

11 October 2013

Dear City of Morgantown Council Members:

The City of Morgantown Housing Advisory Committee strongly feels, after much discussion, that West Virginia University and any entity or person acting for or on behalf of WVU should obtain the proper building permits to construct, develop, or remodel real property within the corporate limits of the City of Morgantown.

Building permits and plan reviews allow the city, planning department, engineering department, fire department, code enforcement, and citizens to be informed about exactly what is happening in their community. All persons, businesses and entities constructing, developing or remodeling real property within city limits need to apply for building permits. This includes West Virginia University, and those doing business with West Virginia University. In the past, the WVU was held to the same rules and regulations that every other citizen within city limits are required to follow with one exception, they did not have to pay the building permit fees. If a private citizen wants to put up a decorative fence, they need to apply for a building permit, but if the WVU wants to tear down and redevelop five acres in a high density area of town, they are not required to follow the same rule? It has become common practice in recent years to turn a blind eye to what WVU does, and allow them to conduct business below the radar. It may be a state institution, but that does not give them the right or privilege to forego the building permit process.

What is good for the WVU is not always good for the general public. Some plans may be drawn up without taking into consideration the complete impact on the homes and businesses around it. Traffic patterns, loading and unloading of goods and materials, support structures, parking, service and emergency vehicle access, utility and drain line placement should all be looked at by a trained professional. Plans approved in Charleston may be made by someone looking at a map and data, instead of someone that understands that boarding up a building without a putting up a fence in a self-appointed party district of the city will create a problem. The employees of the city were hired for specific jobs. They have the training and expertise to handle the tasks that come before them. We ask that they be allowed to perform their job even if it involves WVU.

In conclusion the members of the City of Morgantown Housing Advisory Committee respectfully request that you take action on this issue, and reinstate the policy that all entities constructing, developing, or remodeling real property within city limits are required to file for and obtain building permits.

Sincerely,

Arthur G. Trusler III  
Co-Chairman of the Housing Advisory Board for the City of Morgantown

At our last city council meeting we received a letter from the Morgantown Housing Advisory Committee expressed their concern that West Virginia University and any entity or persons acting for or on behalf of WVU should obtain proper building permits to construct develop or remodel real property within the corporate limits of the city of Morgantown.

At the end of the meeting in his report our city attorney, Mr. Fanok responded that by WV state law the city has no legal means to require WVU to apply for building permits. I believe and accept his counsel, but I also believe the city has a responsibility to its boards and commissions when they express their concerns, not to simply tell them what cannot be done but to actively seek solutions that might address those concerns.

At a time when the city is being asked by the public and in newspaper editorials to increase the parameters of Developments of Significant Impact and to review those developments, WVU's recent projects certainly fall in the range of even the current definition.

I request that we the city respond with a letter to WVU sharing the concerns of the Housing Advisory Committee and ask their cooperation to seek a remedy to these concerns and copy this letter to the Housing Advisory Committee and our legislators.

*Kawecki Council Report Comments 11/19/13*