


 Board of Zoning Appeals
Application for Conditional Use Permit

CU # _____

Hearing Date: March 13, 2025

Applicant Information	Property Information
Name: Capitol City Holdings LLC	Address: 2008 Kanawha Boulevard E, Chas WV 25311
Address: 2008 Kanawha Boulevard E, Chas WV 25311	Tax Map and Parcel: 20-11-0028-0188-0000. Part Lot 8 Upper Rufner Addition
Phone: 304-908-4444	Zoning District: R-O
Agent Name, Address and Phone Number: (if other than applicant) Michael Husson, Managing Partner 304-908-4444	Property Owner and Mailing Address: (if other than applicant) N/A

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.

I would like to lease the office space in the building as an Art Gallery to native Charlestonian Artist D. Todd McCormick
The gallery will operate during normal business hours primarily by appointment with the artist or single staff member.
Primary displays for viewing and/or purchase will be will be professional photography, mixed media artwork and original designs.
This is a light traffic, zero noise, low parking load operation that will enhance the neighborhood near the state cultural center.
Contact Info and Product Examples can be seen below at the artists web site.
Artist/Proprietor D. Todd McCormick 646-620-5535 and todd@todd-mccormick.com. WEBSITE. wwwTodd-McCormick.com

Applicable Section(s) of the Zoning Ordinance Conditional Use approval

Does the proposed use comply with the conditions set forth in the Zoning Ordinance? Yes with Conditional Approval

Please describe any proposed work to be done on the property. No additional work is required

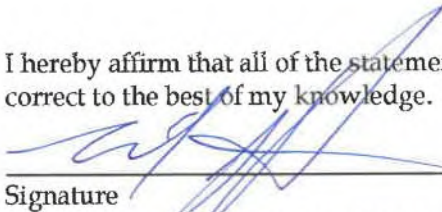
If your request for a conditional use permit is granted, how will others in the area be affected? There will be ZERO negative impact to the area. No heavy traffic, no heavy parking load and no noise - ONLY positive cultural artistic/cultural influence.

Conversly, other usses that would not require additional perfits would likely generate more traffic, parking and employee loads.

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? _____

Absolutely no negative impact to property values , traffic or quality of life. Only positive impact of a new business and art influence

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 _____ Date 1-30-2025
Michael Husson for Capitol City Holdings LLC

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: <input type="checkbox"/> Approved <input type="checkbox"/> Rejected	
If approved, were there any specific conditions or limitations imposed by the BZA?	
<i>Planning Official Signature and Title</i>	<i>Date</i>


 Board of Zoning Appeals
Application for Variance

BZA # _____

Hearing Date: _____

Applicant Information	Property Information
Name: <u>Dennis R. Hamrick Jr</u>	Address: <u>125 Angel Terrace</u>
Address: <u>Charleston, WV 25314</u>	Tax Map and Parcel: <u>5A 0102 BK2203 PG0236</u>
Phone: <u>304-382-7823</u>	Zoning District: <u>Charleston South Annex</u>
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. 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 100 foot radius of the property for which the variance is being sought; and
3. \$125.00 filing fee in the form of cash, personal 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 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.

Install Tuff Shed (10' x 16')
in side yard. The shed, due to topography, will be
ahead and out of alignment with the front of home
(Please see attached photos of current shed and
stakes & orange string marking new shed location)

Applicable Section(s) of the Zoning Ordinance _____

Please describe the proposed work to be done on the property. Tuff Shed will
install a 10' x 16' shed. The shed will come in
sections and assembled on a gravel foundation.
All this will take place once I remove old plastic
shed & wood plat form & place gravel for foundation

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? The Tuff shed is below grade by 4 feet next to Angel Terrace and will not obstruct any lines of site. Currently, there is a plastic shed in the same location, just smaller.

Please see attached photos & Tuff Shed specifications

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 which may satisfy this criterion. In comparison with other properties in the vicinity and under the same zoning regulations, what is unusual or different about the subject property? The topography of the

property prevents moving the Tuff Shed in line with our home. The ground drops off steeply
See attached pictures.

3.) **An unnecessary hardship is neither personal nor financial in nature.** In this application, an unnecessary hardship is a problem created by some feature of the land which prevents the owner from making reasonable use of the property as permitted by the Zoning Ordinance. The following three questions help to determine if there is an unnecessary hardship with regard to your property.

Without a variance, are you deprived of all beneficial use of your land? yes.

Is your situation due to unique circumstances that are not shared by other land in the district? yes.
Due to the narrow flat area of the lot, the shed can only sit in one place due to the land dropping off steeply.

Would approval of your variance request alter the essential character of the surrounding neighborhood or community? NO

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?

yes, to the best of my knowledge

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? *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.

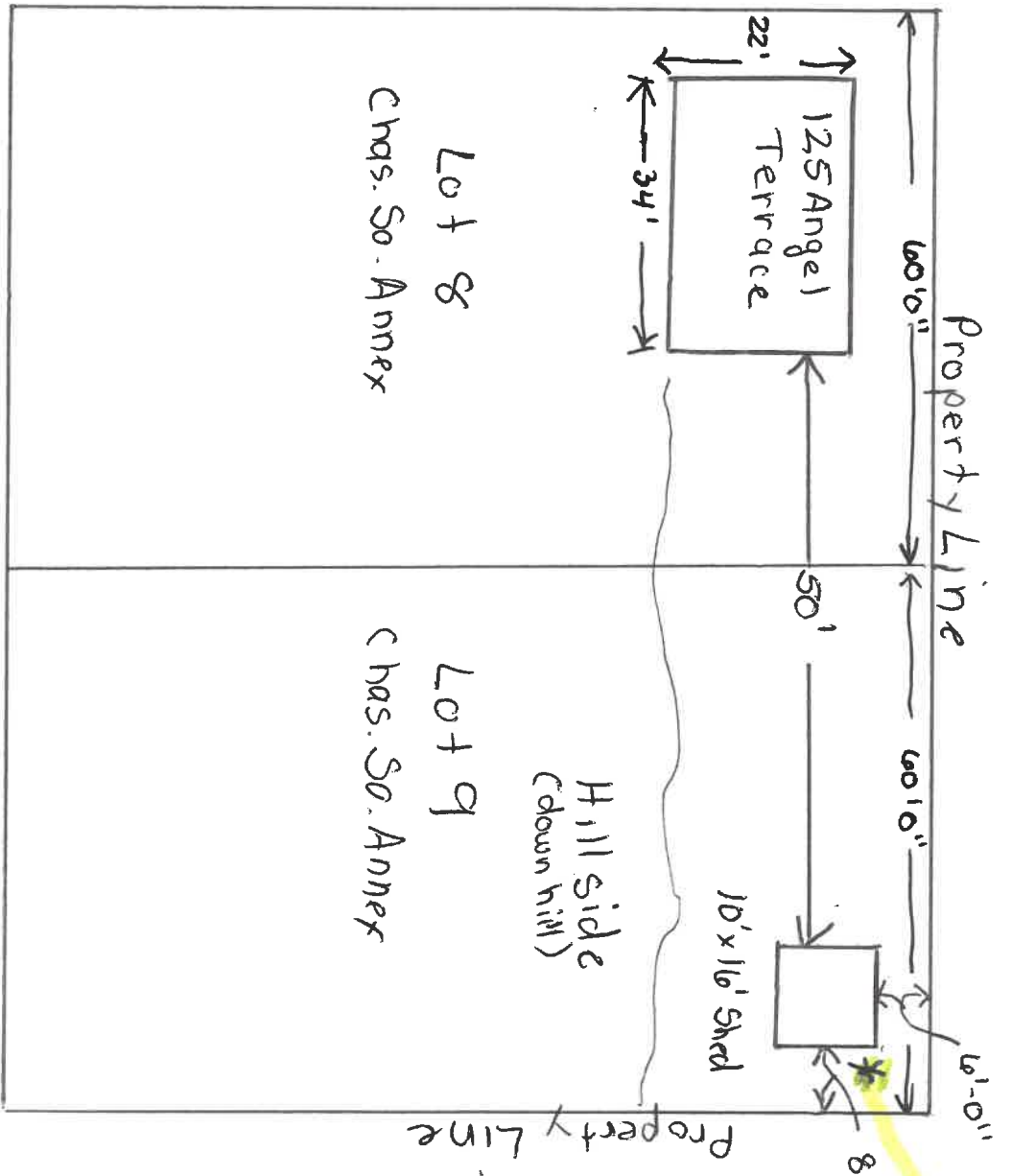
Jennifer B. Hamrick
Signature

2/7/2025
Date

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: <input type="checkbox"/> Approved <input type="checkbox"/> Rejected	
If approved, were there any specific conditions or limitations imposed by the BZA?	
Planning Official Signature and Title	Date



Angel Terrace



* Note:
New Shed will sit 4' below grade of Angel Terrace

View of 125 Angul Terrace in Circle





Close

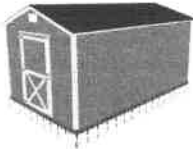


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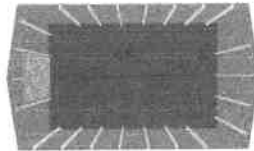
Dennis Hamrick
125 Angel Terrace
Charleston WV 25314
Q10277175-10247383

Shed to
be installed



Wall D

Wall A



Wall C

Wall B

Base Details/Permit Details

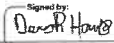
Building Size & Style
TR-700 - 10' wide by 16' long
Door
4' x 6'2" Single Shed Door, Left Hinge Placement, LowerX, Security Package, Drip Cap
Paint Selection
Base: Autumn Gray, Trim: Delicate White
Customer to apply 2nd coat
Roof Selection
Charcoal 3 Tab
Drip Edge
White
Is a permit required for this job?
No, if local jurisdiction requires a permit, fees will be added before installation can take place

Optional Details

Floor and Foundation
160 Sq Ft 3/4" Treated Floor Decking Upgrade
Vents
2 Ea 16"x8" Wall Vent - White

Jobsite/Installer Details

Do you plan to insulate this building after Tuff Shed installs it?
No
Is there a power outlet within 100 feet of installation location?
Yes
The building location must be level to properly install the building. How level is the install location?
Within 4" of level
Will there be 18" of unobstructed workspace around the perimeter of all four walls?
Yes
Can the installers park their pickup truck & trailer within approximately 200' of your installation site?
Yes
Substrate Shed will be installed on?
Grass

Customer Signature:  Date: 2/5/2025

Builder's Helper - Q10277175-10247383.pdf - 01249546.pdf

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BUILT TUFF SINCE 1981

WHAT TO EXPECT



Current Shed Showing
steep topography and orange
string line where new shed
will sit.

View of current shed &
orange line where new shed
will be placed.

View Looking toward house

