



Charleston Board of Zoning Appeals

AGENDA

8:30 a.m., Thursday, August 28, 2025

City Service Center Conference Room · 915 Quarrier Street

I. Items for Review

VAR-25-3055

Application of Terry Hill requesting a variance of side setback requirements in order to construct a garage on the property located at **2244 Oakridge Rd.**

VAR-25-3056

Application of CAMC Foundation, Inc requesting a variance of the parking requirements in order to expand its facility on the property located at **3415 MacCorkle Ave SE.**

II. Approval of minutes for the July 10, 2025 hearing.



Board of Zoning Appeals
Application for Variance

BZA # _____

Hearing Date: _____

Applicant Information	Property Information
Name: <u>TERRY Hill</u>	Address: <u>2244 OAKRIDGE DR - 72034</u>
Address: <u>2244 OAKRIDGE DR</u>	Tax Map and Parcel: <u>10-77-34</u>
Phone: <u>304-610-0047</u>	Zoning District: <u>6</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 Development Services 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; and a
2. \$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. NEED MORE SPACE FOR NEW GARAGE

Applicable Section(s) of the Zoning Ordinance _____

Please describe the proposed work to be done on the property. 36 X 30 CONCRETE SLAB WITH

A 1STORY TRIPLE GARAGE. JOINING TO MY PROPERTY LINE

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? _____

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? _____

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? _____

Is your situation due to unique circumstances that are not shared by other land in the district? _____

Would approval of your variance request alter the essential character of the surrounding neighborhood or community? _____

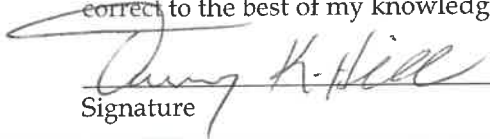
4.) The general purpose and intent of the Zoning Ordinance of the City of Charleston is to protect and promote the public health, safety, convenience, morals and general welfare. For more specific information in regard to the scope and intent of the Zoning Ordinance, please see Section 1-020 as well 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

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

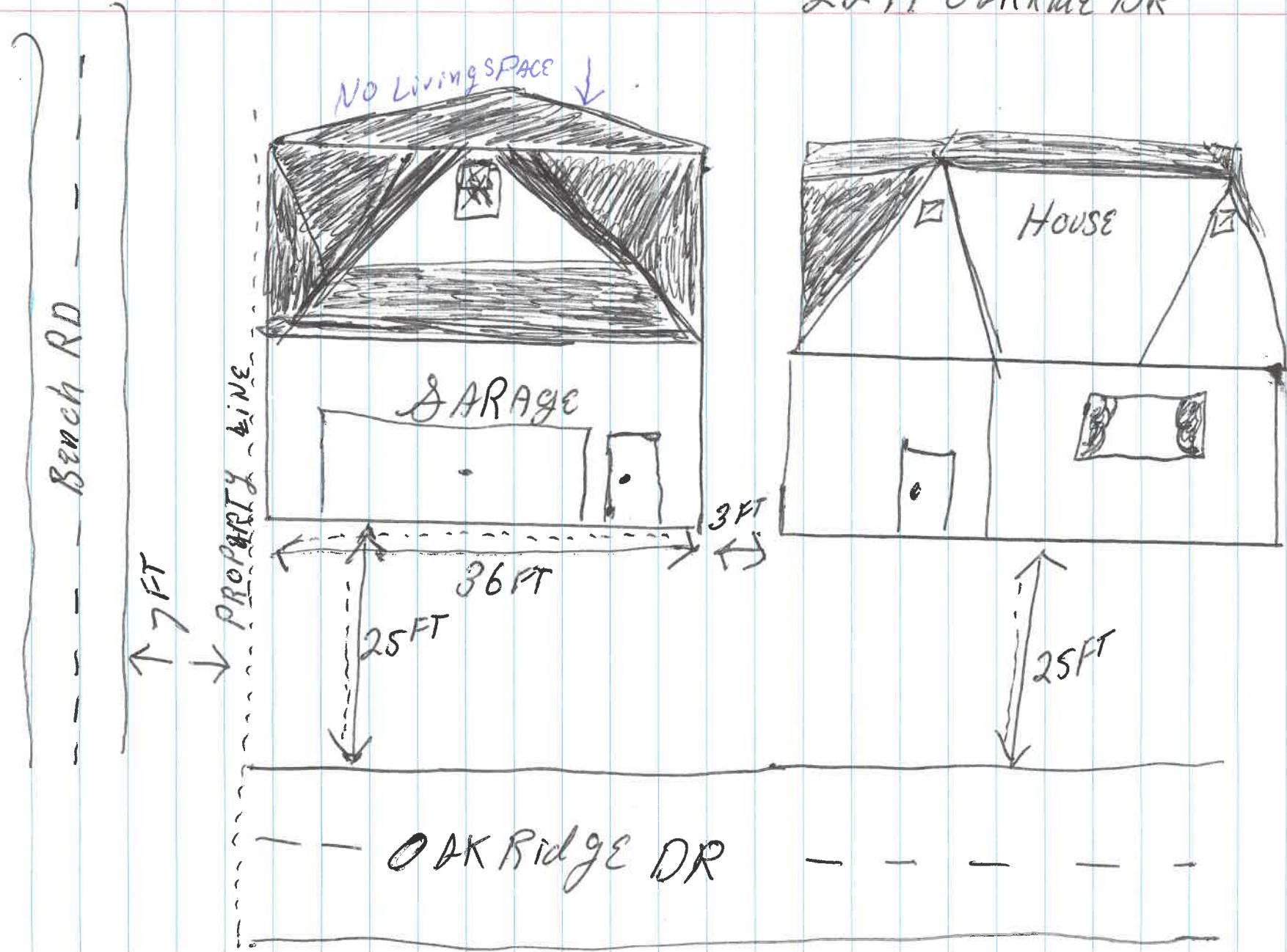
I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.


Signature

7-19-25
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

2244 OAKRIDGE DR



Board of Zoning Appeals
Application for Variance

BZA # _____

Hearing Date: _____

Applicant Information	Property Information
Name: CHARLESTON AREA MEDICAL CENTER FOUNDATION INC.	Address: 3415 MACORKLE AVE, CHARLESTON WV 25304
Address: 3414 STAUNTON AVE SE, CHARLESTON WV 25304	Tax Map and Parcel: Map: 0018 Parcel: 0091
Phone: 304-388-9860	Zoning District: C-10
Agent Name, Address and Phone Number: (if other than applicant) Pickering Associates 11283 Emerson Ave, Parkersburg WV 26104	Property Owner and Mailing Address: (if other than applicant) CHARLESTON AREA MEDICAL CENTER FOUNDATION INC. 3414 STAUNTON AVE SE, CHARLESTON WV 25304

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.**

Charleston Area Medical Center Foundation Inc. (CAMC) is requesting variance from Article 23, Section 23-060-01 of the Zoning Ordinance. CAMC would like to expand the existing Cancer Center. This would result in the elimination of 43 parking spaces resulting in a reduction from the existing 534 parks to 491 parks. The proposed expansion would require the facility to have a minimum of 566 parking spaces total per Table 23-060-01.01 assuming "Medical / Dental Office" as the land use.

Applicable Section(s) of the Zoning Ordinance Article 23, Section 23-060-01, Table 23-060-01.01

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

Demolition of existing parking spaces and associated curbed islands, construction of an expansion/addition to the existing CAMC Cancer Center, and re-installation of curbed island and associated striping.

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 requested variance has no impact on adjacent property owners as the requested variance is limited to parking associated with facilities owned and operated by CAMC.

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 lot has a substantially larger parking area than the adjacent properties located within the same zone. The size of the parcel(s) as they exist do not allow for parking to be created or revised in such a way that would satisfy the Zoning Ordinance.

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?

Without a variance CAMC will not be able to expand their Cancer Center, thus reducing their capacity to serve the community.

Is your situation due to unique circumstances that are not shared by other land in the district? _____

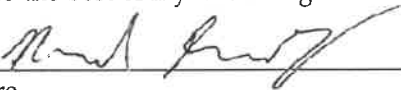
This situation is related to the property boundaries that encompass the existing facility.

Would approval of your variance request alter the essential character of the surrounding neighborhood or community? No, the Cancer Center has been serving the community for many years.

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? **Approval of the variance will all the intent of the Zoning Ordinance to be observed as the function of the property/facility will not be changed.**

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, this variance is a request to allow an existing entity to more effectively serve their community. Without this variance, this addition cannot be constructed.**

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

07/10/25

 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?	
<i>Planning Official Signature and Title</i>	<i>Date</i>

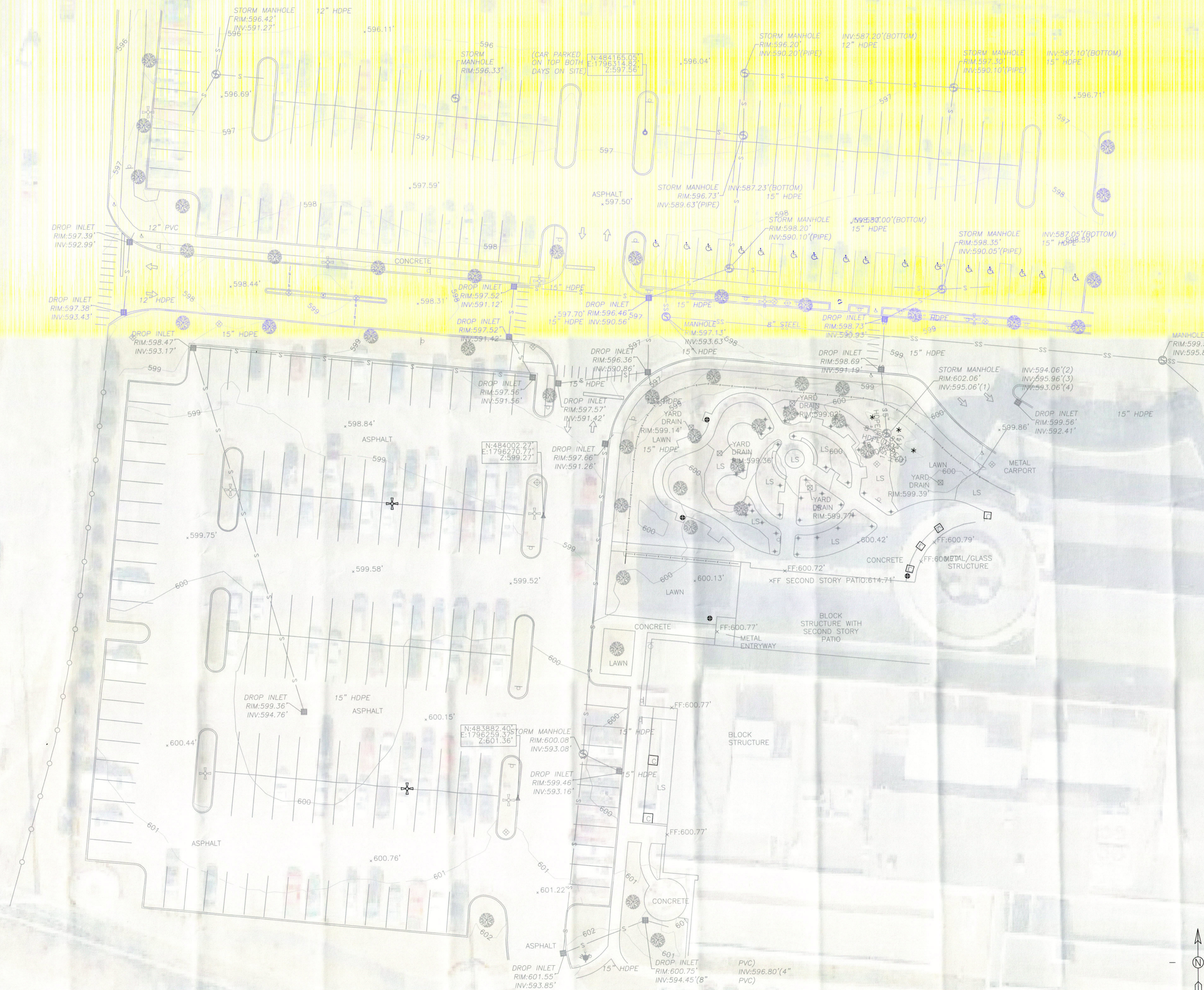
Board of Zoning Appeals - Application for Variance - Adjacent Property Owners**Applicant:** Charleston Area Medical Center Foundation Inc.**Applicant Address:** 3415 MacCorkle Ave, Charleston WV, 25304

Property Owner	Mailing Address
KANAWHA ROXALANA COMPANY	C/O REAL ESTATE RESOURCES INC, PO BOX 1085, CHARLESTON, WV 25324
CHARLESTON AREA MEDICAL CENTER INC	PO BOX 2069, CHARLESTON, WV 25327
CAMC FEDERAL CREDIT UNION	3400 MACCORKLE AVE SE, CHARLESTON, WV 25304
WV UNITED FEDERAL CREDIT UNION	350 CAPITOL ST ROOM 156, CHARLESTON, WV 25301
TACO BELL CORP	C/O CHARTER CENTRAL LLC, PO BOX 430, TALBOTT, TN 37877

LEGEND
 THESE SYMBOLS AND LINES MAY
 BE FOUND IN THE DRAWING.

- SET 5/8" CAPPED IRON REBAR
- ▲ PK NAIL SET
- ⊕ SIGN
- ⊕ TRASH CAN
- ⊕ BOLLARD
- ⊕ VERTICAL PIPE
- ⊕ ELECTRIC BOX
- ⊕ LIGHT POLE
- ⊕ GROUND BASED LIGHTING
- ⊕ ELECTRIC METER
- ⊕ YARD DRAIN
- ⊕ STORM INLET
- ⊕ STORM SEWER MAN HOLE
- ⊕ TELEPHONE PEDESTAL
- ⊕ WATER HYDRANT
- ⊕ WATER BIB
- ⊕ SANITARY MAN HOLE
- ⊕ SPOT ELEVATION
- ⊕ ART STRUCTURE
- LS LANDSCAPE AREA
- C COLUMN
- ⊕ HANDICAP PARKING
- ⊕ ADA RAMP
- ⊕ BUSH
- ⊕ DECIDUOUS TREE

- METAL FENCE
- GATE
- STORM SEWER
- SANITARY SEWER
- ROAD STRIPE
- STRUCTURE
- AWNING



EXISTING CONDITIONS PLAN
 SCALE: 1"=20'
 0 10 20 40
 SCALE: 1"=20'

Rev	Description	By	Date
A	ISSUED FOR REVIEW		07/17/25

Drawing Description
CAMC 3415 MACCORKLE AVENUE SE CANCER CENTER EXPANSION EXISTING CONDITIONS PLAN

DESIGN DOCUMENTS FOR REVIEW ONLY NOT FOR CONSTRUCTION
Project: 2255006
Designed By: RJD
Drawn By: RJD
Checked By: RJD
Scale: 1"=20'
Plot Date: 07/17/25
Revision: A
Drawing Number: C100