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**Planning Commission Members
July 2020 – June 2021**

Martha Wright, Chair

Thomas Conner

Russell Jebbia

James “Jeff” Mauck

Howard Monroe

David Palmer, City Council Representative

Christina Schessler

William Schwarz

Jeremy West, Vice Chair

**Building & Planning Department Staff
Room 305 (304) 234-3601**

Tom Connelly, AICP, Director

Paula Blake, Permit Specialist

Legal Staff

Rose Humway-Warmuth, Solicitor

Howard Klatt, Assistant Solicitor

I. INTRODUCTION

Planning Commission

The Wheeling Planning Commission is authorized under Article 151 of the City Code, and Chapter 8A Article 24 of the West Virginia State Code. It is authorized with certain responsibilities relating to the preparation and maintenance of the Comprehensive Plan for the City. The Commission serves in an advisory role to City Council. The Planning Commission consists of nine members. All members are appointed by the City Manager and confirmed by City Council, representing the City Administration, City Council, business, industry, labor and other relevant disciplines.

The Planning Commission meets the second Monday of the month at 5 p.m. in the City Council Chambers. When the regular meeting day falls on a legal holiday, the meeting is held the following Monday. The Planning Commission conducts public hearings on proposed comprehensive plans and amendments and ordinances relating thereto, on plats of proposed subdivisions, on proposed zoning ordinances and amendments thereto, and on such other matters as may be provided by law or ordinances or as may be requested by City Council.

The following report contains a summary of the various activities for fiscal year 2020-2021 as per Article 1377.01(b)(10) of City Code.

Respectfully submitted,

Chair

Thomas Connelly, AICP
Director

II. PLANNING COMMISSION

The Planning Commission met nine times during the past year. The following is a compilation of business that the Commission conducted.

Subdivision Reviews

The City of Wheeling Municipal Code states that when a parcel of land is being subdivided for the purpose of sale, legacy or building development, it shall be reviewed and approved by the Planning Commission. It can then be recorded in the County Clerk's Office. There were no subdivision reviews performed by the Planning Commission during the previous fiscal year. Subdivisions would appear in Appendix A.

Date	Subdivision Name	Major / Minor	Project	Action
-	-	-	-	-

Special Use Permits

The purpose of issuing Special Use Permits is to recognize that there may be cases where community and Comprehensive Plan goals are met by a flexible and individual regulation of land uses within a zoning district. The establishment of a special use permit procedure provides the City of Wheeling with such flexible and individual regulation of uses. There were four Special Use Permits filed with the Commission during the previous fiscal year.

Date	Applicant	Address	District	Project	Action
07.20	Porter	3721 Jacob St	C-1	Car Detail	Approved
12.20	HOH Share	88 – 14 th St	C-1	Comm. Center	Approved
01.21	PlayNStay	41-40 th St	I-2	Petcare/kennel	Approved
06.21	PeGa Found.	2198 National Road	C-2	Comm. Center	Approved

Site Plan Reviews

The site plan review process allows the City of Wheeling to review the arrangement, layout, use interrelationship and neighborhood impacts of sites intended for development or redevelopment and to ensure the aesthetic quality of such design to conform to the character of the neighborhood. During the last fiscal year, the Planning Commission reviewed and approved all nine of the site plans that were brought before it. The projects are listed below with an accompanying map in Appendix B:

Date	Applicant	District	Project	Action
11.20	WVNCC	D-2	Parking Lot	Approved
11.20	WVNCC	D-2	Parking Lot	Approved
12.20	Panhandle Cleaning & Rest.	I-2	Warehouse	Approved
12.20	Duplaga	EMO	Office Bldg.	Approved
01.21	Ohio Valley CU	D2	Office Bldg.	Approved
01.21	Carnegie Greene 39	C-1	Apartments	Approved
02.21	LaBelle Greene IV	C-2	Apartments	Approved
04.21	Marsh Wheeling	D-2	Apartments	Approved
06.21	Whg. Housing Authority	C-2	New Building	Approved

Class II Home Occupations

The city recognizes that certain types of restricted occupational uses should be provided for on a limited basis in residential districts. These are provided for by permit as a home occupation. There are two types of home occupations, Class I and Class II. A Class I Home Occupation is one that has little to no impact on land use or neighboring properties. The Director reviews these permits. During the past fiscal year ten Class I Home Occupation permits were approved.

A Class II Home Occupation is one that has the potential to affect the land use in a neighborhood. Matters such as parking and signage need to be addressed before the Planning Commission can grant approval of the permit upon the conclusion of a public hearing. There were four Class II Home Occupations reviewed during the past fiscal year.

Date	Applicant	District	Type	Action
10.20	Vetanze	R-1A	Home Kitchen / Food Sales	Approve
06.21	Tshularos	EMO	Artist Studio	Approve
06.21	Austin	R-1C	Esthetician	Approve
06.21	Green	R-3	Daycare	Tabled

III. ZONING

Administration

The key to a comprehensive plan's success depends in large part on effective implementation. One implementation tool is zoning administration. Zoning is perhaps the most widely used method of enforcing the land use requirements of a comprehensive plan. It is a legal and administrative process whereby the community protects itself against indiscriminate land uses. In technique and concept, zoning is a simple division of land into districts having different kinds of use and density regulations. It is thus an instrument for guiding the use of land in the future and protecting existing uses that conform to the overall aims of the comprehensive plan.

It is the Director's duty to enforce the provisions of the Zoning Ordinance. Enforcement is gained through ensuring compliance. Each building permit application or license for a new business that requires zoning compliance is automatically routed through the Director, where the applicant must complete an application for zoning compliance. Subsequently, it is the Director's duty to review the application to make certain that the proposed use, alteration, addition, new construction or repair of a building, complies with the development and/or use standards of the location's present zone. If compliance is determined, then a "Certificate of Zoning Compliance" is issued to the applicant. If compliance is not found, then the application is revised, denied or appealed to the Board of Zoning Appeals. During the past fiscal year, one-hundred and eighty-six Certificates of Zoning Compliance were issued, along with eighteen sign permits.

Amendments to the Zoning Ordinance

City Council referred two zoning amendment requests to the Planning Commission during the past fiscal year for their review and recommendation. The table below provides an overview of those requests. Pages of the zoning map that were affected by the changes can be found in Appendix D. The digital zoning map found on the city's website is updated as changes happen and is the most convenient resource for determining a property's zoning designation.

Date	Petitioner	Address	Request	PC	CC	Pg.
08.20	Fulton Strg.	200/1108 W. Wash.	R-1A/R-4 to EMO	Approve	Approve	29
11.20	LaBelle IV	32 nd & McColloch	I-2 to C-2	Approve	Approve	43

Board of Zoning Appeals

The Board of Zoning Appeals is composed of five members who are freeholders of the City. They are appointed by the mayor with the consent of City Council. The Board of Zoning Appeals (BZA) is a quasi-judicial body charged with carrying out certain functions. It is not a legislative body with authority to substitute its judgment for that of the governing body, nor is it charged with routine administration of the Zoning Ordinance.

The Board of Zoning Appeals hears, and acts on applications for variances, conditional use permits and appeals of the Zoning Officer's decision. A Building & Planning Department staff member, the City Clerk, and a member of the City's Legal Department attend each Board of Zoning Appeals meeting.

In the previous fiscal year, the Board of Zoning Appeals heard nineteen variance requests, zero reasonable accommodation requests, and three conditional use permit requests. There were zero appeals filed of a determination made by the Zoning Office. This list of items can be found in Appendix C.

IV. ADMINISTRATION

Budget

The Department reviews the costs incurred while reviewing a project and the fees charged. Some of the factors to consider include costs associated with publishing fees for legal notices, postage fees for neighbor notifications, office supplies, etc. The chart appearing in Appendix E details the fees collected and the monies spent to process the various requests. The costs do not include staff time preparing the materials.

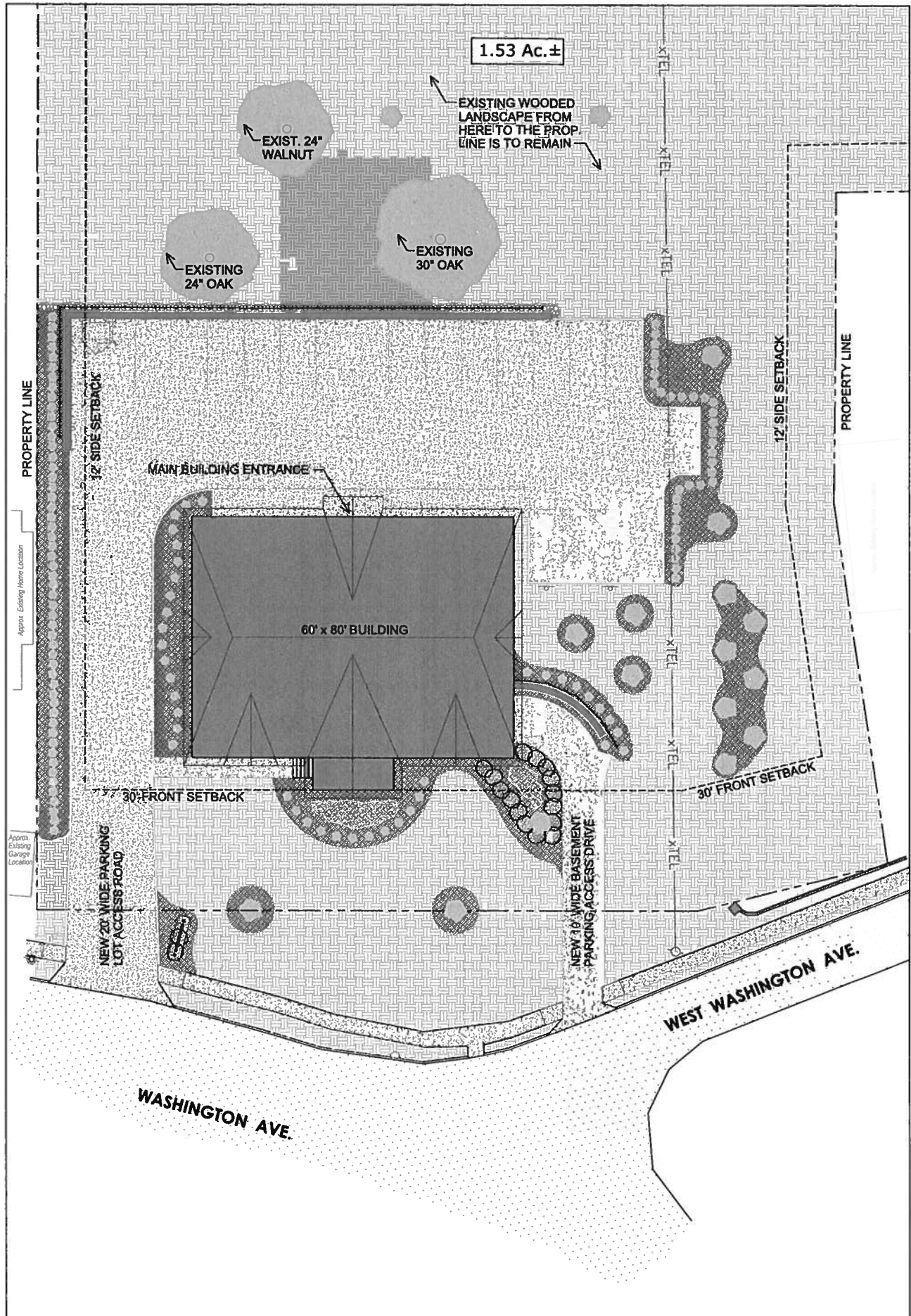
Attendance

Section 2.10 of the Planning Commission's Bylaws require each member to attend not less than seventy-five percent of the regularly scheduled meetings within a fiscal year, unless excused by the Chairperson. This attendance standard was developed to ensure the Commission's ability to reach a quorum at its monthly meeting and allow for active involvement and participation on the Commission. The chart in Appendix F details the past year's attendance, noting that the Board of Zoning Appeals and Historic Landmarks Commission do not stipulate a specific percentage.

APPENDIX A

SUBDIVISION PLATS

APPENDIX B
SITE PLAN MAPS

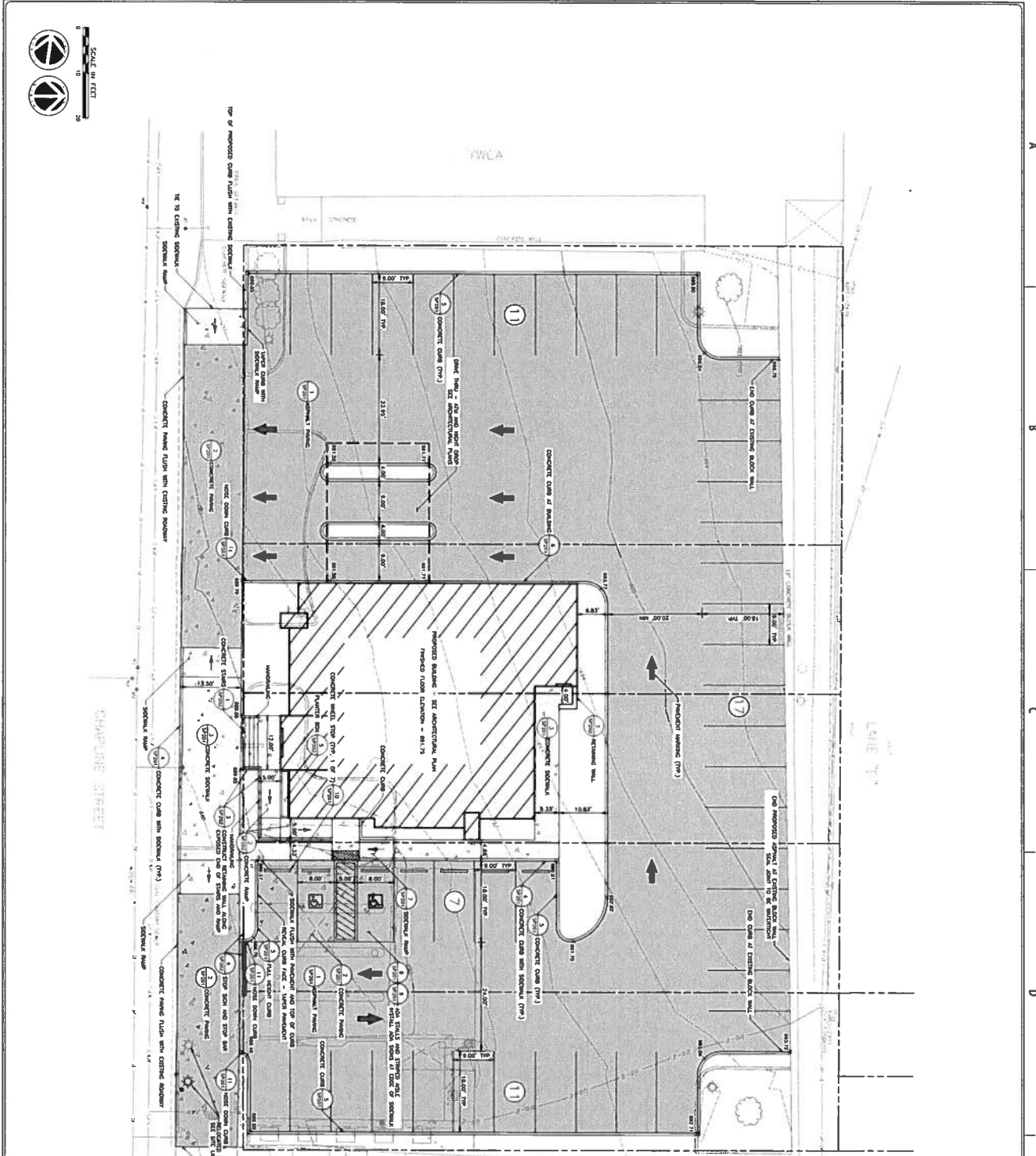


Date: November 29, 2020
 Scale: Not To Scale
 Job #: 2024
 Drawing #: L-1.0

**OVERALL
 LANDSCAPING
 PLAN**

**DUPLAGA
 PROFESSIONAL
 CENTER**
 1108 Washington Avenue
 Wheeling, WV 26003

BREISCH & CROWLEY
 B.C. Design & Construction, Inc.
 141 W. Main Street
 St. Charles, OH 43159
 716.326.4444
 716.326.4444



SITE DEVELOPMENT ZONING DATA

Zoning District	OS - Community Medium Density	RECORDED	PROPOSED
Zone Area, Acreage	241.76 (134,949.97)		
Minimum Coverage (Impervious)	43.8%		43.8%
Maximum Density	N/A		2.0
Maximum Height			25'
Maximum Setback			5'

EXISTING IMPERVIOUS AREA: 21,470 SF
 PROPOSED IMPERVIOUS AREA: 21,414 SF
 REDUCTION IN IMPERVIOUS AREA: 456 SF

SEE LEGEND SHEETS

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

OHIO VALLEY
 Community Federal Credit Union
 174 CHARPINE STREET
 WHEELING, WEST VIRGINIA 26003
 OHIO COUNTY

OHIO VALLEY
 COMMUNITY FEDERAL CREDIT UNION
 174 CHARPINE STREET
 WHEELING, WEST VIRGINIA 26003
 OHIO COUNTY

Studio109 Designs
 Architecture, Planning & Interior Design
 109 Zeta Drive
 Pittsburgh, PA 15238
 TEL: (412) 961-8604
 FAX: (412) 961-8426

CEC
 Civil & Environmental Consultants, Inc.

PWCampbell
 BUILDING CONFIDENCE SINCE 1910
 109 Zeta Drive | Pittsburgh, PA 15238 | 412.963.0100

SP101
 300-738
 PWC Project No. 18001
 Drawn by: LAG
 Date: 10/22/2020
 C:\SP101_SitePlan.dwg

APPENDIX C

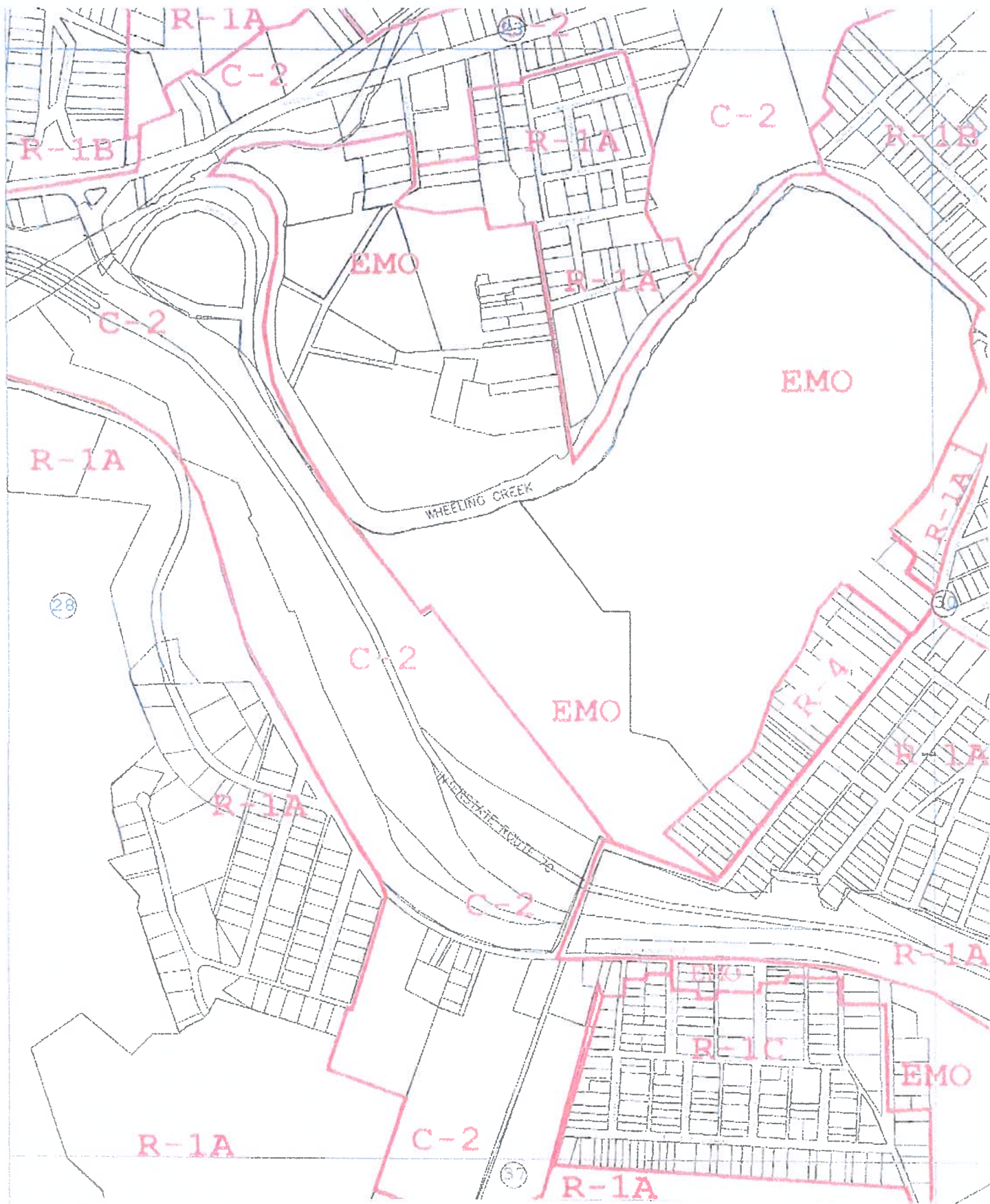
VARIANCE TABLE

Board of Zoning Appeals Variance Requests: Fiscal Year 2020-21

Date	Name	Address	Request(s)	District	Action
Jul-20	Warnick	11 Storch Avenue	Reduce side yard, rear yard	R-1C	Approve
	Kret	6 Kenwood Place	Reduce front yard, side yard	R-1A	Approve
	Denham	202 Westminster	Reduce rear yard	R-1C	Approve
Aug-20	none				
Sep-20	Wheeling Firefighters 12	30 GC&P Road	Conditional Use	R-1C	Approve
Oct-20	none				
Nov-20	Maria Hardy	722-724 Main Street	Reduce Parking	NWSD	Approve
	Murad	433 N. Front Street	Conditional Use Storage	R-3	Approve
	Contraguerro	41st & McColloch Street	Reduce front yard, side yard, total side yard, parking	I-2	Approve
Dec-20	none				
Jan-21	Bonnie Vetanze	101 N. 20th Street	Conditional Use	R-1C	Approve
	Local 549 Ironworkers	2350 Main Street	Reduce front and side yard	I-2	Approve
	First Class Realty	880 National Road	Reduce rear and side yard, vehicle stacking	C-2	Table
	Carnegie Greene 39 LLC	15 - 39th Street	Reduce front yard, area per dwelling, parking, increase height	C-1	Approve
Feb-21	First Class Realty	880 National Road	Reduce rear yard, side yard, stacking	C-2	Approved
	Byrd	39 Walnut Avenue	Reduce rear yard, side yard	R-1B	Approved
	LaBelle Greene IV LP	McColloch & Lane G	Reduce parking	C-2	Approved
Mar-21	WVU Medicine	1 Medical Park	Increase number & size of signs	EMO	Approve
	WVU Medicine	600 Medical Park	Increase number & size of signs	EMO	Approve
	WVU Medicine	800 Medical Park	Increase number & size of signs	EMO	Approve
Apr-21	McBonaway	1201 Valley View Ave	Reduce front and side yards	C-2	Approved
	Brown	104 Maple Ave	Reduce side yard total	R-1B	Approved
	Marsh Lofts	930 Main St	Reduce rear yard	D-2	Approved
	Shriver	9 Ellen St	Reduce front, side and rear yards	I-2	Approved
May-21	Kozusnik	146 Incline Avenue	Reduce side yard	R-1B	Withdrawn
	Robinson	58 Merwin Street	Increase percent accessory to principal	R-1B	Approved
Jun-21	Wheeling Housing Authority	99 Main Street	Reduce side yard	C-2	Approved
	PeGa Foundation	2198 National Road	Reduce parking	C-2	Approved

APPENDIX D

ZONING MAP AMENDMENTS





APPENDIX E

BUDGET

Description	Fee	Number	Amount Collected	Costs Incurred	Difference
Zoning	\$ 100	2	\$200.00	\$ 120.64	+ \$79.36
Subdivision	\$ 25 / \$50	0			
Special Use	\$ 50	4	\$200.00	\$206.78	- \$ 6.78
Home Occupation Lane	\$ 50	5	\$250.00	\$148.61	+ \$101.39
Abandonment	\$ 50	3	\$150.00	\$ 53.41	+ \$ 96.59
Board of Zoning	\$ 50	21	\$1050.00	\$780.19	+ \$269.81
Sign	based on sign area	18	\$688.30	0	0
Zoning Certificate	no fee	186			

APPENDIX E

MEETING ATTENDANCE

2020

2021

Planning Commission

	July	August	September	October	November	December	January	February	March	April	May	June	Attendance
Conner													100%
Jebbia													89%
Mauck													100%
Monroe													100%
Palmer													78%
Schessler													89%
Schwarz													89%
West													89%
Wright													89%

Board of Zoning Appeals

	July	August	September	October	November	December	January	February	March	April	May	June	Attendance
Dobkin													85%
Felton													100%
Maness													100%
Sinclair													78%
Smith													100%

Historic Landmarks Comm.

	July	August	September	October	November	December	January	February	March	April	May	June	Attendance
Kaiser													89%
Karelis													56%
Gilot													78%
Greco													78%
Rouhier													86%
Thorngate													78%
Smith													67%
Sweeny													100%

Attended	
Missed	
No Meeting	
Unappointed	
Required	

*Resigned