



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**.

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.** _____

Applicable Section(s) of the Zoning Ordinance _____

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

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?

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? _____

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: Approved 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? _____

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

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

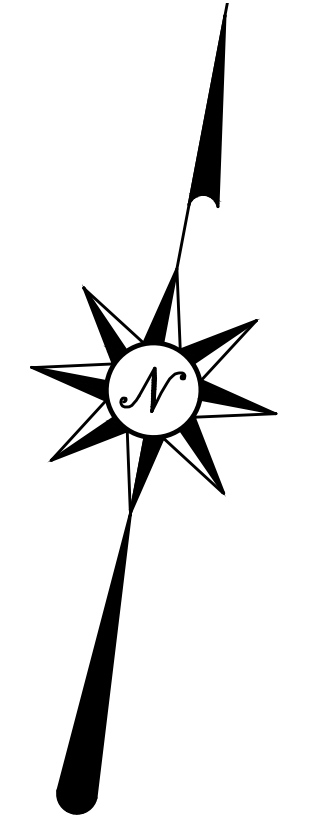
Date

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



THIS SURVEY IS BASED ON WEST VIRGINIA SOUTH ZONE, NAD 83 - 2011 EPOCH 2010 ADJUSTMENT. THE DIFFERENCE BETWEEN GRID NORTH AND TRUE NORTH (CONVERGENCE) IS 0° 21' 58" WEST. THE VERTICAL DATUM FOR THIS SURVEY IS THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). THE MAGNETIC DECLINATION AT TIME OF SURVEY WAS COMPUTED AS 7° 55' W ± 0° 22" BY THE NATIONAL CENTER OF ENVIRONMENTAL INFORMATION ONLINE DECLINATION CALCULATOR.

GRID NORTH
WV STATE PLANE COORDINATE SYSTEM
NAD 83 - 2011 ADJUSTMENT



30

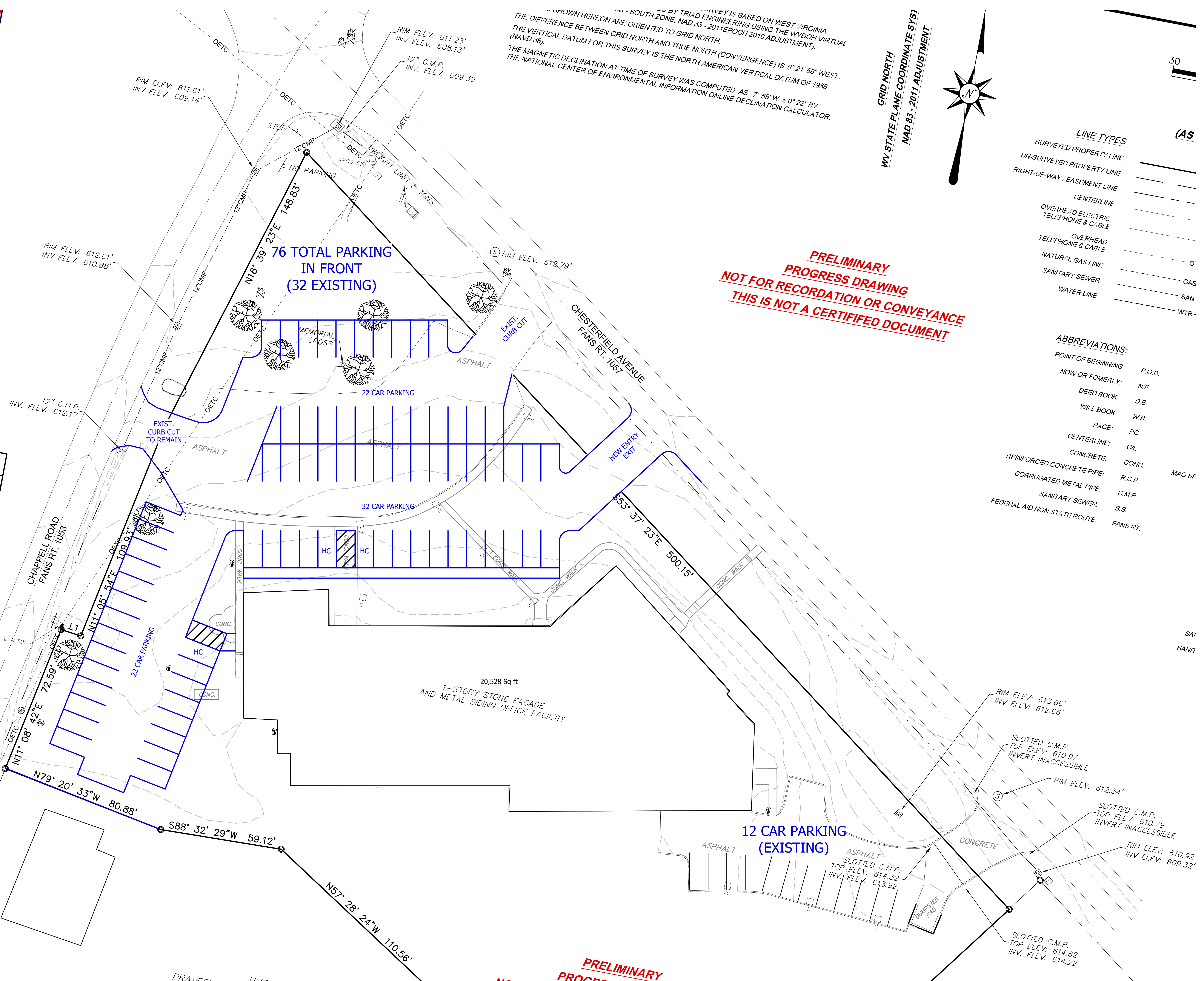
- LINE TYPES**
- SURVEYED PROPERTY LINE
 - - UN-SURVEYED PROPERTY LINE
 - - - RIGHT-OF-WAY / EASEMENT LINE
 - - - - CENTERLINE
 - - - - OVERHEAD ELECTRIC, TELEPHONE & CABLE
 - - - - OVERHEAD TELEPHONE & CABLE
 - - - - NATURAL GAS LINE
 - - - - SANITARY SEWER
 - - - - WATER LINE

**PRELIMINARY
PROGRESS DRAWING
NOT FOR RECORDATION OR CONVEYANCE
THIS IS NOT A CERTIFIED DOCUMENT**

- ABBREVIATIONS:**
- POINT OF BEGINNING: P.O.B.
 - NOW OR FORMERLY: N/F
 - DEED BOOK: D.B.
 - WILL BOOK: W.B.
 - PAGE: PG.
 - CENTERLINE: C/L
 - CONCRETE: CONC.
 - REINFORCED CONCRETE PIPE: R.C.P.
 - CORRUGATED METAL PIPE: C.M.P.
 - SANITARY SEWER: S.S.
 - FEDERAL AID NON STATE ROUTE: FANS RT.

LINE CALL TABLE		
LINE	BEARING	DISTANCE
L1	S82° 39' 14"E	10.00

REVEYED IN
FINED UNDER THE
ERIES 5 SECTION 7.
SHOWN AS
FEET.
BY 43,560
CELS OF LAND TO PROVIDE A BASIS FOR
LD SURVEY COMBINED WITH DATA OF
ITY CLERK OF KANAWHA COUNTY, WEST
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ED BY THE WEST VIRGINIA DEPARTMENT
ON.
RECORD, THIS SURVEY WAS
N HEREON. A WEST VIRGINIA
SE OF EASEMENTS, RIGHTS-OF-WAY,
E EXAMINATION OF TITLE.



**PRELIMINARY
PROGRESS DRAWING**

