of land ten (10) feet wide, five (5) feet on each side of subject center line.

WITNESS the following signatures and seals:

THE CITY OF CHARLESTON, a municipal corporation

By James E. Roark
James E. Roark, its Mayor

By Gay M. Watson
Gay M. Watson

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, to-wit:

I, Bianche M. Prusich, a Notary Public in and for the said State and County, do certify that JAMES E. ROARK, Mayor, who signed the writing hereto annexed, bearing date the 3rd day of ~~July~~ ^{October} ~~September~~, 1986, has this day in my said County, before me, acknowledged the said writing to be the act and deed of said Municipal Corporation.

Given under my hand this 3rd day of October, 1986.

My commission expires August 4, 1991

Bianche M. Prusich
NOTARY PUBLIC

REC'D
OCT 10 11 1986

STATE OF OHIO,

COUNTY OF HAMILTON, to-wit:

I, J. FREDERICK HELBLING, a Notary Public of said county, do certify that GAY M. WATSON, whose name is signed to the hereto annexed writing, bearing date on the 17 day of ~~July~~ ^{SEPT.}, 1986, has this day acknowledged the same before me, in my said County.

Given under my hand and Notarial Seal this 17 day of September, 1986.

My commission expires April 24, 1987

J. Frederick Helbling
NOTARY PUBLIC

J. FREDERICK HELBLING
Notary Public, State of Ohio
My Commission Expires April 24, 1987.

This document prepared by:
Allen Fields
Block & Fields
1050 Meta Drive
Cincinnati, Ohio 45237



This instrument was presented to the Clerk of the County Commission of Kanawha County, West Virginia, on and the same is admitted to record. OCT 03 1986

Teste: Anne T. Canell Clerk

Kanawha County Commission

Bill No. 8034

Introduced in Council:

Adopted by Council:

May 6, 2024

Introduced by:

Referred to:

**Municipal Planning Commission
Planning, Streets and Traffic Committee
Finance Committee**

Michael Ferrell

Bill No. 8034 - A Bill closing, abandoning, and discontinuing as a public right-of-way a 10 ft alley across block 12 of the JB Walker Addition, adjacent to Tax Map 25 Parcels 366, 367, 368, 375, 376, 377 Charleston West District, Kanawha County, West Virginia.

BE IT ORDAINED BY THE CITY COUNCIL OF CHARLESTON, WEST VIRGINIA

1. The public right-of-way located between Lots 20, 19 and 18, Block 12, and along Lots 10, 9, 8, and 7 situate in Charleston West District, Kanawha County, West Virginia, as show on the map entitled "PLAT SHOWING A PROPOSED ABANDONEMENT OF PART OF A 10' ALLEY IN BLOCK 12, J.B. WALKER ADDITION TO WEST CHARLESTON IN THE CITY OF CHARLESTON KANAWHA COUNTY, WEST VIRGINIA PREPARED FOR RANDOLPH STREET BAPTIST CHURCH SCALE: 1"= 30' MARCH 2, 2024," prepared by William R. Gunnoe, dated March 2, 2024, and attached hereto as Exhibit A. The alley is more particularly described as follows:

BEGINNING at a point at the intersection of two ten foot wide alleys at the easternmost corner of Lot 20, Block 12 of the J.B. Walker Addition to West Charleston as presently owned by Fleming Commercial Properties, LLC in Deed Book 2816, Page 445, thence N35-00 W 120.00 feet, running with the said alley and Lots 20, 19 and 18 of Block 12 to a point at the common corner of Lots 17 and 18 of said Block 12; thence N55-00E 10.00 feet, leaving the said Lots 17 and 18 and crossing the said 10 foot alley to a point at the corner of Lots 10 and 9 of said Block 12 as owned by Fundamental Baptist Church in Deed Book 266, Page 87; thence S35-00E 120.00 feet, leaving the said Lot 10 and running with the said alley along Lots 9, 8 and 7 to a point at the intersection of the aforementioned two 10 foot alleys, also a corner of property owned by Randolph Street Baptist Church in Deed Book 979, Page 399 and Deed Book 1143, Page 39; thence S55-00W 10.00 feet, leaving the said Lot 7 and running across the said alley to the point of beginning, containing in all approximately 1,200 square feet.

2. The City of Charleston hereby reserves a utility easement as shown on Exhibit A, for the purpose of construction, maintenance, repair, and removal of the sewer and storm line.

3. The Mayor of the City of Charleston be, and is hereby authorized and directed to execute,

33 acknowledge and deliver a proper deed conveying to Randolph Street Baptist Church and their
34 successors, all rights, title and interest in and to said real property as described above for the
35 consideration of Three Thousand Six Hundred Dollars and no cents (\$3,600.00).



City of Charleston Checklist for Application to Close City Streets, Alleys or Rights-of-Way

Applicant Information	Property Information
Name: <u>RANDOLPH ST BAPTIST</u>	Street, Alley, or Right-of-way to be closed or abandoned:
Address: <u>213 RANDOLPH ST CHARLESTON, WV 25302</u>	Tax Map and Parcel:
Phone: <u>(304) 741-5049</u>	Agent's Name if Different from Applicant: <u>Russ Bonasso</u>

IMPORTANT: This application must be typed or legibly printed and filed by the filing deadline 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 narrative justification to close the right-of-way, including the information outlined below; 2) a Bill sponsored by a member of Charleston City Council using the format of the sample provided; 3) supporting documentation; and 4) a \$125.00 filing fee in the form of a check or money order made payable to the City of Charleston. In addition, 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.

JUSTIFICATION

The following information must be included in a written justification for the closure:

- _____ A statement outlining the reason for the requested closure. This statement includes the proposed benefit to the public as a result of the abandonment.
- _____ A statement of justification for the proposed closure. This statement will include circumstances pertaining to the subject property such as topography, limited access, or other physical restraints.
- _____ A statement regarding the current use of the street or alley or right-of-way. This statement includes information as to whether or not the property is currently a part of the City's pattern of roadways.
- _____ A statement identifying any encroachment (buildings, fences, etc.) on the subject property.
- _____ If applicable, a request that the property be donated along with a determination of eligibility for donation.
- _____ If applicable, documentation that the petitioners are low to moderate income.

BILL

A Bill must be submitted along with the above justification.

- _____ Name of sponsoring member of City Council.
- _____ Formatting exactly as shown on the attached sample bill. Use Arial 12 pt type and line numbering. The Planning Department will acquire a bill number.

SUPPORTING DOCUMENTATION

The following supporting documentation must also be submitted with this application:

- _____ A current certified appraisal.
- _____ A survey map of the property requested to be closed. The survey map must provide the names and tax map and parcels numbers of all adjacent property owners.
- _____ A metes and bounds legal description of the property requested to be closed.

Applicant Signature: *Russ Bonasso* Date: 4/15/24
304-741-5049

Monday, March 4, 2024

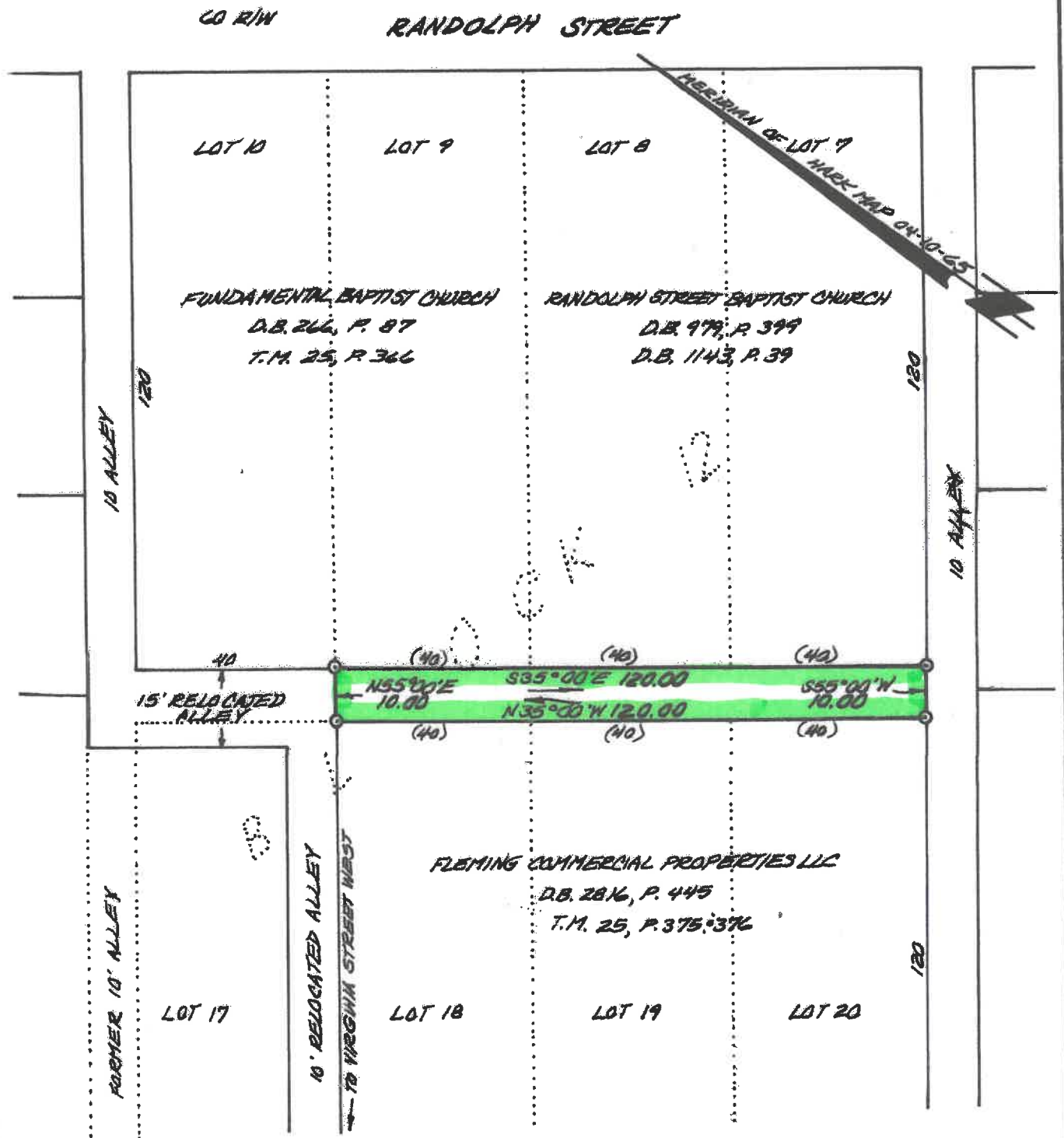
Application to Close City Alley

Justification

- A statement outlining the reason for the requested closure. This statement includes the proposed benefit to the public as a result of the abandonment.
 - The City Alley is located between a building currently owned by Randolph Street Baptist Church (213 Randolph Street), and a building that will be owned by Randolph Street Baptist Church following the property's closing (210 Virginia Street) in June 2024. When the 210 Virginia Street Property closes, the requesting party will be the owner of the two properties directly abutting the alley requested to be closed. The property owner plans to build a structure within the City Alley to connect the two structures, while preserving the City's easement. As to the second leg of the alley, all property owners adjacent to the City Alley have consented in the request for its closure.
- A statement of justification for the proposed closure. This statement will include circumstances pertaining to the subject property such as topography, limited access, or other physical restraints.
 - In addition to the reasons stated above, if the closure is permitted, a portion of the alley will be converted to an outdoor space to be used by the requesting party's invitees. The property will be cleaned and aesthetically improved.
- A statement regarding the current use of the street or alley or right-of-way. This statement includes information as to whether or not the property is currently a part of the City's pattern of roadways.
 - The City Alley is not currently part of the City's pattern of roadways, nor is it currently used for any productive purpose. Instead, it has been used by individuals who have accessed surrounding properties for purposes of vandalism and/or theft. Closure of the property will not result in loss of significant or productive use by the general public, as the Alley does not provide a unique path for transportation. Closure of the Alley will not impose any undue burden on any member of the public, as there are several alternative routes to traverse around and access the surrounding properties.

- A statement identifying any encroachment (buildings, fences, etc.) on the subject property.
 - None.
- If applicable, a request that the property be donated along with a determination of eligibility for donation.
 - Not applicable.
- If applicable, documentation that the petitioners are low to moderate income.
 - Not applicable.

NOTES: SEE MAP OF WEST CHARLESTON, MAP OF LOTS 7-8-9-10, BLOCK 12 BY J. LEWIS HARK DATED APRIL 10, 1965 AND TAX MAP 25, CHARLESTON WEST.



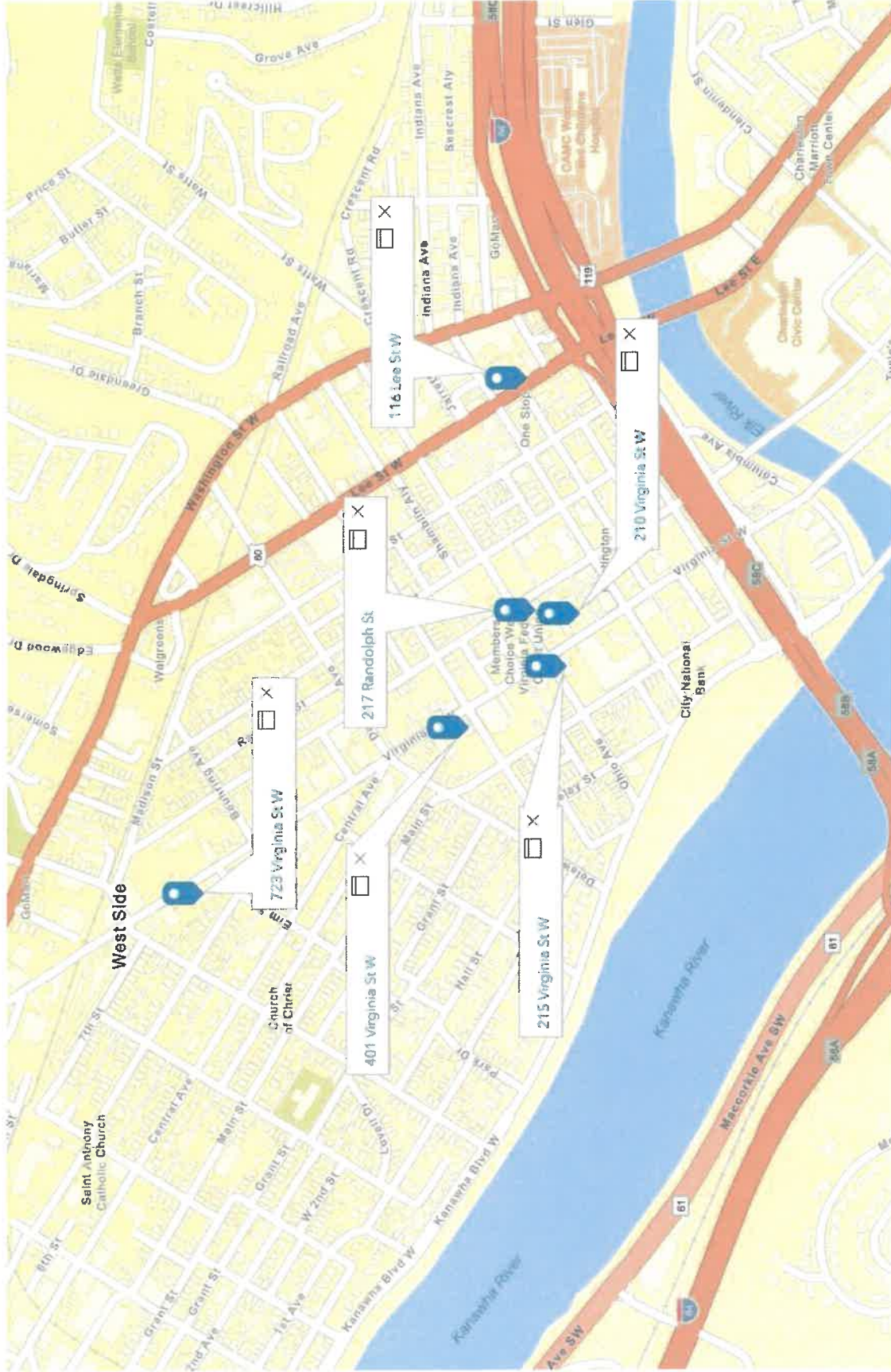
PLAT SHOWING

A PROPOSED ABANDONMENT OF PART OF A 10' ALLEY IN
BLOCK 12, J.B. WALKER ADDITION TO WEST CHARLESTON
IN THE CITY OF CHARLESTON
KANAWHA COUNTY, WEST VIRGINIA
PREPARED FOR

RANDOLPH STREET BAPTIST CHURCH
SCALE: 1"=30' MARCH 2, 2024

WILLIAM R. GUNNOE
LICENSED
STATE OF WEST VIRGINIA
William R. Gunnoe
REGISTERED PROFESSIONAL SURVEYOR NO. 801
CLANDEN, WV

Comparable Sale Map



The appraiser considers six recent sales that are similar to the subject in most respects. They indicate a range in unit site value between \$7 and \$12 PSF rounded.

Statistical Analysis	
<u>Sale</u>	<u>Unit Price</u>
1	\$10.17
2	\$9.99
3	\$8.33
4	\$11.83
5	\$7.22
6	\$12.43
Average	\$9.99
Std Dev	\$1.99
CV	19.9%

Adjusting for sale & property differences relating to market conditions and frontage/visibility, the appraiser concludes an estimate at the high end of the range, or \$12 PSF. Comparable Sale 4 is most relevant, and is the Fleming Commercial property that borders the alley and is in contract. The reconciled value must also account for the discount associated with the Sanitary Board easement. The site value calculation is then as follows:

$$1,200 \text{ SF} \times \$12.00 \text{ PSF} = \$14,400$$

Less: Easement Discount
 $1,200 \text{ SF} \times \$9.00 \text{ PSF} = \$10,800$

Site Value Conclusion by Sales Comparison: \$3,600

Reconciliation and Final Estimate of Value

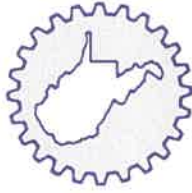
In the current appraisal assignment, all three approaches to value have been considered. The appraiser has developed the following market value estimates:

Sales Comparison Approach	\$3,600
Income Approach	Not developed
Cost Approach	Not developed

The subject property is a *corridor* (alley). The appraiser has therefore developed his opinion of market value using a variation on one of the three commonly accepted approaches, namely, a sales comparison technique applicable to corridors known as across-the-fence value. This method develops a value opinion based on comparison of abutting land, in this case, the adjacent future church property. The appraiser has been able to develop a relevant and reliable estimate using this one approach.

Market Value Conclusion:

\$3,600



WEST VIRGINIA TRACTOR COMPANY

CONSTRUCTION, MINING, MUNICIPAL & INDUSTRIAL EQUIPMENT

P.O. BOX 473, 214 VIRGINIA ST. W., CHARLESTON, WV 25322/25302 • (304) 346-5301

March 6, 2024

To Whom it May Concern:

We would like to make known our intention to the City of Charleston in regard to the proposed abandonment of part of the 10 foot city alley adjacent to our property located on the west side of Charleston at:

West Virginia Tractor
214 Virginia St W
Charleston, WV 25302

Please be advised this is pertaining to the relocated city alley in between lot 17 and 18 off Virginia Street referenced in the Kanawha County Assessors Office deed book 2816, page 445, tax map 25. The portion of the relocated alley is 10 feet wide by 130 feet long (on the north side of the alley) and 120 feet long (on the south side of the alley). Please reference the attached map for the exact dimensions.

We here at West Virginia Tractor do hereby relinquish and release any claim, rights or ownership to said property. We do welcome the request made by Randolph Street Baptist Church to abandon and close this portion of the alley.

Thank you for your attention in this matter. Please feel free to reach out to me at 304-389-7082 with any questions.

Sincerely,

Michael P. Grady
Vice President

Bill No. 8032

Introduced in Council:

Adopted by Council:

May 20, 2024

Introduced by:

Referred to:

Mary Beth Hoover

**Municipal Planning Commission
Planning, Streets and Traffic**

Bill No. 8032 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by eliminating restrictions on firearms sales and amending the administrative sections relating to the duration of approval process for development projects.

Be it Ordained by the Council of the City of Charleston, West Virginia:

The Zoning Ordinance for the City of Charleston, West Virginia, effective January 1, 2006, is hereby amended as follows:

Sec. 2-020 Definitions of Terms

~~**Firearms Sales Establishment.** An establishment primarily engaged in the sale of fire arms, ammunition and ammunition components, and hunting or shooting equipment.~~

Sec. 3-050 Permitted Land Uses

LAND USE	R-2	R-4	R-6	R-8	R-10	R-O	C-4	C-8	C-10	C-12	CBD	UCD	CVD	PMC	I-2	I-4	PUD	SUPP.
Firearms Sales Establishments									P	P	P							

Sec. 30-050 Expiration of Conditional Use Permit

In the case where a Conditional Use Permit has not been used within twelve (12) months after the granting thereof, then without further action it shall be null and void. This may be extended ~~to eighteen (18) months~~ upon prior written request of the Board. The word "used" shall mean that the approved Conditional Use Permit has been activated as evidenced by permits, construction, or required licenses.

Sec. 31-030 Procedures for Variance Approval

Applications for variance approval shall be considered in accordance with the following procedures.

- D. Notice of the Board hearing on the application for variance approval shall be published in a local newspaper of general circulation at least ~~thirty (30)~~ **fifteen (15)** days prior to the hearing. The Planning Director shall notify the owners of record most recently provided by the Kanawha County Tax Assessor of properties located within 100 feet of the affected property no later than ten (10) days prior to the public hearing. The Planning Director shall also cause a sign to be posted and maintained on the subject property notifying area property owners and residents that a request for a variance for the property has been made.