



BUSINESS ZONING COMPLIANCE

ZONING COMPLIANCE BY APPLICANT FOR A LIMITED VIDEO LOTTERY RETAILER LICENSE
YOU ARE REQUIRED TO TAKE THIS FORM TO YOUR LOCAL CITY OR COUNTY ZONING OFFICE FOR COMPLETION. PLEASE RETURN THE COMPLETED FORM WITH YOUR APPLICATION.

To: The Building Official of the Municipality of Wheeling
The Building Official of the County of _____
The Clerk or Recorder of the Municipality of _____
The County Clerk/Administrator of the County of _____

Take Notice:

- West Virginia Limited Video Lottery Act [W.Va. Code §29-22B-1902(b)] says:

The provisions of this article preempt all regulations, rules, ordinances and laws of any county or municipality in conflict herewith: Provided That nothing herein shall invalidate any zoning law, or Sunday closing law under article 61-10-1, et seq., of this code.

- The following individual, business, fraternal organization, or veterans organization is applying to the State Lottery Commission for a limited video lottery retailer license within your jurisdiction:

Business Name: Wheeling Coin LLC DBA Up on the lane Hot Spot Cafe
Street Address: 95 Edgington Lane
County: Ohio
City: Wheeling State: WV
Zip Code: 26003

- Please confirm there is (yes) /is not (no) a zoning ordinance(s) that specifically would prohibit limited video lottery gaming on the premises, or that the limited video lottery gaming on the premises constitutes an allowed non-conforming use of the property under West Virginia Code Chapter, 8A.

If checked yes, provide a letter signed by an authorized agent of the County Commission indicating the reasoning for permitting the establishment to operate in the county.

I, _____, do hereby certify this is a true city/county zoning confirmation for this "Business Zoning Compliance Form" for the Applicant applying for a Limited Video Lottery Retailer License which was served on this the

_____ day of _____, 20__.

Authorized signature for jurisdiction

Zoning Form

(Original copy must be submitted to the WVABCA Licensing Department)

Note: If an establishment's location is not situated within a municipality, this office will need a letter from the County Commission stating that the establishment location is zoned properly. All applicants must complete the obverse (front) portion of the form.

To: Municipal Clerk or Recorder

Under the requirements set forth in 60-7-4a and/or 11-16-8(a)(5) of the W. Va. State Code, a person intending to apply for a license to operate an ABCA licensed Private Club, Private Wine Restaurant or Tavern at any location within a municipality must file a notice of such intention with the Clerk or Recorder of such municipality at least ten (10) days prior to filing an application for such license with the Alcohol Beverage Control Administration. Pursuant to this requirement, notice is herein given that the following intends to apply to the WVABCA for a license to operate a Private Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private Wine Spa, or Tavern issued pursuant to the provisions of §§ Chapter 60, Article 7 and Article 8 and/or Chapter 11, Article 16 of the W.Va. State Code.

Entity Name: Wheeling Coin LLC

DBA (Doing Business As): Up on the Lane Hot Spot Cafe

Address of Establishment: 95 Edgington Lane Wheeling WV 26003
(Street/Route) (City) (State) (Zip Code)

Applicant's Name(s): Glessner Melissa S
(Last) (First) (Middle)

(Last) (First) (Middle)

General Description of Premises: Video lottery Location

Food Services to be Offered: Pizza, Hot dogs, Chips, Candy

Patron Capacity: 25

This Notice has been filed with the Clerk or Recorder of the City/Town of Wheeling on this 21st day of October, 2022.

Applicant's Signature(S): Melissa S Glessner Date: 10/21/2022

Date: _____

(FOR USE BY MUNICIPAL AUTHORITIES ONLY)

Is the proposed location for the Private Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private Wine Spa, or Tavern described consistent with the zoning ordinances or your Municipality as either a permitted use or a conditional use of such premises?

Yes _____ No _____

If the answer to the first question was "no," does your Municipality provide within its business zones suitable alternative locations for Private Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private Wine Spa, or Tavern?

Yes _____ No _____

Is the proposed location for the Private Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private Wine Spa, or Tavern herein described situated in an area designated for the use of community development block grant funds in the municipality?

Yes _____ No _____

If yes, is the planned use of the premises at the location herein described consistent with any plan adopted by the governing body of the municipality for revitalization of the area wherein the premises are situated?

Yes _____ No _____

Does the municipality have any restrictions or regulations prohibiting Limited Video Lottery?

Yes _____ No _____

Does the municipality have any restrictions or regulations prohibiting Exotic Dancing establishments?

Yes _____ No _____

Additional comments to the Alcohol Beverage Control Administration:

Approved By: Authorized Official Signature and Title

City/Town

Date:

**Return Original To: WYABCA
Licensing Division
900 Pennsylvania Avenue, 4th Floor
Charleston, WV 25302**

CITY OF WHEELING



CITY COUNTY BLDG., 1500 CHAPLINE STREET
WHEELING, WEST VIRGINIA 26003

July 7, 2021

WVABCA
Licensing Division
900 Pennsylvania Avenue, 4th Floor
Charleston, WV 25302

To Whom It May Concern:

Enclosed please find the Notice of Application to Operate a Private Club for Wheeling Coin LLC, located at 97 Edgington Lane, Wheeling, WV 26003.

The application was presented to City Council at its regular meeting held on July 6, 2021 and forwarded to you without comments.

Sincerely,

A handwritten signature in black ink that reads "Brenda J. Delbert".

Brenda J. Delbert
City Clerk
(304) 234-6401

Enclosure