

ZONING FORM

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

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 this 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 WV ABCA 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): Hideaway Grounds Cafe

Address of Establishment: 2700 Chapline St Wheeling WV 26003
(Street/Route) (City) (State) (Zip Code)

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

(Last) (First) (Middle)

General Description of Premises: Cafe with LVL machines

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

Patron Capacity: 25

This Notice has been filed with the Clerk or Recorder of the City/Town of Wheeling on this 23 day of September, 2021.

Applicant's Signature(s): Melina J. Glessner Date: 9.23.2021

Date: _____

(Municipality to fill out reverse side of form)

ABCA-Lic.Z.2

(FOR USE BY MUNICIPAL AUTHORITIES ONLY)

- 1. 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

- 1. (a) If the answer to the first question is "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

- 2. 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

- 2. (a) 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

- 3. Does the municipality have any restrictions or regulations prohibiting Limited Video Lottery?
Yes No

- 4. Does the municipality have any restrictions or regulations prohibiting Exotic Dancing establishments?
Yes No

- 5. Additional comments to the Alcohol Beverage Control Administration:

The property is zoned C-2

The use is permitted

Th. Connelly Director
Approved by (Authorized Official Signature and Title):

Wheeling
City/Town

Date: 9/23/21

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



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
Street Address: 2700 Chapline Street
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, Thomas Connolly, 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

23 day of September, 2021

Thomas Connolly
Authorized signature for jurisdiction

10) THE LICENSE APPLIED FOR IS NOT FOR ANY COLLEGE FRATERNITY OR SORORITY AND THE PROPOSED LOCATION OF THE PREMISES HAS NOT BEEN DETERMINED BY LAW TO BE A PUBLIC NUISANCE, EXCEPT AS FOLLOWS: N/A

11) ARE THE APPLICANT'S PREMISES LOCATED:

A. WITHIN AN INCORPORATED MUNICIPALITY OR WITHIN ONE MILE OF THE CORPORATE LIMITS OF ANY MUNICIPALITY: YES NO

B. WITHIN ONE MILE OF THE CORPORATE LIMITS OF TWO OR MORE MUNICIPALITIES:

YES NO

IF YES, NAME THE MUNICIPALITIES:

- (1) _____
(2) _____
(3) _____

13.) LIST THE DISTANCE TO THE NEAREST:

A.) CHURCH 1000+

B.) SCHOOL 1000+

C.) RESIDENCE 400+

D.) GOVERNMENT OFFICE 1000+

14.) WILL TOBACCO PRODUCTS BE SOLD AT THIS ESTABLISHMENT? YES NO

15.) WILL THERE BE EXOTIC ENTERTAINMENT? YES NO

(ONLY PRIVATE CLUBS MAY HOLD EXOTIC ENTERTAINMENT)

16.) WILL YOU BE APPLYING FOR A LIMITED VIDEO LOTTERY LICENSE? YES NO

17.) IS THE APPLICANT'S LOCATION READY FOR AN INITIAL INSPECTION? YES NO

IF NO, WHAT IS THE PROJECTED DATE FOR THE INITIAL INSPECTION? _____

18.) ON WHAT DAY (DATE) WAS THE "SPECIAL TAX REGISTRATION AND RETURN APPLICATION" (TTB FORM) SUBMITTED TO THE ALCOHOL AND TRADE BUREAU?

9-23-2021

The undersigned agree, if a license is issued as herein applied for, to comply at all times and observe all the provisions of West Virginia §§ Chapter 11, Article 16 et seq., and Chapter 60, Articles 1 through 8 et seq., and all Federal and State Statutes and all other laws of this State and the rules and regulations promulgated by the Alcohol Beverage Control Administration. I or we certify under penalty of law and disqualification of licensure that all statements are true and complete. I or we release the State of West Virginia and any agent acting on its behalf from any and all liability due to the request for such information.

The undersigned hereby verify that we are all officers and all member of the board of directors on the application and that the statements and answers made in the foregoing application are true and the said writing is the act and deed of said Corporation, Limited Liability Company, Association, Individual, Partnership, Limited Partnership. **OFFICERS, INDIVIDUAL, OR MEMBER(S) SIGNATURES MUST BE NOTARIZED! MUST MATCH OFFICERS LISTED WITH THE SECRETARY OF STATE. MANAGERS MUST ALSO SIGN.**

PRINT CLEARLY/ WRITTEN SIGNATURES REQUIRED

NAME: <u>Melissa Glessner</u>	TITLE: <u>Member</u>
SIGNATURE: <u>Melissa S. Glessner</u>	DATE OF SIGNATURE: <u>9-23-2021</u>
NAME: _____	TITLE: _____
SIGNATURE: _____	DATE OF SIGNATURE: _____
NAME: _____	TITLE: _____
SIGNATURE: _____	DATE OF SIGNATURE: _____
NAME: _____	TITLE: _____
SIGNATURE: _____	DATE OF SIGNATURE: _____
NAME: _____	TITLE: _____
SIGNATURE: _____	DATE OF SIGNATURE: _____

State of West Virginia, Ohio County, To-Wit: Melissa Glessner, being first duly sworn

according to law, deposes and says that he/she is Controlling Member of the

Wheeling Coin LLC DBA Hideaway Grounds Cafe authorized by law to do business in the State of West Virginia, and that the

statements and answers made in the foregoing application are true and acknowledged the said writing to be the act and deed of said corporation.

(Applicant Signature) Melissa S. Glessner

STATE OF WEST VIRGINIA,
COUNTY OF Ohio, to wit:

Sworn to before me and subscribed in my presence this 23 day of September 2021

[Signature]
NOTARY PUBLIC
My Commission Expires: 10-30-2022

