

**KANAWHA COUNTY COMMISSION**  
**409 Virginia Street, East**  
**Charleston, West Virginia 25301**  
**Telephone: (304) 357-0570**  
**Fax: (304) 357-0572**

**ADULTS ONLY ESTABLISHMENT**  
**PERMIT APPLICATION**

**Application Fee: \$300**

DATE OF APPLICATION \_\_\_\_\_

**APPLICATION INFORMATION**

BUSINESS NAME: \_\_\_\_\_ STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

**OFFICERS / OWNERS OF BUSINESS**

1. NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

SOCIAL SECURITY NUMBER: \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_

2. NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

SOCIAL SECURITY NUMBER: \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_

3. NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

SOCIAL SECURITY NUMBER: \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_

**LOCATION OF PROPOSED ESTABLISHMENT**

PROPERTY OWNER: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

TAX DISTRICT: \_\_\_\_\_ TAX MAP: \_\_\_\_\_ PARCEL NO: \_\_\_\_\_

RESPONSIBLE PARTY ADDRESS: \_\_\_\_\_

**IS THE ENTRANCE TO YOUR ESTABLISHMENT LOCATED WITHIN 2,000 FEET OF ANY PROPERTY ON WHICH IS SITUATED ANY OF THE FOLLOWING:**

**(Circle One)**

- A. A public or private child daycare facility, kindergarten, elementary, grade, middle, junior, senior, secondary, or vocational school; or Yes / No
- B. A public or private institution of higher education, or Yes / No
- C. A public or private business school or collage; or Yes / No
- D. A public park or recreational facility; including but not limited to a park, a playground, nature trail, swimming pool, athletic field, basketball court, tennis court, wilderness area or other similar public land within the Territorial Limits or otherwise; or Yes / No
- E. A public library; or Yes / No
- F. A church, mosque, temple or synagogue or other building used as a place of religious worship or instruction; or Yes / No
- G. A Federal, state, county or municipal office building; or Yes / No
- H. Another Adults Only Establishment; or Yes / No
- I. An establishment that is licensed to serve alcoholic beverages; or Yes / No
- J. A residence. Yes / No

Said distance (2,000 feet) is measured from the proposed public entrance to the establishment along a straight line from the nearest property line of the tract from which the measurement is to be made.

**PARKING**

**IT IS THE PURPOSE OF THIS SECTION OF THE ORDINANCE TO ENSURE THAT EVERY ADULTS ONLY ESTABLISHMENT MAINTAINS SUFFICIENT SPACE ON SITE TO MEET ITS PARKING NEEDS AND TO ACCOMMODATE VEHICULAR TRAFFIC THAT IT GENERATES.**

1. What is the size of your establishment in square feet?\_\_\_\_\_.
2. How many parking spaces are you providing? (Must have one parking space for every 100 square feet of business space)\_\_\_\_\_.
3. What is the size of your parking spaces? (Must be at least 8 ½ feet wide and 18 feet long with stripes)  
\_\_\_\_\_.
4. What is the surface material of your parking area? (Must be either blacktop or concrete)\_\_\_\_\_.
5. Parking will not be approved if traffic flow permits or allows vehicles to back onto the roadway.

**SIGNS**

**IT IS THE PURPOSE OF THIS SECTION OF THE ORDINANCE TO PROTECT PROPERTY VALUES BY ENCOURAGING VISUALLY APPEALING, NO-DISTRACTING SIGNS; TO PERMIT SUCH SIGNS THAT WILL NOT, BY REASON OF THEIR SIZE, LOCATION OR MANNER OF DISPLAY, TO DETRACT FROM THE ECONOMIC VIABILITY OF OTHER PERSONS AND ESTABLISHMENTS IN THE VICINITY; TO PREVENT SIGNS FROM CAUSING AN ANNOYANCE OR DISTURBANCE TO A SUBSTANTIAL NUMBER OF PERSONS; AND TO PROMOTE A HEALTHY AND BUSINESS-FRIENDLY ENVIRONMENT IN WHICH SIGNS RELATING TO AN ADULTS ONLY ESTABLISHMENT CONTRIBUTE TO AND ENCOURAGE RATHER THAN DETRACT FROM THE ECONOMIC VIABILITY OF OTHER PERSONS AND ESTABLISHMENTS IN THE VICINITY.**

1. Attach an accurate scaled drawing of the proposed sign, its location, and content of the proposed sign, and whether or not the proposed sign is electronic.
2. After a sign is constructed or installed based on the application therefore, the applicant shall provide a letter to the Planning Officer certifying that the sign was designed (including content), fabricated, sized, constructed or installed according to the application as approved.
3. Any sign promoting an Adults Only Establishment shall be flat and mounted to the wall of the Improvement in which the Adults Only Establishment is located.
4. No merchandise or depictions of Adults Only matter, including, without limitations, depictions of nude or seminude men or women, shall be displayed in any sign promoting an Adults Only Establishment or otherwise nor in any windows or any other area that may be viewed from a public street, alley, sidewalk or public way.

5. The size of any sign promoting an Adults Only Establishment shall not exceed more than one (1) square foot per one (1) lineal foot of street frontage of the property on which an Adults Only Establishment is located. Notwithstanding anything herein to the contrary, no sign promoting an Adults Only Establishment shall have a dimension that exceeds three times any other dimension or contain a maximum aggregate area that exceeds thirty (30) square feet. The permitted maximum size of a sign shall apply to the entire area enclosing the extreme limits of writing, representation, emblem or figure, together with any frame or other material or color forming an integral party of the display or used to differentiate a sign from the background against which it is placed. If a sign is painted on a wall, and includes background colors or graphics, and if the sign is an integral part of the overall graphic scheme, the entire wall shall be considered a sign and its measurement computed as such. If a sign is painted on a wall, and the sign can be logically separated and measured separately from the background graphics, the background graphic scheme shall not be computed in the sign size.
6. No Adults Only Establishment shall erect or display any portable or movable sign on the Premises thereof. No Adults Only Establishment shall erect nor maintain more than one sign advertising or promoting an Adults Only Establishment on the premises thereof.
7. No sign promoting an Adults Only Establishment shall contain lights or animated parts that incorporate in any manner flashing or moving lights or any other visible moving or revolving part, except for a sign indicating time, temperature or date.
8. No sign promoting an Adults Only Establishment shall project more than eighteen (18) inches from the wall.

**SUBMIT A COPY OF A SITE PLAN OF THE EXISTING OR PROPOSED IMPROVEMENT OR IMPROVEMENTS, THE PARCEL OR PARCELS OF LAND OF WHICH IT OR THEY ARE SITUATE AND ALL APPURTENANCES AND RIGHTS OF WAY RELATED TO OR AFFECTING THE SITE, TOGETHER WITH A LETTER DESCRIBING THE PROPOSED ADULTS ONLY ESTABLISHMENT.**

**THE SITE PLAN SHALL BE DRAWN TO A SCALE OF ONE INCH (1") EQUALS FIFTY FEET (50') OR LARGER AND SHALL INCLUDE THE FOLLOWING DATA:**

- (a) Name and address of the person who prepared the site plan; the date of preparation, north point, and scale; a metes and bounds description of the site; tax district, map and parcel identification numbers; and the name and mailing address of the Applicant and the Responsible Person and;
- (b) Existing and proposed contours of the Premises; and
- (c) Certification by a land surveyor or engineer that the dimensions and bearings on the site plan are accurately delineated and location of all easements and right-of-ways with respect to the Premises; and
- (d) Number and type of the proposed Improvements on Premises; gross floor area of each Improvement on Premises; and
- (e) Location, shape, exterior dimensions, and number of stories of each Improvement on Premises; and

- (f) Location, grade, and dimensions of paved surfaces of the Premises, and of all streets, alleys, roads and highways abutting the Premises; and
- (g) Complete traffic circulation and parking plan showing dimensions, entrance and exit drives, planters and similar improvements with respect to the Premises; and
- (h) Location of landscaped areas (to be detailed on landscape plan), fences, walls, and other screening with respect to the Premises; and
- (i) If required by another governmental authority, State of West Virginia Sediment and Erosion Control Plan of the State of West Virginia; and
- (j) Drainage plan for the Premises prepared by a registered professional engineer licensed to practice in the State of West Virginia.

The application fee shall be \$300.00

***I SWEAR OR AFFIRM THAT THE INFORMTION CONTAINED IN THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.***

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

***STATE OF WEST VIRGINIA:***

***COUNTY OF KANAWHA***

***SUSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.***

***MY COMMISSION EXPIRES: \_\_\_\_\_.***

***NOTARY PUBLIC)***