



CITY OF WHEELING PLANNING COMMISSION

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STAFF REPORT

PLANNING COMMISSION HEARING DATE: Monday, October 17, 2022

PROPERTY LOCATION: 3 Pearl Avenue [see Exhibit 1]
Tax District 10, Tax Map W53, Parcel 144

PROPERTY ZONING CLASSIFICATION: R-1C Single-Family, High Density [see Exhibit 2]

NATURE OF REQUEST: Zoning Map Amendment
from R-1C to C-2 General Commercial

APPLICANT: Tim Crowley, on behalf of Family Realty of WV, Inc.

BACKGROUND

Mr. Tim Crowley, on behalf of Family Realty of WV, Inc., seeks to amend the zoning map by changing the zoning classification for the subject property from R-1C Single-Family, High Density to C-2 General Commercial. Exhibit 1 of this report identifies the location of the subject property. Exhibit 2 illustrates the current zoning classification of the subject property and immediate area.

According to the Ohio County Assessor's online iAS data, the subject tract is approximately 0.09 acres and appears to be approximately 50 feet wide by approximately 80 feet deep. The detached single-family dwellings on the subject property and the adjoining 1 Pearl Avenue property to the north, that is currently zoned C-2, were constructed in 1920 and 1942 respectively. Both structures were recently razed and removed, leaving the tracts vacant and ready for assembly and redevelopment.

This zoning map amendment would permit the property owner to pursue redevelopment of the subject property, along with the 1 Pearl Avenue property. The applicant has presented preliminary plans to City Staff to develop additional parking intended to serve the Figaretti's Restaurant establishment. The contemplated redevelopment will require Subdivision approval and Site Plan approval, should the present zoning map amendment request be approved by City Council.

It is the opinion of City Planning Staff that the proposed zoning map amendment would be considered a permitted zoning reclassification and not "spot zoning" because the subject property adjoins the C-2 zoning district to the north and to the west. Accordingly, the proposed zoning map amendment would be a boundary adjustment of the C-2 zoning district.

ANALYSIS

Article 1339.04 of the Planning & Zoning Code provides the following objectives for the C-2 General Commercial zoning district.

COMMISSION MEMBERS

The objectives of the C-2 District are to permit commercial goods and services on a major collector or business street, and to require those businesses to mitigate their impact on nearby residences through parking, landscaping, lighting, signage, and building exterior controls. The commercial uses should serve both the retail and service needs of local residents and employees and a larger retail market brought into the commercial area due to the nature of the collector or business street.

The following is the list of permitted uses within the C-2 zoning district as provided in Article 1339.04.

(a) PRINCIPAL PERMITTED USES

- (1) Any non-residential principal permitted use in C-1, which includes:
 - Bank or lending institution
 - Government service or office
 - Office
 - Personal service establishment
 - Recreational facility
 - Restaurant without lounge
 - Retail business and business-to-business establishment
 - Retail Food Establishment
 - Veterinarian; non-boarding animals only
 - Religious land use
- (2) Bowling alley.
- (3) Vehicle repair or servicing.
- (4) New and/or used vehicle sales.
- (5) Service station and/or car wash.
- (6) Funeral home.
- (7) Hotel or motel.
- (8) Bar, tavern, and social club.
- (9) Restaurant with lounge.
- (10) Marina, with no sale of fuel.
- (11) Membership association.
- (12) Package liquor store.
- (13) Parking garage or parking lot.
- (14) Wholesale business establishment.
- (15) Veterinarian; non-boarding animals only.
- (16) Residential use, as per R-4 (single-family dwelling, two-family dwelling, multi-family dwelling)

(b) ACCESSORY USES

- (1) Accessory buildings and structures that are customary and clearly incidental to the principal use
- (2) A private garage or open parking for operative passenger vehicles and for not more than one commercial licensed operative vehicle of person residing on the premises
- (3) A playhouse, tool house, garden house, greenhouse, or private swimming pool not operated for gain
- (4) Customary home occupation
- (5) One accessory apartment in an owner-occupied single-family dwelling

(c) SPECIAL PERMIT USES

- (1) Any special permit use permitted in C-1
 - Community center
 - Day care center; nursery school
 - Membership association
 - Public or private utility
 - Service station
 - Restricted accessory parking
 - Restaurant with lounge
- (2) Hospital
- (3) Marina, including the sale of fuel
- (4) Open air or drive-in theater
- (5) Pet shop, animal hospital, or kennel
- (6) Printing and engraving establishments
- (7) Funeral home

Schedule 5-A Dimension Requirements of the Planning and Zoning Code provides the following development density and intensity provisions within the C-2 District.

District	Land Use	Minimum Lot Area (square feet)	Min, Lot Frontage (feet)	Min. Lot Depth (feet)	Floor Area Ratio	Front (feet)	2 Sides (feet)	1 Side (feet)	Rear (feet)	Min, Height (feet)	Max. Height (feet)
C-2 General Commercial	a. Non-Residential	10,000	75	100	1.5	10'	10'	4'	15'	3 stories	45'
	b. Multi-Family Dwelling (3)	900 (per d.u.)	40	100	N/A	10'	15'	8'	15'	3 stories	45'
	c. Two-Family Dwelling (3)	4,000	40	100	N/A	10'	8'	3'	12'	2 stories	35'
	d. One-Family Dwelling (3)	4,000	40	100	N/A	10'	8'	3'	12'	2 stories	35'

COMPREHENSIVE PLAN CONSISTENCY

As recommended in the [2014 Envision Wheeling Comprehensive Plan](#) and required in West Virginia State Code 8A, it is incumbent upon the Planning Commission, City Council, and community to use the Comprehensive Plan for guidance when considering future zoning changes. Exhibit 3 of this report identifies how, in the opinion of City Planning Staff, the proposed zoning map amendment relates to the Plan’s stated Community Initiatives and Goals, and Plan Strategies. Staff encourages the Planning Commission to review the Comprehensive Plan for guidance as Exhibit 3 is not intended to represent a complete comparative assessment.

It should be noted that any “shall” statements that may exist within the Comprehensive Plan must be understood as desired objectives and strategies that do not have the force or effect of law unless incorporated into the City’s Planning & Zoning Code.

Exhibit 3 restates the Plan's six (6) Community Initiatives and Goals and subcategories and identifies where, in the opinion of City Planning Staff, the subject zoning map amendment is concurrent, is inconsistent, or is not applicable or inconclusive with the Plan.

The Comprehensive Plan Map 8: Future Land Use provided on Pages 53-54 of the Plan identifies the subject property as being within the Suburban Residential Core and the Mixed Use Development overlay areas. Exhibit 3 provides excerpts from the Plan describing these future land use area categories.

Of note are Plan Strategy No. 1 "Encourage a Sustainable Mix of Future Land Uses" (high priority/ongoing strategy) and Plan Strategy No. 17 "Focus on Local Businesses" (medium priority/ongoing strategy). Exhibit 3 provides excerpts from the Plan describing the intent and objectives of these strategies.

PLANNING COMMISSION REVIEW

West Virginia State Code 8A-7-8 states that prior to amending the zoning ordinance, the governing body, with the advice of the Planning Commission, must find the amendment to be consistent with the adopted comprehensive plan. If the amendment is inconsistent, then the governing body, with the advice of the Planning Commission, must find that there have been major changes of an economic, physical, or social nature within the area which were not anticipated when the comprehensive plan was adopted and that those changes have substantially altered the basic characteristic of the area.

Zoning map amendment requests should be evaluated on their land use merits alone. The applicant's development intentions are extraneous, and the Planning Commission should consider the request on its merits as a land use decision. In conducting such an analysis, the Planning Commission should determine if the C-2 General Commercial District is the appropriate zoning classification for the subject site, weighing all possible future development and land use scenarios as permitted by the Planning & Zoning Code; particularly Article 1339 et seq.

STAFF RECOMMENDATION

Although extraneous to the land use and land development considerations of the Planning Commission for this zoning map amendment, the applicant's desire to assemble and redevelop the subject site demonstrates an opportunity to increase utilization of the subject premises to support continued growth opportunities within the commercial corridor and, through appropriate design and compliance with the City's land use and development regulations, complement the adjoining residential neighborhood.

Staff respectfully advises the Planning Commission to:

1. Determine that the subject zoning map amendment requested by the applicant is consistent with the [2014 Envision Wheeling Comprehensive Plan](#); and,
2. Forward a recommendation to City Council to reclassify Parcel 144, Tax Map W53, Tax District 10 from R-1C Single-Family, High Density to C-2 General Commercial.

However, should the Planning Commission determine that additional information is necessary for further analysis and exploration, Staff respectfully advises the Planning Commission to refer the subject zoning map amendment to the Zoning Committee following the public hearing, with instructions to the Committee, Staff, and applicant on specific matters of additional information, clarification, etc. that are expected.

ATTACHMENTS

- Exhibit 1 – Project Location
- Exhibit 2 – Zoning Classification
- Exhibit 3 – Comprehensive Plan Consistency
- Exhibit 4 – Applicant’s Submitted Documents
 - Application for Certificate of Zoning Compliance
 - Application for Home Occupation Permit and accompanying materials
- Exhibit 5 – Public Notice

EXHIBIT 1 – PROJECT LOCATION



EXHIBIT 1 – PROJECT LOCATION



Parcel ID: 35-10-0W53-0144-0000

Toggle Highlight: ON [Copy Link](#) [Details](#) [Zoom](#) [Close](#)

Owner(s): Address: Class Type: Legal Description:	FAMILY REALTY OF WV INC 3 PEARL AVE Residential SCOTT LUMBER SUB DIV CLATOR; BLK 1 4
Community: E-911 Address: External Links: Flood Info:	City of Wheeling 3 PEARL AVE, Wheeling, WV, 26003 Map Satellite Street View Parcel appears to be in a LOW RISK flood hazard zone. Learn more at WV Flood Tool

EXHIBIT 1 – PROJECT LOCATION

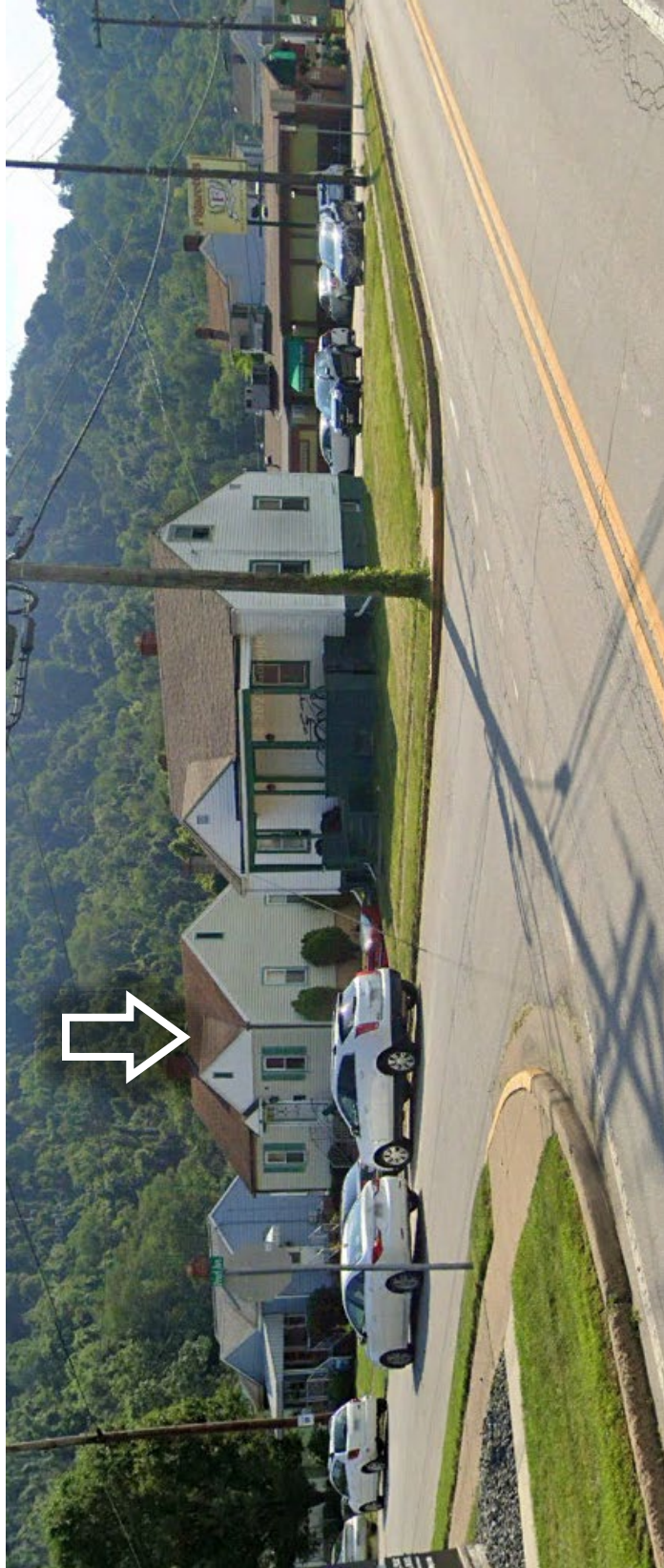


EXHIBIT 1 – PROJECT LOCATION



EXHIBIT 2 – ZONING CLASSIFICATION

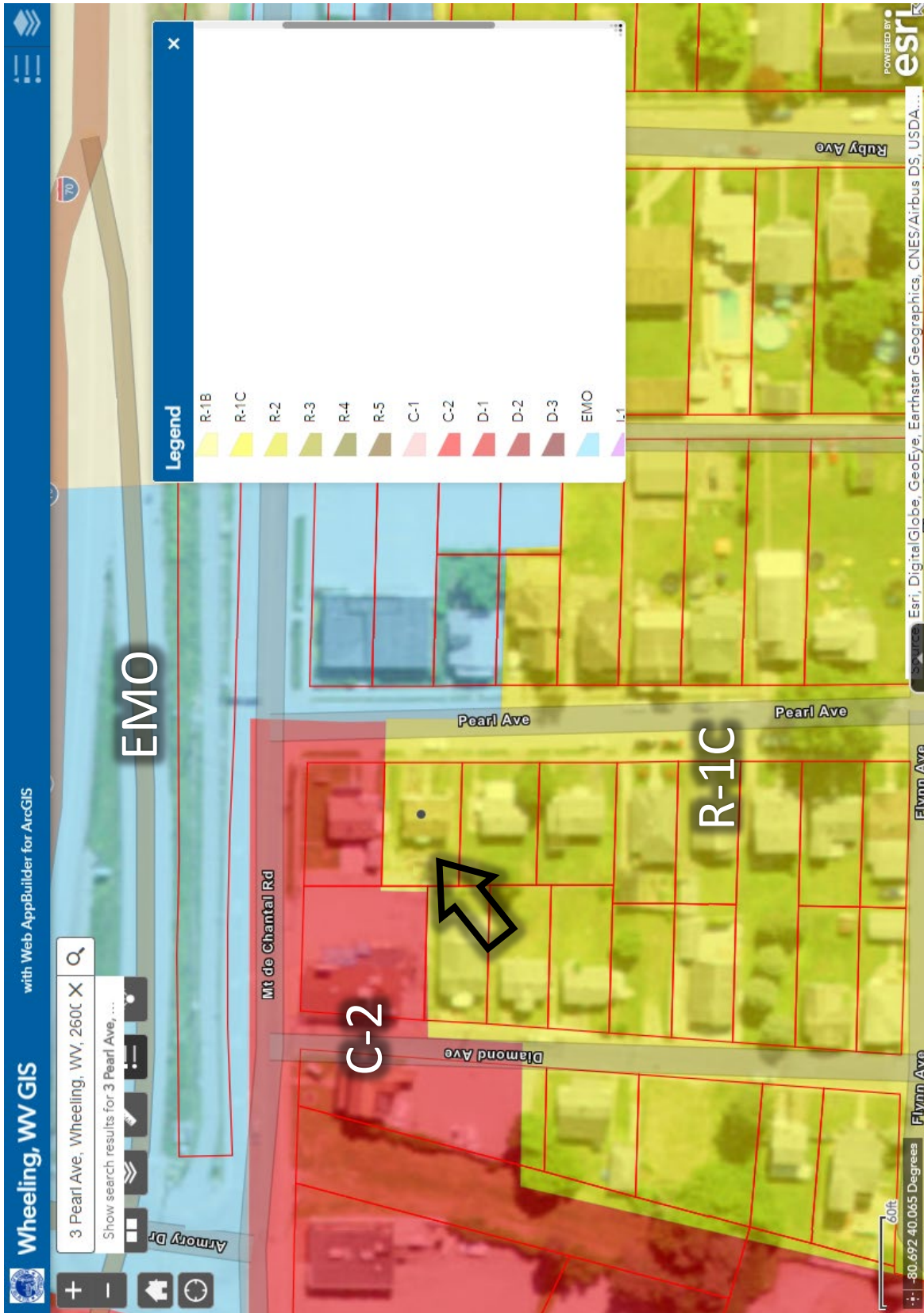


EXHIBIT 3 – COMPREHENSIVE PLAN CONSISTENCY

The following narrative identifies where, in the opinion of City Planning Staff, the subject zoning map amendment is in concurrence, is inconsistent, or is not applicable or inconclusive with the [2014 Envision Wheeling Comprehensive Plan](#)'s **Community Initiatives and Goals** beginning on Page 38 of the Plan.

Community Initiatives and Goals

	Concurrence	Inconsistent	N/A or Inconclusive
Initiative #1 – Wheeling will be Modern and Sustainable by...			
<ul style="list-style-type: none"> Targeting reinvestment and revitalization efforts in downtown and in the older, urban neighborhoods to support the establishment and growth of walkable, mixed-use neighborhoods. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Expanding opportunities for sustainable practices including, but not limited to, urban agriculture, use of renewable resources, use of green infrastructure, emphasis on non-vehicular transportation, etc. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Initiative #2 – Wheeling will have a Diverse Economy by...			
<ul style="list-style-type: none"> Promoting an economy built on its own assets including the expansion of the educational and medical industries, strong businesses that have chosen to locate in Wheeling, and a growing entrepreneurial base. <ul style="list-style-type: none"> <i>Staff Observation 1 – The proposed minor expansion of the C-2 General Commercial district along the Wheeling Hospital Road corridor creates opportunity for business expansion or redevelopment that could support the retail and service needs within the Clator Neighborhood and complement the economic energy of the Wheeling Hospital site.</i> <i>Staff Observation 2 – The proposed minor expansion of the C-2 General Commercial district along the Wheeling Hospital Road corridor creates opportunity for redevelopment to mixed-uses that could diversify housing types and choice within the Clator Neighborhood.</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Targeting business attraction efforts that will bring in jobs with livable wages. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Developing additional opportunities to assist local entrepreneurs and small business that are looking to start-up a business and/or grow in Wheeling. <ul style="list-style-type: none"> <i>Staff Observation 3 – The proposed minor expansion of the C-2 General Commercial district along the Wheeling Hospital Road corridor creates opportunity for business expansion or redevelopment that could support the retail and service needs within the Clator Neighborhood and complement the economic energy of the Wheeling Hospital site.</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Collaborating with local banks and financial institutions on efforts to streamline investment in the community and finance development projects. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Community Initiatives and Goals

	Concurrence	Inconsistent	N/A or Inconclusive
Initiative #3 – Wheeling will have strong Community Partnerships by...			
<ul style="list-style-type: none"> Collaborating with other institutions, public service agencies, stakeholders, neighborhood organizations and regional partners to identify the needs of the citizens and provide appropriate support to address such needs. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Engaging all of its citizens in this plan's implementation regardless of their age, wealth, educational level, or length of residency. <ul style="list-style-type: none"> <i>Staff Observation 4 – The City's public notice procedures exceed minimum related requirements of West Virginia State Code §8A-7-8.</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Incorporating new ideas and new people in the city's planning efforts and in the decision-making processes. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Initiative #4 – Wheeling will invest in its Neighborhoods by...			
<ul style="list-style-type: none"> Ensuring that there are adequate housing options for all age groups including a wider array of housing types, affordable housing options, and an increase in choices between new and older housing stock. <ul style="list-style-type: none"> <i>Staff Observation 5 – The proposed minor expansion of the C-2 General Commercial district along the Wheeling Hospital Road corridor creates opportunity for redevelopment to mixed-uses that could diversify housing types and choice within the Clator Neighborhood.</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Providing access to recreational facilities, local and regional institutions, shopping, and public services within close proximity to all neighborhoods. <ul style="list-style-type: none"> <i>Staff Observation 6 – The proposed minor expansion of the C-2 General Commercial district along the Wheeling Hospital Road corridor creates opportunity for business expansion or redevelopment that could support the retail and service needs within the Clator Neighborhood and complement the economic energy of the Wheeling Hospital site.</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Establishing and enforcing policies and ordinances that will provide for the long-term protection of neighborhoods without creating excessive burdens on homeowners and business owners. <ul style="list-style-type: none"> <i>Staff Observation 7 – The proposed minor expansion of the C-2 General Commercial district along the Wheeling Hospital Road appears to correspond with the depth of the existing commercial corridor's development patterns, thereby further buffering the adjoining residential neighborhood, through proper site design and complementary land uses, from the often-congested corridor (e.g., noise, ambient air quality, etc.).</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Staff Observation 8 – The proposed minor expansion of the C-2 General Commercial district along the Wheeling Hospital Road corridor creates</i> 			

EXHIBIT 3 – COMPREHENSIVE PLAN CONSISTENCY

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Community Initiatives and Goals	Concurrence	Inconsistent	N/A or Inconclusive
<i>opportunity for business expansion or redevelopment that will better meet off-street parking demand thereby relieving on-street parking congestion and conflict between residential and nonresidential users.</i>			
<ul style="list-style-type: none"> Protecting and ensuring the long-term preservation and use of historic districts and buildings. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Initiative #5 – Wheeling will invest in its Infrastructure by...			
<ul style="list-style-type: none"> Supporting all modes of transportation but focusing efforts on expansion of non-vehicular (e.g., sidewalks and trails) and mass transit options. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Upgrading the local infrastructure systems, especially high-tech infrastructure, to support is residential population and promote economic development. <ul style="list-style-type: none"> <i>Staff Observation 9 – The proposed minor expansion of the C-2 General Commercial district along the Wheeling Hospital Road creates opportunity for expansion and redevelopment, which would be required to meet current development requirements that might not be currently present (e.g., stormwater management, etc.)</i> 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Updating the city's Capital Improvement Plan on a regular basis to establish a priority of infrastructure improvements based on community needs. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Initiative #6 – Wheeling will embrace its Quality of Life by...			
<ul style="list-style-type: none"> Providing excellent park and recreational facilities, quality education facilities, access to arts and culture, and diverse entertainment opportunities. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Partnering with local preservation organizations and agencies on efforts that will protect and promote the city's heritage as a way of creating a sense of place and an economic development activity. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Fostering an artistic environment that allows for local visual and performance artists to demonstrate the cultural assets of the city. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> Providing quality public safety and educational services and opportunities to all of its citizens. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXHIBIT 3 – COMPREHENSIVE PLAN CONSISTENCY

Plan Strategies

The following extracted images from the [2014 Envision Wheeling Comprehensive Plan's Plan Strategies](#) are, in the opinion of City Planning Staff, directly related to and inform the Planning Commission's review of the subject zoning map amendment. Each image is captioned with the corresponding page number of the Plan.

<i>Envision Wheeling: Community Plan</i>		
1	Plan Initiatives:	Modern and Sustainable, Diverse Economy, Neighborhoods, & Quality of Life
	Implementation Strategy:	Encourage a Sustainable Mix of Future Land Uses
	Responsible Agency:	City of Wheeling
	Potential Partner Agencies:	All agencies and stakeholders
	Potential Funding Source:	None required
	Priority/Timeframe:	High Priority/Ongoing Strategy
	Working Group:	None

The future land use plan establishes the desired future land use types for properties. In some areas, the city envisions the continuation of existing uses while in others, this plan establishes the ground work for allowing alternative development that fits within the community vision and will be more sustainable in the long run. The future land use plan will help guide the decisions of the Wheeling City Council, Planning Commission, Board of Zoning Appeals, city departments, regional agencies, and other groups regarding a variety of issues such as zone changes, capital improvements, development of public facilities, and similar decisions.

From Page 51

[Using the Future Land Use Plan](#)

The Future Land Use Plan (Map 8) is intended to serve as a guide for continued development and redevelopment within Wheeling, as well as the potential growth areas surrounding the city. The map is not a zoning map nor does the adoption of this plan legally regulate how land is used. This plan is not intended to be site specific with a single future land use attached to every individual property. The user should first take into consideration the recommendations and policies of this section, the character of the surrounding area as well as individual conditions of the site including, but not limited to the existing use of the site, natural topography, presence of flood hazard areas, traffic, surrounding uses, and similar conditions. In many cases, this plan includes the possibility of a variety of uses within a specific land use category depending on the conditions of the actual site. The Planning Commission, through a more thorough site plan review process, will work to ensure new developments are of the highest functionality and aesthetic quality to the community and conform to the surrounding neighborhood.

From Page 51

EXHIBIT 3 – COMPREHENSIVE PLAN CONSISTENCY

LEGEND

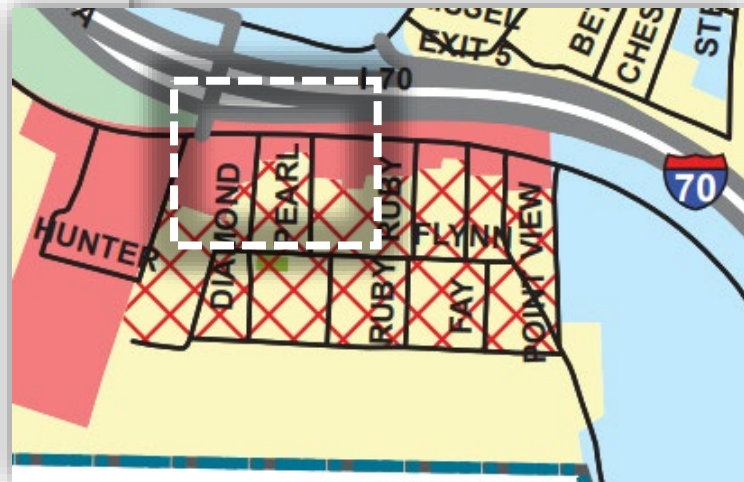
- Roads
- Interstate & Highway
- River & Creeks
- City Limits
- Potential Growth Areas
- Incorporated Places
- County Boundary

Future Land Use

- Conservation Development
- Suburban Residential Core
- Urban Residential Core
- Mixed Residential
- Multi-Family Residential
- Mixed Use Development
- Urban Mixed Use Development
- Commercial / Office
- Office / Light Industrial
- Industrial Core
- Parks and Recreation
- Public and Institutional

FUTURE LAND USE MAP

These images are extracted from Map 8: Future Land Use on Pages 53-54 of the Plan, with illustrative emphasis added.



Envision Wheeling: Community Plan

Suburban Residential Core

Wheeling has a number of well-established neighborhoods that were built over the course of the city's history. Some, like Center Wheeling and North Wheeling, are examples of the oldest neighborhoods that grew outwards from downtown. Others, like Woodsdale, Park View, and Elm Grove developed later in Wheeling's history and are examples of more suburban development styles albeit, with some historic context.



The areas that are designated as suburban residential core in the future land use plan should continue "as is" with the primary use being single-family residential uses at low to moderate densities reflecting the existing neighborhoods. While single-family uses will continue to be the predominant land use, there are areas where multi-family residential uses and commercial or offices uses may be appropriate.

EXHIBIT 3 – COMPREHENSIVE PLAN CONSISTENCY

Envision Wheeling: Community Plan

Commercial and Offices Uses in the Suburban Residential Core Areas

The city should allow for the continuation of existing commercial and office uses, particularly where they provide a needed service to the neighborhood such as a grocery store or medical office. New commercial and offices uses within the residential areas should be discouraged to protect the residential nature of these neighborhoods.

From Page 57

Envision Wheeling: Community Plan

Mixed Use Development (Overlay)

There are several areas of the city where there is the potential for the development or redevelopment of a number of different types of uses. In order to provide some level of flexibility within this plan, the future land use plan incorporates a mixed use development category as an overlay to other future land use categories. In these areas, owners have the option to develop based on either the base land use category or an alternative under this mixed use development area that is shown as an overlay on the map. In these areas, the mixed use development may take the form of vertical mixed use within a single building (e.g., residential uses over a commercial first floor) or could simply take the form of what is considered general mixed use where residential uses or office uses may be interspersed with commercial uses in stand-alone buildings.

From Page 60

Other Areas of Mixed Use Development

In the other areas of mixed use development, any type of mixed use should be allowed including vertical mixed use (i.e., not mixed within a single building) as well as mixed use within a single building. In these areas, auto-oriented commercial uses may be acceptable if there is adequate access.

From Page 61

EXHIBIT 3 – COMPREHENSIVE PLAN CONSISTENCY

Envision Wheeling: Community Plan

17	Plan Initiative:	Diverse Economy
	Implementation Strategy:	Focus on Local Businesses
	Responsible Agency:	City of Wheeling
	Potential Partner Agencies:	RED and the Chamber of Commerce
	Potential Funding Source:	Local funding, the WV Small Cities Block Grant, Planning and Local Technical Assistance Programs (federal), local foundations
	Priority/Timeframe:	Medium Priority /Ongoing Strategy
	Working Group:	Economic Development Working Group

Focusing on the health of our local businesses will help with the overall economic health of the region. The city should work on development programs to identify the needs of the local businesses (e.g., space to expand, services, access, etc.) and work to address those needs so that the existing businesses can continue to be a success. Additionally, the city and its economic development partners all promote Wheeling as a great place to do business with a fantastic quality of life and low cost of living. While this approach is working, it is also important to highlight specific business success stories to show how businesses thrive in the area. Currently, the Regional Economic Development Partnership (RED) highlights some of the key success stories of businesses that have moved to Wheeling but they have not highlighted any success stories of businesses that started up in the city and continue to grow. The city should work with RED to identify additional success stories as an additional economic development marketing tool and as a way to promote the entrepreneurial spirit in Wheeling.

From Page 81

SEE FOLLOWING PAGES

PETITION FOR ZONING AMENDMENT
WHEELING, WEST VIRGINIA

The undersigned, representing owner(s) of 50 % or more of the following legally described property, hereby petition the Council of the City of Wheeling for consideration of change in zoning district classification as specified below:

ADDRESS OR LOCATION 1035 MT. DECHAPEL RD + 1 PEARL AVE. + 3 PEARL AVE

LEGAL DESCRIPTION: W53-120
W53-145
Subdivision Name SCOTT LUMBER SUB DIV CLATOR Lot No. W53-144
(if not available, attach copy of deed)

EXISTING USE RESTAURANT + DEMOLISHED HOUSE + DEMOLISHED HOUSE

PRESENT ZONING DISTRICT CLASSIFICATION C2 + C2 + R1C (3 PEARL AVE.)

PROPOSED USE LOT CONSOLIDATION TO COMBINE 3 LOTS INTO 1 LOT ZONED C2 FOR PARKING LOT + STORE BLDG.

PROPOSED ZONING DISTRICT CLASSIFICATION C2

SUPPORTING INFORMATION:

Attach a vicinity map showing your plans

PERSON ORIGINATING PETITION Tim Crowley DATE 9/27/22 *for Family Realty of WV Inc.*
Mailing Address _____ Phone 740.226.1242

SIGNATURE(S) OF OWNERS [Signature] ADDRESS OF OWNERS P.O. BOX 2256
for Family Realty Wheeling, WV 26003
of West Virginia, Inc.

FOR OFFICIAL USE ONLY
(Planning Commission)

Date Filed _____
Date of Notice in Newspaper _____

ZonAmend 8 03

ITEMS REQUIRED FOR A ZONING AMENDMENT

1. Application for Zoning Compliance
2. Application for Zoning Amendment
3. Letter of Transmittal regarding comments or considerations and or any supporting information.
4. Survey Map of property to be rezoned.
5. Deed to the property so that we may publish the property's legal description in the newspaper's legal ads.
6. \$100.00 fee

Next meeting _____, at 5:00 p.m., Room 103. You or a representative must be present in order for your request to be heard.

NOTE: Return information 21 days prior to the hearing to Room 305. Thank you.



APPLICATION FOR CERTIFICATE OF ZONING COMPLIANCE FOR THE USE, ERECTION, ALTERATION, OR REPAIR OF A BUILDING OR LAND

The undersigned applies for a Certificate of Zoning Compliance for the following, said certificate is to be issued on the basis of the information contained within the application. The applicant hereby certifies that all information and attachments are true and correct.

- 1. Address of Property: 1035 MT. DECHAUNTEL RD & 1 PEARL AVE & 3 PEARL AVE
2. Name of Property Owner: FAMILY REALTY OF WEST VIRGINIA, LLC
3. Name of Applicant: TIM CROWLEY FOR FAMILY REALTY
4. Address of Applicant: 142 W. MAIN ST., ST. CLAIRSVILLE, OH 43950
5. Applicant Phone: 740-296-1242 Owner Phone: 304-280-8452
6. Existing Use: RESTAURANT w/ PARKING LOT & (2) FORMER/ DEMOLISHED HOMES
7. Proposed Use: Other (describe): RESTAURANT & PARKING LOT STAY + NEW PARKING LOT
8. Number of off-street parking spaces to be provided: 12
9. Number of off-street loading berths to be provided: 0

COMPLETE THIS SECTION BELOW FOR THE ERECTION, ALTERATION, OR ADDITION OF A STRUCTURE

Type of Improvement: Accessory Building for Storage & Cooler
Residential: Number of existing dwelling units: 2 former homes
Number of proposed dwelling units: 0

Existing Lot Dimensions: Width: 80 ft. x Depth: 100 ft. = lot area: 8,000 sq. ft.

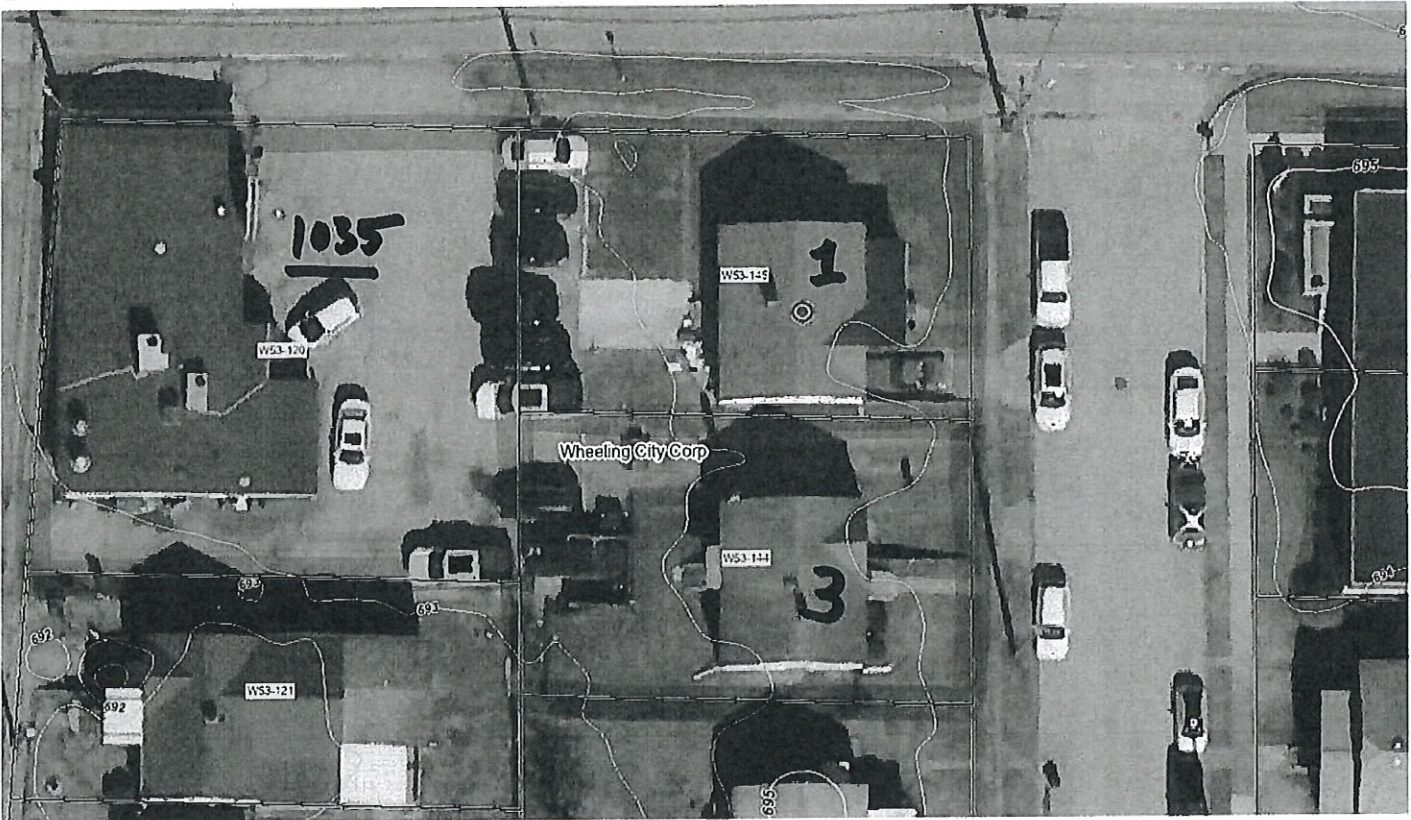
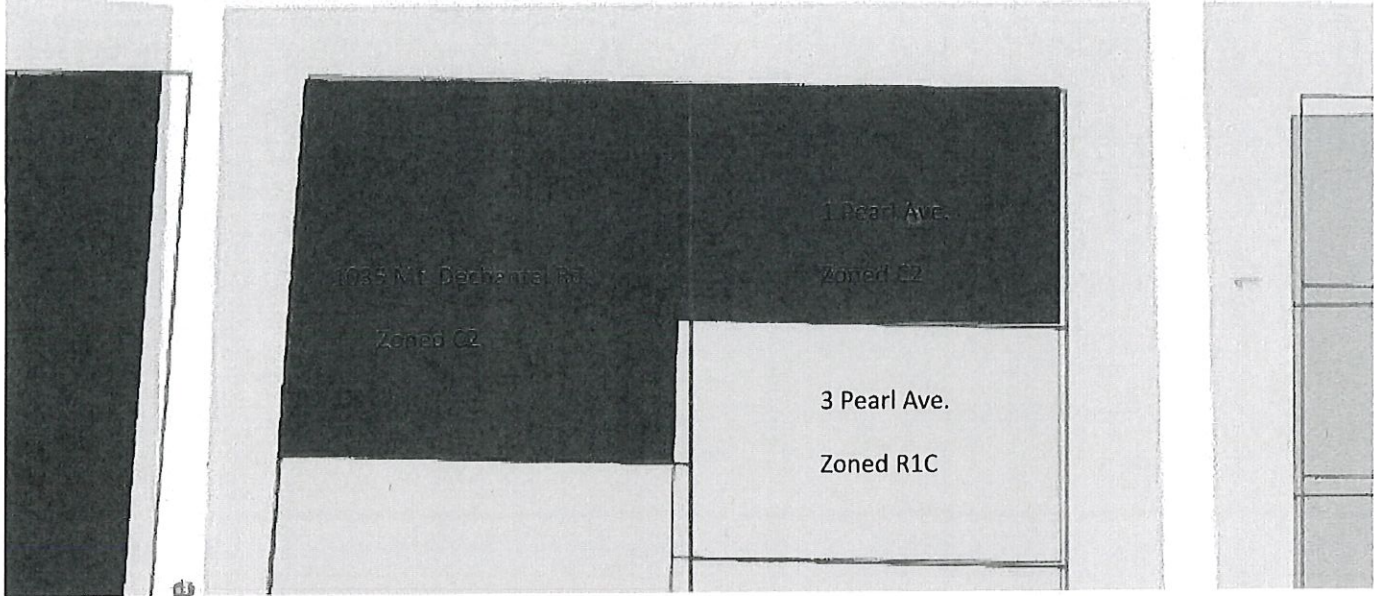
Existing Principal Building: Dimensions: Width: 29.5 ft. x Depth: 61.25 ft. = Total first floor area, including covered porches: 2,088 sq. ft.
Setbacks: Front: 0 ft. Rear: 19 ft. Side: 0 ft. Other Side: 39 ft. Height/Stories: 1 1/2

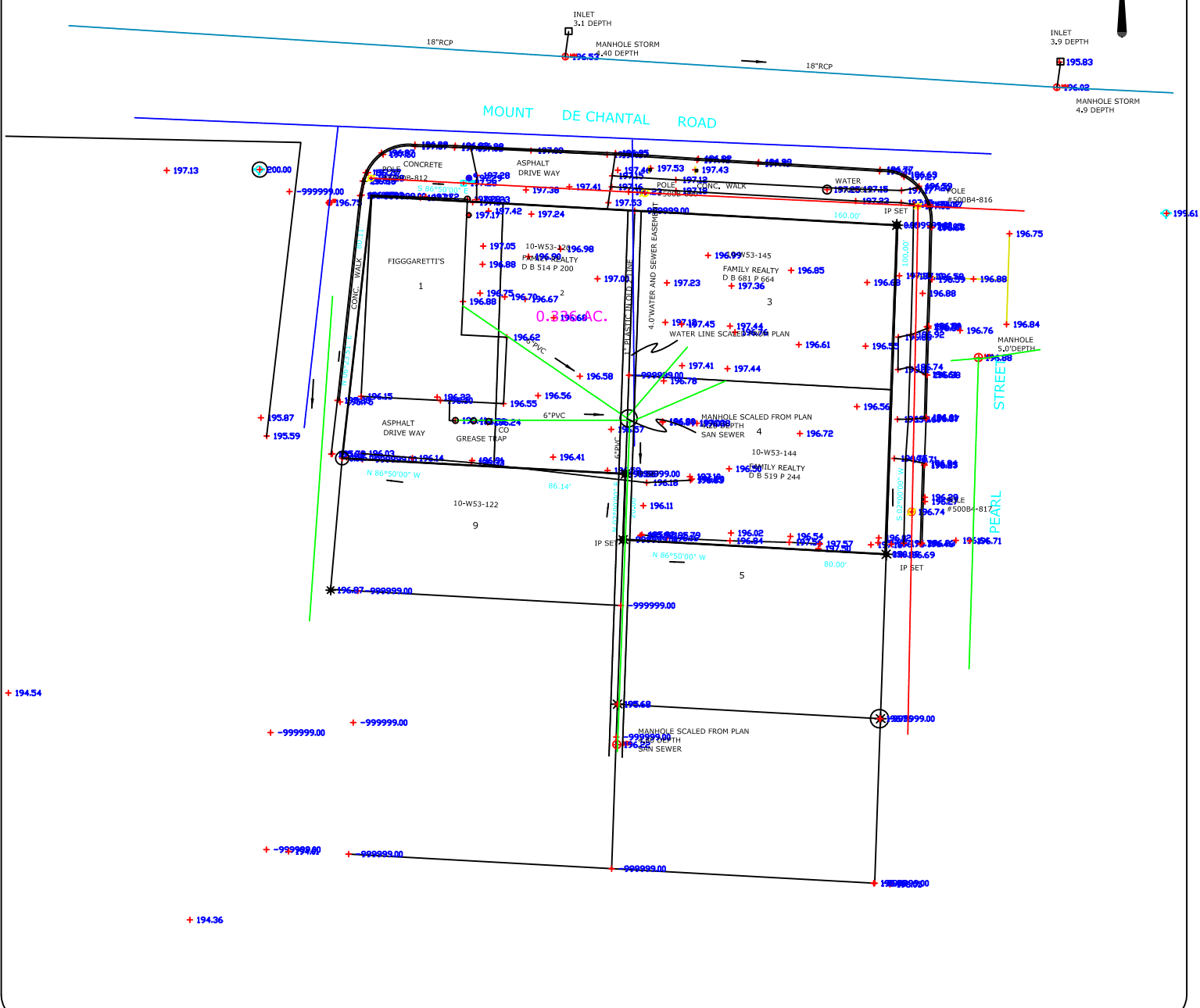
Existing Accessory Building: (garage, carport, shed, pool, etc): Dimensions: Width: 7 ft. x Depth: 13 ft. = Total first floor area, including covered porches: 91 sq. ft.
Setbacks: Front: N/A ft. Rear: ft. Side: ft. Other Side: ft. Height/Stories: AS IT IS BEING RELOCATED - SEE BELOW

Proposed Construction: Accessory Storage Building w/ Dims. as noted below & 7' x 13' cooler attached
Dimensions: Width: 16 ft. x Depth: 40 ft. = Total first floor area, including covered porches: 640 sq. ft.
Setbacks: Front: 76 ft. Rear: 8 ft. Side: 29 ft. Other Side: 10 ft. Height/Stories: 12' / 1

Applicant Signature: Tim Crowley Date: 2022-10-06
Owner Signature: Jannine [Signature] Date: 2022-10-06

Mt de Chantal Rd





STEGMAN & SCHELLHASE, INC.

LAND & CONSTRUCTION SURVEYORS

51 - 15th Street - P.O. Box 187
Wheeling, WV 26003
(304) 232-6080 - Phone
(304) 232-8087 - Fax



REVISIONS

NO.	DATE	DESCRIPTION

LOCATION MAP OF
LOTS 1,2,3,4 OF PART OF BLOCK NO. 1,
JOHN E. CILLATOR'S SUBDIVISION
PLAT RECORDED IN PLAT BOOK 1 PAGE 20
CITY OF WHEELING, OHIO COUNTY, WEST VIRGINIA



DATE: SEPT 28, 2022

DRAWING NO. _____

DRAWN BY: JET

SCALE: 1" = 16 FEET

SEE FOLLOWING PAGES

CITY OF WHEELING



CITY COUNTY BUILDING
1500 CHAPLINE STREET
WHEELING, WEST VIRGINIA 26003

BUILDING & PLANNING DEPARTMENT
Phone (304) 234-3601 | WheelingWV.gov

NOTICE

Please take notice that the Planning Commission of the City of Wheeling will hold a public hearing on **MONDAY, OCTOBER 17, 2022, at 5:00 P.M.**, in the City Council Chambers – Room 103 – 1st Floor, City-County Building, to consider changing the zoning classification from R-1C Single Family Residential to C-2 General Commercial relative to Scott Lumber Sub Div Clator Lot 53-144 in the City of Wheeling to allow for a parking lot. The property is more commonly known as 3 Pearl Avenue.

If you would like to express your opinion on this matter, you are invited to attend the above-described public hearing. Please contact the Building and Planning Department at (304)-234-3601 with any questions. Thank you.

BANE,KATHRYN L
3523 CUB CIR
GAINESVILLE ,GA 30506

CRUPE,CHRISTINA NICOLE
8 PEARL AVE
WHEELING ,WV 26003

MANUFACTURERS,LIGHTING &
HEAT,1999
PO BOX 1273
CHARLESTON ,WV 25325

SMITH,MARY LOU
11 PEARL AVE
WHEELING ,WV 26003

TAYLOR,BARBARA K & GLENN H
13 PEARL AVE
WHEELING ,WV 26003

WHEELING HOSPITAL INC
1 MEDICAL PARK
WHEELING ,WV 26003

ZAMBITO,RICARDO M
1201 MOUNT DE CHANTAL RD
WHEELING ,WV 26003

CHOCOLATE PIG LLC
33 BILTMORE AVE
WHEELING ,WV 26003

ENGLEHART,JOSEPH F & MARGO M
5052 CRAMER WOODS DR
GASTONIA ,NC 28056

MCNABB,EVELYN E
4 DIAMOND AVE
WHEELING ,WV 26003

STEAD,TERRI L 7 TODD M
14 PEARL AVE
WHEELING ,WV 26003

TGK LLC
152 MEADOW LN
WHEELING ,WV 26003

WILSON,PHILLIP C & NANCY L
12 PEARL AVE
WHEELING ,WV 26003

CLATOR DEVELOPMENT LLC
53 WASHINGTON AVE
WHEELING ,WV 26003

FAMILY REALTY WV INC
PO BOX 2256
WHEELING ,WV 26003

S & B PROPERTY MANAGEMENT LLC
23 STAMM LN
WHEELING ,WV 26003

STORCH,PETER G
2 DIAMOND AVE
WHEELING ,WV 26003

WEISENBORN,JACQUELYN
5 PEARL AVE
WHEELING ,WV 26003

ZAMBITO,RICARDO D
1201 MOUNT DE CHANTAL RD
WHEELING ,WV 26003



NOTICE

CHANGE IN ZONING CLASSIFICATION PENDING

The City of Wheeling Planning Commission will conduct a public hearing on Monday, October 17, 2022, at 5:00 p.m. in the City Council Chambers – Room 103 – First Floor, City-County Building, to amend the Zoning Classification from R-1C Single Family, High Density to C-2 General Commercial relative to Scott Lumber Sub Div Clator Lot W53-144 in the City of Wheeling. The property is more commonly known as 3 Pearl Avenue. For the purpose of constructing a parking lot.

City of Wheeling, Codes Official



Any interested citizen may contact the Building and Planning Department at 304-234-3601.