



## **Charleston Board of Zoning Appeals**

### **AGENDA**

8:30 a.m., Thursday, April 9, 2026

City Service Center Conference Room · 915 Quarrier Street

#### **I. Items for Review**

##### **CUP-26-0256 & VAR-26-3062**

Application of Aric Margolis requesting a conditional use permit in order to adaptively reuse a non-residential property and receive a variance of the front setback spacing and paving requirements on the property located at **700 Chappell Road**.

##### **VAR-26-0001**

Application of Hollis Jennings requesting a variance of the side setback requirements in order to construct a garage on the property located at **1524 Skyline Road**.

#### **II. Approval of minutes for previous BZA hearings.**



Board of Zoning Appeals  
**Application for Variance**

BZA # \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Applicant Information	Property Information
Name:	Address:
Address:	Tax Map and Parcel:
Phone:	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 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.** \_\_\_\_\_

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Applicable Section(s) of the Zoning Ordinance \_\_\_\_\_

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

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**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? \_\_\_\_\_

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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? \_\_\_\_\_

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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? \_\_\_\_\_

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

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

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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?

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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? \_\_\_\_\_

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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.

*Aric L. Margolis*

Signature

\_\_\_\_\_ 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



Board of Zoning Appeals

# Application for Conditional Use Permit

CU # \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Applicant Information	Property Information
Name:	Address:
Address:	Tax Map and Parcel:
Phone:	Zoning District:
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. 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. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Applicable Section(s) of the Zoning Ordinance \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

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

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If your request for a conditional use permit is granted, how will others in the area be affected? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is your request consistent with the purposes and intent of the Zoning Ordinance of the City of Charleston? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

Eric L. Margolis  
Signature

\_\_\_\_\_  
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







Board of Zoning Appeals  
**Application for Variance**



BZA # \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Applicant Information	Property Information
Name: <u>HOLLIS JENNINGS</u>	Address: <u>CHARLESTON WV</u> <u>1524 SKYLINE RD. 25314</u>
Address: <u>1524 SKYLINE ROAD</u>	Tax Map and Parcel:
Phone: <u>2069920335</u>	Zoning District:
Agent Name, Address and Phone Number: (if other than applicant) <u>GEORGE HOOPER</u> <u>(CO OWNER)</u> <u>2069920335</u>	Property Owner and Mailing Address: (if other than applicant) <u>SAME</u>

**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. TO ATTACH A 25' X 20' X 12' HIGH GARRAGE TO EXISTING GARRAGE THE AREA HAS BEEN USED FOR PARKING FOR SOMETIME. NO TREES OR HEAVY EXCAVATING IS GOING TO BE DONE THE ACCESS IS COMING OF PLATEAU ROAD. PLATEAU RD IS A SELDOME USED UN MAINTAINED COUNTY ROAD

Applicable Section(s) of the Zoning Ordinance \_\_\_\_\_

Please describe the proposed work to be done on the property. LEVEL AREA FOR SHOP MOVING APRON @ 8 CUBIC YARDS OF SOIL FROM THE UPPER SIDE TO THE LOWER. ERECT A 20 X 25 X 12 PAINTED STEEL GARRAGE

**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,
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- 3.) The variance, if granted, would eliminate an unnecessary hardship and permit a reasonable use of the land; and,
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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? I FEEL MY REQUESTED VARIANCE WILL

HARDLEY BE VISABLE TO THE NEIGHBORS

THE SPACE IM REQUESTING HAS BEEN USED FOR PARKING FOR YEARS

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? OUR LOT IS A TRIANGLE SHAPE,

THE BACK ~~IS~~ PROPERTY LINE IS THE COUNTY LINE, THE COUNTY REQUIRES NO SET BACK. ~~THE CITY~~ THE ROAD IS A NON MAINTAINED COUNTY ROAD. OUR PROPERTY LINE EXTENDS ABOUT 5' INTO THE ROAD

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? THIS IS WHERE I INTEND TO RETIRE WITHIN THE NEXT COUPLE YEARS MY HOBBIE IS WORKING ON CARS & THIS SHOP PUTS THAT DREAM IN THE ENDZONE!

Is your situation due to unique circumstances that are not shared by other land in the district? YES OUR LOT ~~WHICH IS~~ IS PRETTY BIG BUT DUE TO THE SHAPE ~~&~~ SET BACKS NOT VERY USABLE

Would approval of your variance request alter the essential character of the surrounding neighborhood or community? I DO NOT BELIEVE SO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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?

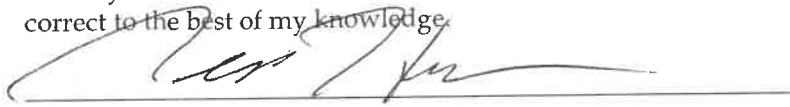
I BELIEVE SO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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? IN MY OPINION 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.



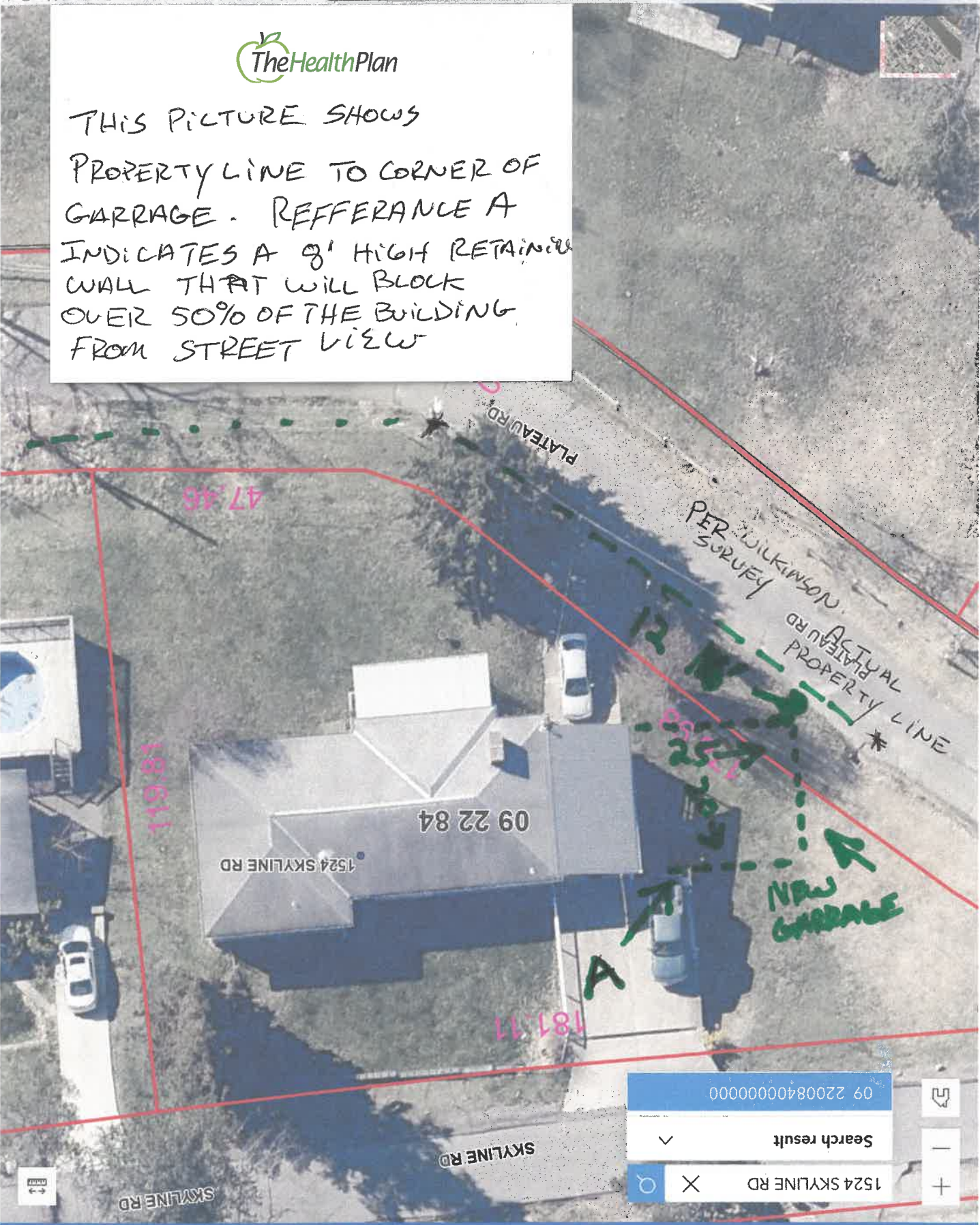
Signature

1-28-2026  
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



THIS PICTURE SHOWS  
 PROPERTY LINE TO CORNER OF  
 GARRAGE. REFFERANCE A  
 INDICATES A 8' HIGH RETAINING  
 WALL THAT WILL BLOCK  
 OVER 50% OF THE BUILDING  
 FROM STREET VIEW



1524 SKYLINE RD  
 Search result  
 09 22008400000000

ZONE PERMIT  
 BUILDING PERMIT

Kanawha County Parcel



MY HOPES ARE TO ATTACH A 20 WIDE X 25 LONG GARRAGE  
TO MY EXISTING MUCH SMALLER GARRAGE

THE COUNTY ROAD BEHIND OUR HOUSE IS USED BY 1 NEIGHBOR  
& MYSELF.

I'VE CHECKED WITH COUNTY & THEY DO NOT MAINTAIN  
THE ROAD, THEY ALSO REQUIRE ADO SET BACKS

I'VE SHRUNK MY INITIAL DESIRED FOOT PRINT FROM  
25 X 25 TO 20 X 25 THIS GIVES ME <sup>12</sup> 12' FROM THE  
CLOSEST CORNER OF MY BUILDING TO THE BACK  
PROPERTY LINE

THE VEHICAL ACCESS TO THIS AREA ALREADY  
IS IN USE AS WE DRIVE TO EXISTING PARKING PAIS.

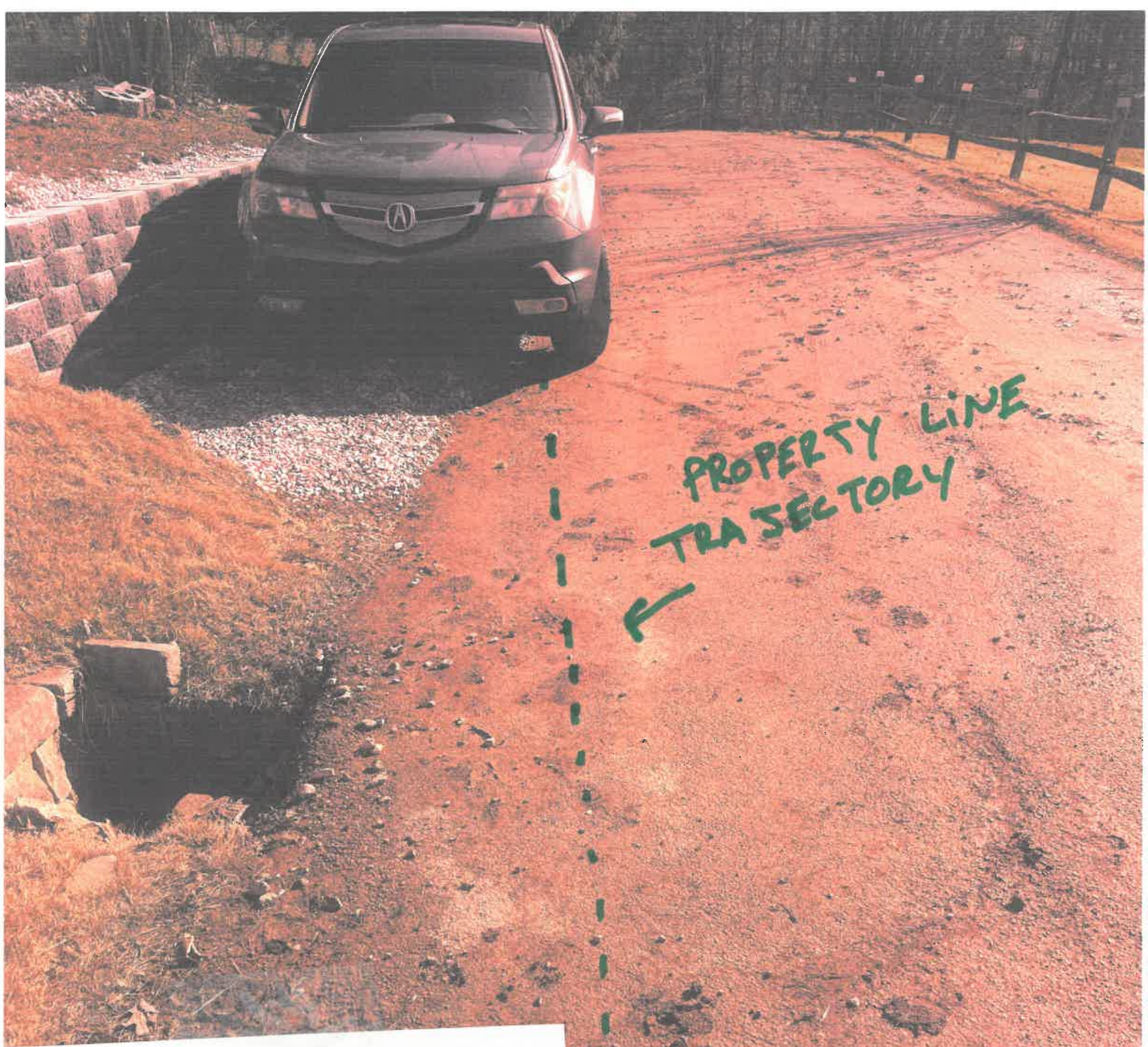
I HAD WILKINSON SURVEYING COME OUT TO VERIFY  
PROPERTY LINE LOCATION. IT DIFFERS FROM WHATS AVAILABLE  
ON THE COUNTY WEB SITES.

I'VE DRAWN IN GREEN THE ACTUAL LINES  
ON THE PHOTOS

THANKS  
GEORGE HOOPER  
& HOLLIS SENNING



PH#  
206-992-0335



PROPERTY LINE  
TRAJECTORY



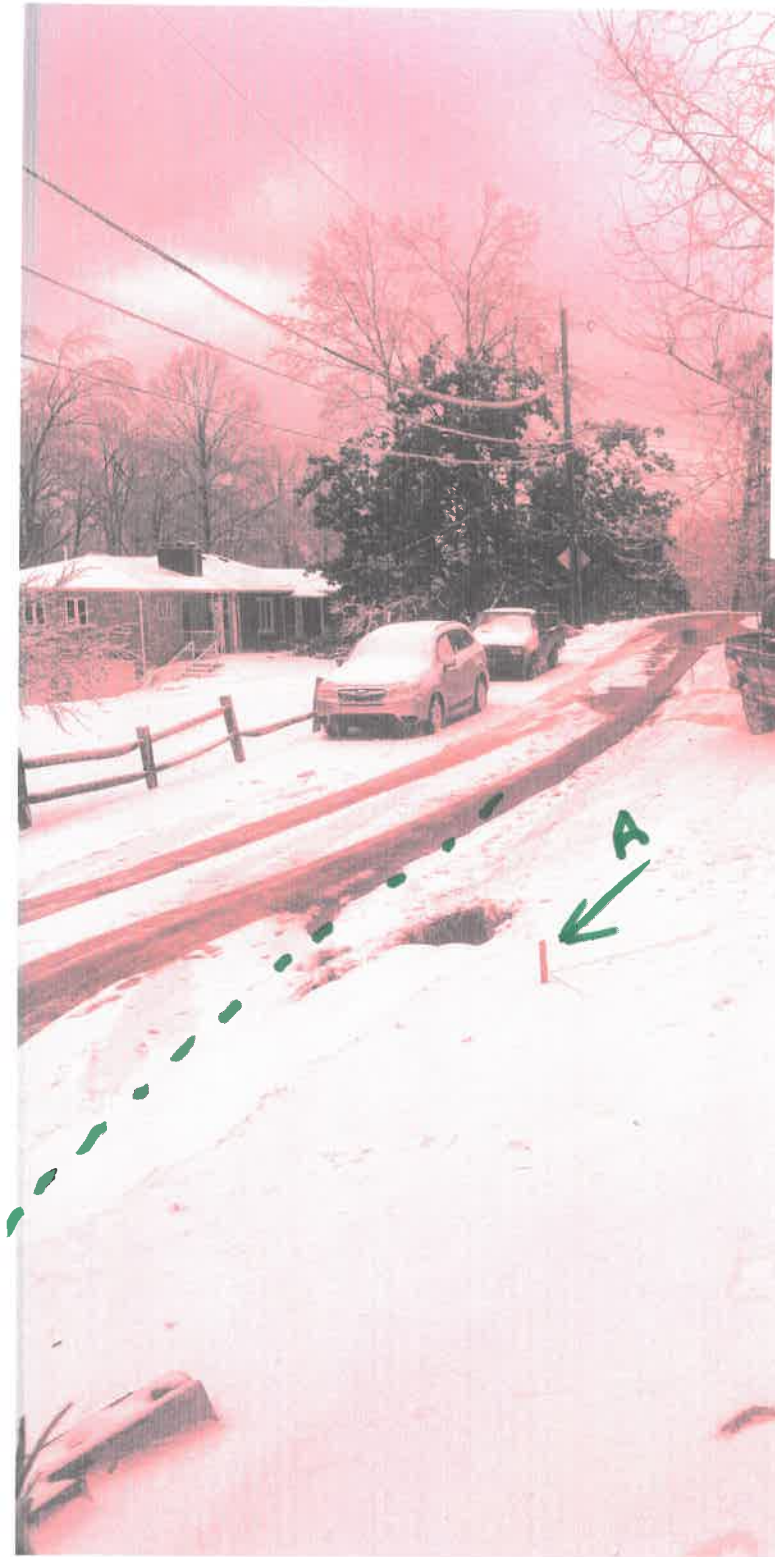
THIS MARKER IS THE  
PROPERTY MARKER PLACED  
BY THE SURVEYOR. →  
THE STORM DRAIN IS REFERRED  
TO LOCATION IN PHOTO





THESE TWO MARKERS  
REPRESENT THE BUILDING  
WITH MARKER A BEING THE  
CLOSEST TO BACK PROPERTY  
LINE

THE TRUCK SHOWS THE  
ACCESS TO PROPOSED  
GARRAGE



EXISTING  
SMALL GARRAGE





Parcel

Address

Flood Zone



Charleston South Annex Corp

22-84

VERY STEEP  
WITH HOUSE  
DRAINS  
& POWER LINES

Loudon

3-10



Click on a parcel to view its information



MY PROPOSED GARRAGE  
IS THE SAME AS THIS  
BUT SMALLER WITH 1  
DOOR RATHER THAN TWO

